State of Iowa

1975

JOURNAL OF THE SENATE

1975

REGULAR SESSION

SIXTY-SIXTH

GENERAL ASSEMBLY

Convened January 13, 1975

Adjourned June 20, 1975

ROBERT D. RAY, Governor

ARTHUR A. NEU, President of the Senate

DALE M. COCHRAN, Speaker of the House

Published by the
STATE OF IOWA
Des Moines

SIXTY-SIXTH GENERAL ASSEMBLY

1975 Regular Session

OFFICERS OF THE SENATE

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BASS VAN GILST, *Assistant Majority Floor Leader* ..... Oskaloosa
CLIFTON C. LAMBORN, *Minority Floor Leader* ..... Maquoketa
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ROGER J. SHAFF, *Assistant Minority Floor Leader* ..... Camanche
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STEVEN C. CROSS, *Legal Counsel* ..... Des Moines
GEORGE W. WITTGRAF, *Administrative Assistant to Lieutenant Governor* ..... Des Moines
JANE WARREN, *Confidential Secretary to Lieutenant Governor* ..... Des Moines
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SUE THOMSEN, *Journal Clerk* ..... Des Moines
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MARY ANN ABBOTT, *Finance Clerk* ..... Des Moines
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JUDY K. ISEMINGER, *Special Clerk* ..... Des Moines
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WILLIAM C. SLOAN, *Sergeant-at-Arms* ..... Des Moines
BYRON MARSHALL, *Assistant Sergeant-at-Arms* ..... Indianola
LEONARD BORG, *Chief Doorkeeper* ..... Des Moines
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ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

ROBERT D. RAY, *Governor* ..... Des Moines
ARTHUR A. NEU, *Lieutenant Governor* ..... Carroll
MELVIN D. SYNHORST, *Secretary of State* ..... Des Moines
LLOYD R. SMITH, *Auditor of State* ..... Des Moines
MAURICE E. BARINGER, *Treasurer of State* ..... West Des Moines
ROBERT H. LOUNSBERRY, *Secretary of Agriculture* ..... McCallsburg
RICHARD C. TURNER, *Attorney General* ..... West Des Moines

JUSTICES OF THE IOWA SUPREME COURT

C. EDWIN MOORE, *Chief Justice* ..... Des Moines
M. L. MASON, *Justice* ..... Mason City
MAURICE E. RAWLINGS, *Justice* ..... Sioux City
CLAY LeGRAND, *Justice* ..... LeClaire
WARREN J. REES, *Justice* ..... Anamosa
HARVEY UHLENHOPP, *Justice* ..... Hampton
W. W. REYNOLDSON, *Justice* ..... Osceola
K. DAVID HARRIS, *Justice* ..... Jefferson
MARK McCORMICK, *Justice* ..... Des Moines

MEMBERS OF THE SENATE—SIXTY-SIXTH GENERAL ASSEMBLY—1975 REGULAR SESSION

Name	Address	Age	Occupation	Senatorial District	Former Legislative Service
Andersen, Leonard C.	Sioux City	63	Insurance, Real Estate, Investments	26—Woodbury, Monona	59, 60, 60X, 62, 63, 64, 65
Bergman, Irvin L.	Harris	63	Farmer, Businessman	2—Osceola, Clay, Dickinson, Emmet, Lyon, O'Brien, Palo Alto, Sioux	62, 63, 64, 65
Briles, James E.	Corning	48	Auctioneer, Real Estate	48—Adams, Adair, Cass, Guthrie, Montgomery, Page, Ringgold, Taylor, Union	56, 58, 59, 60, 60X, 61, 62, 63, 64, 65
Burroughs, Cliff	Greene	57	Legislator	19—Butler, Black Hawk, Bremer, Floyd, Franklin, Grundy, Marshall, Tama	65 (2-S)
Carr, Robert M.	Dubuque	37	Stockbroker	10—Dubuque	65
Coleman, C. Joseph	Clare	51	Farmer	23—Webster, Humboldt	57, 58, 59, 60, 60X, 61, 62, 63, 64, 65
Culver, Louis P.	Dunlap	66	Farmer	27—Harrison, Crawford, Monona, Pottawattamie, Shelby	None
Curtis, Warren E.	Cherokee	60	Certified Public Accountant	3—Cherokee, Buena Vista, Clay, O'Brien, Palo Alto, Plymouth, Pocahontas	64, 65
DeKoster, Lucas J.	Hull	56	Lawyer	1—Sioux, Lyon, Plymouth	61, 62, 63, 64, 65
Doderer, Minnette	Iowa City	51	Legislator	37—Johnson	60X, 61, 62, 63, 64, 65
Gallagher, James V.	Jesup	41	Telephone Company	16—Black Hawk, Benton, Buchanan, Linn, Tama	61, 62, 65
Glenn, Gene W.	Ottumwa	46	Lawyer	45—Wapello, Appanoose, Davis, Mahaska, Monroe	61, 62, 63, 64, 65
Gluba, William E.	Davenport	32	Lawmaker-Realtor	41—Scott	64, 65
Griffin, James W., Sr.	Council Bluffs	39	Insurance Executive	50—Pottawattamie	63, 64, 65
Hansen, Willard R.	Cedar Falls	43	General Insurance, Real Estate	18—Black Hawk	63, 64, 65
Heying, Hilarius L.	West Union	60	Businessman, Farmer	8—Fayette, Bremer, Chickasaw, Howard, Winneshiek	61, 62, 65
Hill, Eugene M.	Newton	61	Farmer	35—Jasper, Mahaska, Marion, Polk, Poweshiek, Warren	58, 59, 60, 60X, 61, 62, 63, 64, 65
Hill, Philip B.	Des Moines	43	Lawyer	33—Polk	64, 65
Hultman, Calvin O.	Red Oak	33	Retail Lumberman	49—Montgomery, Fremont, Mills, Page, Pottawattamie	65
Junkins, Lowell L.	Montrose	30	Home Construction and *Real Estate Developer*, Ambulance Service Operator	43—Lee, Des Moines, Henry	65

Name	Address	Age	Occupation	Senatorial District	Former Legislative Service
Kelly, E. Kevin	Sioux City	31	Senior Trust Officer, Bank	25—Woodbury, Cherokee, Plymouth	64, 65
Kinley, George R.	Des Moines	37	Owner and Operator Driving Range and Miniature Golf	34—Polk, Warren	64, 65
Lamborn, Clifton C.	Maquoketa	55	Road Contractor	12—Jackson, Cedar, Clinton, Johnson, Jones, Scott	62, 63, 64, 65
Merritt, Milo	Osage	59	Real Estate Salesman	7—Mitchell, Cerro Gordo, Chickasaw, Floyd, Howard	None
Miller, Charles P.	Burlington	56	Doctor of Chiropractic	42—Des Moines, Henry, Louisa	60, 60X, 61, 62, 63, 64, 65
Miller, Elizabeth R.	Marshalltown	69	Homemaker, Legislator	20—Marshall, Grundy, Hardin, Jasper, Story	63, 64, 65
Murray, John S.	Ames	35	Attorney	21—Story, Boone, Polk	65
Nolin, Karl	Ralston	67	Consultant	28—Carroll, Audubon, Cass, Crawford, Greene, Guthrie, Shelby	62, 65
Nolting, Fred W.	Waterloo	42	Meat Cutter	17—Black Hawk	63
Norpel, Richard J., Sr.	Bellevue	56	Real Estate and Insurance Salesman, Owner Women's Clothing Store	11—Jackson, Delaware, Dubuque, Jones	64, 65
Nystrom, John N.	Boone	41	Auto Dealer	22—Boone, Greene, Hamilton, Story, Webster	64, 65
Orr, Joan	Grinnell	51	Legislator	36—Poweshiek, Benton, Iowa, Johnson, Keokuk, Tama	63(2-S), 65
Palmer, William D.	Des Moines	39	President, Ins. Agency	32—Polk	61, 62, 63, 64, 65
Plymat, William N.	Urbandale	63	Insurance Co. Executive	30—Polk	65
Priebe, Berl E.	Algona	56	Farmer, Businessman	4—Kossuth, Emmet, Hancock, Humboldt, Palo Alto, Pocahontas, Winnebago	63, 64, 65
Rabedeaux, W. R.	Wilton	55	Pres. Publishing Co.; Director, Power Co.	38—Muscatine, Johnson, Louisa, Scott	63(2-S), 64, 65
Ramsey, Richard R.	Osceola	33	Attorney	47—Clark, Appanoose, Decatur, Lucas, Madison, Monroe, Ringgold, Union, Wayne	65
Redmond, James M.	Cedar Rapids	32	Assistant City Attorney	13—Linn, Johnson	None
Robinson, Cloyd E.	Cedar Rapids	36	Production Line Operator	14—Linn, Benton	64, 65

MEMBERS OF THE SENATE—SIXTY-SIXTH GENERAL ASSEMBLY—1975 REGULAR SESSION—Continued

Name	Address	Age	Occupation	Senatorial District	Former Legislative Service
Rodgers, Norman G.	Adel	47	Super Market Owner-Farmer	29—Dallas, Adair, Clarke, Guthrie, Madison, Warren	63, 64, 65
Schwengels, Forrest V.	Fairfield	59	Real Estate	44—Jefferson, Henry, Keokuk, Lee, Van Buren, Wapello, Washington	65
Scott, Kenneth D.	Thornton	44	Farmer, Auctioneer, Real Estate	6—Cerro Gordo, Worth	64, 65
Shaff, Roger J.	Camanche	63	Farmer	39—Clinton, Scott	62, 63, 64, 65
Shaw, Elizabeth	Davenport	51	Lawyer, Housewife	40—Scott	62, 63, 64, 65
Sovern, Steve	Marion	32	Manager (Pres.), Sign Company	15—Linn	None
Taylor, Ray	Steamboat Rock	51	Farmer	5—Hardin, Cerro Gordo, Franklin, Hancock, Wright	65
Tieden, Dale L.	Elkader	52	Farmer	9—Clayton, Allamakee, Delaware, Dubuque, Fayette, Winneshiek	61, 62, 63, 64, 65
Van Gilst, Bass	Oskaloosa	63	Farmer	46—Mahaska, Keokuk, Lucas, Marion, Monroe, Poweshiek, Warren	61, 62, 63, 64, 65
Willits, Earl M.	Des Moines	28	Attorney	31—Polk	64, 65
Winkelman, William P.	Lohrville	41	Farmer	24—Calhoun, Carroll, Cherokee, Crawford, Buena Vista, Greene, Ida, Pocahontas, Sac	60, 60X, 61, 62, 63, 64, 65

(2-S) Denotes second regular session.

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Anderson, Robert T.	Newton	29	Teacher	69th—Jasper, Marion, Polk, Warren	None
Avenson, Donald D.	Oelwein	30	Office Manager	15th—Bremer, Chickasaw, Fayette, Howard, Winneshiek	65
Baker, Keith	Linn Grove	45	USAF Retired, Farmer	6th—Buena Vista, Cherokee, Clay, O'Brien, Palo Alto, Pocahontas	None
Bennett, Wayne	Galva	47	Farmer	48th—Buena Vista, Carroll, Cherokee, Crawford, Ida, Sac	65
Bina, Robert F.	Davenport	34	Artist	80th—Scott	None
Bittle, Edgar H.	West Des Moines	32	Attorney	66th—Polk	65
Bortell, Glen E.	St. Charles	60	Owner & Operator of Youth Ranch	58th—Adair, Clarke, Dallas, Madison, Warren	63 (2-S), 65
Brandt, Diane	Cedar Falls	36	Legislator	35th—Black Hawk	None
Branstad, Terry E.	Lake Mills	28	Lawyer	8th—Emmet, Hancock, Kossuth, Winnebago	65
Brockett, Glenn F.	Marshalltown	64	Retired	39th—Marshall	65
Brunow, John B.	Centerville	25	Railway Employee	93rd—Appanoose, Clarke, Lucas, Monroe, Wayne	65
Byerly, Richard L.	Ankeny	36	Administrator	61st—Polk	65
Caffrey, James T.	Des Moines	66	Retired	67th—Polk	61, 62, 63, 65
Clark, John H.	Keokuk	28	Insurance Agent	86th—Lee, Henry	64, 65
Cochran, Dale M.	Eagle Grove	46	Farmer, Businessman	45th—Webster, Humboldt	61, 62, 63, 64, 65
Connors, John H.	Des Moines	51	Fire Department—Captain	64th—Polk	65
Crabb, Frank	Denison	71	Retired Business Executive	53rd—Crawford, Harrison, Monona	63, 65
Crawford, Reid W.	Ames	23	Legislator	42nd—Boone, Polk, Story	65
Cusack, Gregory D.	Davenport	31	Community Organizer	81st—Scott	65
Daggett, Horace	Kent	43	Farmer	96th—Adams, Montgomery, Page, Ringgold, Taylor	65
Danker, Arlyn E.	Minden	45	Farmer	54th—Harrison, Pottawattamie, Shelby	65
Den Herder, Elmer H.	Sioux Center	66	Retired Farmer	1st—Lyon, Sioux	57, 58, 59, 60, 60X, 61, 62, 63, 64, 65
Dieleman, W. W. (Bill)	Pella	43	Insurance Underwriter	70th—Jasper, Mahaska, Marion, Poweshiek	None
Doyle, Donald V.	Sioux City	49	Lawyer	51st—Woodbury	57, 58, 61, 63, 64, 65
Drake, Richard F.	Muscatine	47	General Farming	76th—Muscatine, Scott	63, 64, 65
Dunton, Keith H.	Thornburg	59	Farmer, Businessman	88th—Keokuk, Washington	58, 59, 60, 60X, 61, 62, 63, 64, 65
Dyrland, Terry	Elkader	31	Teacher	18th—Clayton, Delaware, Dubuque, Fayette	None

MEMBERS OF THE HOUSE—SIXTH-SIXTH GENERAL ASSEMBLY—1975 REGULAR SESSION—Continued

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Egenes, Sonja	Story City	44	Legislator	43rd—Boone, Hamilton, Story, Webster	64, 65
Evans, Cooper	Grundy Center	50	Engineer, Farmer	38th—Black Hawk, Butler, Franklin, Grundy, Marshall, Tama	None
Fitzgerald, Jerome	Fort Dodge	33	Administrative & Political Consultant	46th—Webster	65
Fullerton, Bert	Correctionville	72	Farmer	49th—Cherokee, Plymouth, Woodbury	62, 65
Gentleman, Julia B.	Des Moines	43	Housewife	65th—Polk	None
Gilloon, Thomas J.	Dubuque	25	Sales Person	21st—Dubuque, Jackson	None
Griffee, William B.	Nashua	38	Legislator, Consulting Service	14th—Chickasaw, Floyd, Howard, Mitchell	65
Halvorson, Roger A.	Monona	40	Insurance, Real Estate Broker	17th—Allamakee, Clayton, Winneshiek	None
Hansen, Ingwer L.	Hartley	62	Retired	3rd—Clay, Dickinson, Lyon, O'Brien, Osceola, Sioux	65
Hargrave, William J., Jr.	Iowa City	44	Self-Employed	74th—Johnson	65
Harper, Mattie	West Grove	50	Legislator, Business Woman, Homemaker	90th—Appanoose, Davis, Wapello	65
Harvey, LaVern R.	Bettendorf	30	Contractor	79th—Scott	65
Hennessey, Maurice	Ryan	47	Salesman	22nd—Delaware, Dubuque, Jackson, Jones	65
Higgins, Thomas J.	Davenport	29	Communication Consultant	82nd—Scott	65
Hines, Neal	Nevada	24	Ironworker	41st—Story	None
Hinkhouse, Herbert C.	West Branch	57	Farmer	24th—Cedar, Clinton, Johnson, Scott	None
Horn, Wally E.	Cedar Rapids	40	Teacher	28th—Linn	65
Howell, Rollin K.	Rockford	45	Farmer	13th—Cerro Gordo, Floyd, Mitchell	65
Hullinger, Arlo	Leon	53	Farmer	94th—Clarke, Decatur, Madison, Ringgold, Union, Wayne	61, 62
Husak, Emil J.	Toledo	44	Farmer	71st—Benton, Iowa, Poweshiek, Tama	64, 65
Hutchins, C. W. (Bill)	Guthrie Center	43	Self-Employed Businessman	56th—Audubon, Carroll, Cass, Crawford, Greene, Guthrie, Shelby	65
Jesse, Norman G.	Des Moines	37	Attorney	62nd—Polk	63, 64, 65
Jochum, Thomas J.	Dubuque	23	Plant Worker	19th—Dubuque	None
Jordan, James D.	Marion	54	Farmer	30th—Linn	65

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Junker, Willis E.	Sioux City	49	Investor	50th—Woodbury	65
Koogler, Fred L., Sr.	Oskaloosa	48	YMCA Exec. Director	91st—Keokuk, Lucas, Mahaska, Marion, Monroe, Poweshiek	None
Krause, Robert A.	Fenton	24	Farmer	7th—Hancock, Humboldt, Kossuth, Palo Alto, Pocahontas	65
Kreamer, Robert M.	Des Moines	34	Attorney	60th—Polk	63, 64, 65
Lageschulte, Ray	Waverly	52	Farmer, Ins. Adjuster	37th—Black Hawk, Bremer, Butler, Floyd	None
Lindeen, Arnold R.	Swedesburg	64	Farmer	83rd—Des Moines, Henry, Louisa	None
Lipsky, Joan	Cedar Rapids	55	Legislator	26th—Linn	62, 63, 64, 65
Lonergan, Joyce	Boone	40	Housewife	44th—Boone, Greene	None
McElroy, Lillian	Percival	57	Business Woman, Legislator	97th—Fremont, Mills, Montgomery, Page	64, 65
Menke, Lester D.	Calumet	55	Farmer, Insurance	5th—Buena Vista, Cherokee, Clay, O'Brien, Plymouth	65
Mennenga, Jay	Clinton	31	Teacher	77th—Clinton	65
Middleswart, James I.	Indianola	62	Food Producer	92nd—Lucas, Marion, Warren	62, 63, 64, 65
Middleton, M. Peter	Waterloo	28	Labor Relations—Packing Company	34th—Black Hawk	None
Millen, Floyd H.	Farmington	55	Owner-Limestone & Gravel Company	87th—Henry, Jefferson, Keokuk, Lee, Van Buren, Wapello, Washington	60, 60X, 61, 62, 63, 64, 65
Miller, Alvin V.	Ventura	53	Farmer, Retail Merchant	11th—Cerro Gordo	65
Miller, Kenneth D.	Independence	48	Owner-Mobile Home Ct.	32nd—Black Hawk, Buchanan	65
Miller, Opal	Rockwell City	59	Housewife	47th—Calhoun, Carroll, Greene, Pocahontas, Sac	None
Monroe, W. R. (Bill) Jr.	Burlington	36	Pharmacist	84th—Des Moines	64, 65
Nealson, Otto H.	West Liberty	57	Real Estate Broker	75th—Johnson, Louisa, Muscatine	None
Newhard, Scott D.	Anamosa	23	Student	23rd—Cedar, Clinton, Jackson, Jones	65
Nielsen, Carl V.	Altoona	42	Lawyer	63rd—Polk	65
Norland, Lowell E.	Xensett	43	Farmer	12th—Cerro Gordo, Worth	65
Oakley, Brice C.	Clinton	37	Lawyer, Legislator	78th—Clinton, Scott	65
O'Halloran, Mary	Cedar Falls	31	Teacher, Legislator	36th—Black Hawk	65
Patchett, John E.	North Liberty	25	Legislator	25th—Johnson, Linn	65
Pavich, Emil S.	Council Bluffs	43	Cereal Company Employee	99th—Pottawattamie	None

MEMBERS OF THE HOUSE—SIXTY-SIXTH GENERAL ASSEMBLY—1975 REGULAR SESSION—Continued

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Pellett, Wendell C.	Atlantic	57	Farmer	95th—Adair, Adams, Cass, Guthrie, Union	64, 65
Perkins, Carroll	Jefferson	48	Agriculture	55th—Audubon, Carroll, Crawford, Greene, Guthrie	None
Poncy, Charles N.	Ottuwma	52	Maintenance Engineer	89th—Mahaska, Monroe, Wapello	62, 63, 65
Readinger, David M.	Urbandale	39	Salesman	59th—Polk	65
Rinas, B. Joseph	Marion	27	Machine Operator	29th—Linn	65
Scheelhaase, Lyle	Moville	43	Farmer	52nd—Monona, Woodbury	None
Schroeder, Laverne W.	McClelland	41	Farmer	98th—Mills, Pottawattamie	62, 63, 64, 65
Small, Arthur A., Jr.	Iowa City	40	Businessman	73rd—Johnson	64, 65
Spear, Clay	Burlington	58	Retired—Substitute Teacher	85th—Des Moines, Lee	None
Spencer, Don W.	Ruthven	52	Farmer	4th—Clay, Dickinson, Emmet, Palo Alto	None
Spradling, James W.	Orange City	52	Teacher and Psychologist	2nd—Plymouth, Sioux	None
Stromer, Delwyn	Garner	44	Farmer	9th—Cerro Gordo, Franklin, Hancock, Wright	62, 63, 64, 65
Svoboda, Linda A.	Amana	31	Journalist	72nd—Benton, Iowa, Johnson, Keokuk, Poweshiek	None
Tauke, Thomas J.	Dubuque	24	Attorney	20th—Dubuque	None
Tofte, Semor C.	Decorah	63	Repair Specialist—Farm Equipment	16th—Fayette, Howard, Winneshiek	65
Varley, Andrew	Stuart	40	Farmer	57th—Adair, Dallas, Guthrie	62, 63, 64, 65
Walter, Craig D.	Council Bluffs	25	Director—Division of Heart Association	100th—Pottawattamie	None
Welden, Richard W.	Iowa Falls	66	Retired Contractor	10th—Franklin, Hardin, Wright	62, 63, 64, 65
Wells, James D.	Cedar Rapids	46	Leadman	27th—Benton, Linn	63, 64, 65
West, James C.	State Center	42	Furniture Retailer	40th—Grundy, Hardin, Jasper, Marshall, Story	65
Woods, Jack E.	Des Moines	38	Self Employed	68th—Polk, Warren	65
Wulff, Henry C.	Waterloo	31	Real Estate Salesman	33rd—Black Hawk	65
Wyckoff, Russell L.	Vinton	49	Farmer	31st—Benton, Black Hawk, Buchanan, Linn, Tama	64, 65

(2-S) Denotes second regular session.

JOURNAL OF THE SENATE

OPENING DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JANUARY 13, 1975

Pursuant to chapter two (2), section two point one (2.1), Code of Iowa, the 1975 regular session of the Sixty-sixth General Assembly convened at 10:00 a.m., and the Senate was called to order by Lieutenant Governor Arthur A. Neu.

Father Thomas Gray, pastor of the Trinity Episcopal Church, Carroll, Iowa, offered the following prayer:

Almighty God, maker of the universe, Lord of power, source of grace and wisdom; we commend to you all who are engaged in the government of our state. Grant them clean hands, pure hearts, integrity of purpose, and unfailing devotion to the cause of righteousness. Strengthen them with the gift of wisdom and understanding, of counsel and courage, that they might uphold what is right and follow what is true.

And we commend to you, merciful Lord, their work. May all their legislation be such as will promote your work in our midst; succour the poor, relieve the oppressed, put down all injustice, and right all social wrong. Let all they think, speak, or do, be for the glory of God and the good of God's people, Amen.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Leonard E. Masters, Des Moines, Iowa.

OPENING REMARKS BY THE LIEUTENANT GOVERNOR

Lieutenant Governor Neu addressed the Senate as follows:

Special elections and blizzards notwithstanding, the First Session of the Sixty-sixth Iowa General Assembly is underway.

On a similar occasion sixteen years ago, Lieutenant Governor Edward J. McManus, a Democrat presiding over an Iowa Senate controlled by Republicans, had this to say:

> I would be less than forthright with you if I did not observe that I was quite disappointed with the Senate's action . . . in changing the rules so as to strip the lieutenant governor of the traditional power of appointing the standing committees. As a result of this action, I have been appropriately described as "the only bird in captivity who had his wings clipped before he learned how to fly." Though perhaps I should have, frankly I really didn't expect it to happen.

My surprise is not nearly so great as my predecessor's. In fact, I fully expected the move to take away my committee appointment powers—especially after the results in Dubuque on December 30! Perhaps my

lack of surprise is because, unlike Governor McManus, I had two years to learn how to fly, and to learn the political realities.

Regardless of the outcome of the rules debate these next few days, let me express two hopes I have for this year.

First, I hope that this session can be remembered as one of distinguished bipartisan cooperation. We have a partisan division between our executive and legislative branches. We have a nearly equal division between the parties right here in the Senate. In other words, the only way this session can make appropriations, and write new laws, and change old laws is through concerted cooperation across the aisle.

Since November, Senator Kinley has spent many hours visiting with Senator Lamborn and with me. He has sought our advice—and in some cases even heeded it. While I cannot agree with all of Senator Kinley's decisions regarding rules and staffing, I commend him for his hard work and for his thoroughness. And I am pleased especially by his decision to carry on the tradition of bipartisan staffing begun a year ago. In short, the relationship between the two parties' leadership was open and cordial as preparations were made for this session. Hopefully this is an omen for the session as a whole.

Contemplating the Sixty-sixth General Assembly in its entirety, I cannot forget what happened in Maine this past November. As you know, the gubernatorial candidates of both major parties were rejected for an unknown independent candidate. How inadequate must have been the leadership of the Republican and Democratic parties there?

It goes without saying that public officeholders are more suspect today than at any time in recent memory. Only through bipartisan cooperation, and resultant accomplishment, can any of us hope to rise above that suspicion.

My second hope for this session is that preoccupation with day-to-day affairs will not bar attention to the future. From the earliest hours, and particularly when the race for adjournment begins, we all tend to labor over the minutiae. The composition of the energy committee inevitably becomes more important than the energy crisis itself.

The familiar cliche is that ours is a rapidly changing society—technologically, economically, socially, and even politically. But the cliche has a great deal of truth in it.

Certainly our decisions here are constrained and overshadowed by decisions made in Washington. But that fact cannot allow us to avoid facing what lies ahead. Whether the issue is as broad as inflation, or as narrow as the destructive effect of aerosol containers on the ozone layer, the Iowa Legislature must take whatever action is possible.

We must act to save the future and, as we act, we must prepare our fellow citizens to adjust accordingly. Last year's "Iowa 2000" effort provided a starting point. Now we here must take the lead.

The next six months, and the next two years, will be a unique experience for all of us. Let it be a uniquely bipartisan and foresighted experience as well.

TEMPORARY OFFICERS

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

Clark R. Rasmussen, Temporary Secretary
Dorothy F. Nepstad, Temporary Journal Editor
William Sloan, 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.

ANNOUNCEMENT OF VACANCY

President Neu announced that he had received notification from the office of Governor Ray of a vacancy in the Tenth Senatorial District due to the resignation of Senator Michael T. Blouin on November 15, 1974.

ANNOUNCEMENT OF RESIGNATIONS

President Neu announced that he had received notification from the following Senators of their resignations from various state commissions, boards and councils:

Leonard C. Andersen	Commission on the Aging
Warren E. Curtis	Capitol Planning Commission State Records Commission Supreme Court Advisory Council
James V. Gallagher	Energy Policy Council
Gene W. Glenn	Iowa Law Enforcement Academy Council
James W. Griffin, Sr.	IPERS Investment Advisory Board Interstate Cooperation Commission
Calvin O. Hultman	Energy Policy Council
John S. Murray	Interstate Cooperation Commission
Joan Orr	Commission on the Aging
William D. Palmer	Interstate Cooperation Commission
William N. Plymat	Capitol Planning Commission
C. Joseph Coleman	Medical Assistance Council
Minnette F. Doderer	Child Abuse Information Council Education Commission of the States
E. Kevin Kelly	Child Abuse Information Council
W. R. Rabedeaux	Occupational Safety and Health Council Interstate Cooperation Commission
Richard R. Ramsey	Iowa Law Enforcement Academy Council
Cloyd E. Robinson	Occupational Safety and Health Council
Norman G. Rodgers	American Revolution Bicentennial Commission
Forrest V. Schwengels	Iowa Crime Commission American Revolution Bicentennial Commission
John N. Nystrom	Higher Education Facilities Commission
Elizabeth Shaw	Education Commission of the States

COMMITTEE ON CREDENTIALS

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

The motion prevailed and the Chair appointed as such committee Senators Willits, Scott, Nolting, Ramsey and Murray.

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 persons named in the attached duplicate copy of the Certification of the Secretary of State duly elected to and entitled to seats in the Senate of the Sixty-sixth General Assembly:

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 7, 1972, 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, 1973.

Districts	
Second	Irvin L. Bergman
Fourth	Berl E. Priebe
Sixth	Kenneth D. Scott
Eighth	H. L. Heying
Twelfth	Clifton C. Lamborn
Fourteenth	Cloyd E. Robinson
Sixteenth	James Gallagher
Eighteenth	Willard R. Hansen
Twentieth	Elizabeth R. Miller
Twenty-second	John N. Nystrom
Twenty-fourth	William P. Winkelman
Twenty-sixth	Leonard C. Andersen
Twenty-eighth	Karl Nolin
Thirtieth	William N. Plymat
Thirty-second	William D. Palmer
Thirty-fourth	George R. Kinley
Thirty-sixth	Joan Orr
Thirty-eighth	W. R. Rabedeaux
Fortieth	Elizabeth Shaw
Forty-second	Charles P. Miller
Forty-fourth	Forrest V. Schwengels
Forty-sixth	Bass Van Gilst
Forty-eighth	James E. Briles
Fiftieth	Jim Griffin

I FURTHER CERTIFY that the State Canvassing Board has declared that at a Special Election held on December 30, 1974, Robert M. Carr was

elected to the office of State Senator for the Tenth District, to fill a vacancy in a four year term which began in January, 1973.

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held November 5, 1974, 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, 1975.

Districts	
First	Lucas J. DeKoster
Third	Warren E. Curtis
Fifth	Ray Taylor
Seventh	Milo Merritt
Ninth	Dale L. Tieden
Eleventh	Richard J. Norpel, Sr.
Thirteenth	James Michael Redmond
Fifteenth	Steve Sovern
Seventeenth	Fred W. Nolting
Nineteenth	Clifford E. Burroughs
Twenty-first	John S. Murray
Twenty-third	C. Joseph Coleman
Twenty-fifth	E. Kevin Kelly
Twenty-seventh	Louis P. Culver
Twenty-ninth	Norman Rodgers
Thirty-first	Earl M. Willits
Thirty-third	Philip B. Hill
Thirty-fifth	Eugene M. Hill
Thirty-seventh	Minnette Doderer
Thirty-ninth	Roger J. Shaff
Forty-first	William E. Gluba
Forty-third	Lowell L. Junkins
Forty-fifth	Gene W. Glenn
Forty-seventh	Richard R. Ramsey
Forty-ninth	Calvin O. Hultman

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 13th day of January, 1975.

(SEAL)

MELVIN D. SYNHORST, Secretary of State

EARL M. WILLITS, Chairman
JOHN S. MURRAY
FRED W. NOLTING
RICHARD R. RAMSEY
KENNETH D. SCOTT

On motion of Senator Willits, the report was adopted and the duly elected Senators appeared before the bar of the Senate, were duly sworn and subscribed their names to the oath of office.

SELECTION OF SEATS

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

Senator Shaw moved that the holdover and reelected Senators be granted the privilege of retaining the seats occupied by them

during the Sixty-fifth General Assembly, or the privilege of selecting new seats by seniority from the unassigned seats; that any Senator having any defect, such as defective sight or hearing, be allowed to select his seat from the unassigned seats; that 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; and that the newly elected Senators select their seats from the unassigned seats, the order of selection based on their names being placed in a hat and drawn out by the Secretary of the Senate. In addition, prior to the drawing for unassigned seats, that the Majority Floor Leader and the Minority Floor Leader be permitted to select their seats.

The motion prevailed.

Senator Kinley asked and received unanimous consent that Senator Culver be permitted to occupy Seat 35.

The Secretary of the Senate called the roll and seat selections were made as follows:

Name	Seat No.
Andersen of Woodbury	42
Bergman of Osceola	20
Briles of Adams	34
Burroughs of Butler	16
Carr of Dubuque	17
Coleman of Webster	13
Culver of Harrison	35
Curtis of Cherokee	24
DeKoster of Sioux	44
Doderer of Johnson	47
Gallagher of Black Hawk	33
Glenn of Wapello	3
Gluba of Scott	1
Griffin of Pottawattamie	50
Hansen of Black Hawk	40
Heying of Fayette	46
Hill of Jasper	10
Hill of Polk	4
Hultman of Montgomery	6
Junkins of Lee	25
Kelly of Woodbury	23
Kinley of Polk	43
Lamborn of Jackson	49
Merritt of Mitchell	12
Miller of Des Moines	45
Miller of Marshall	14
Murray of Story	32
Nolin of Carroll	11
Nolting of Black Hawk	7
Norpel of Jackson	31
Nystrom of Boone	38
Orr of Poweshiek	39
Palmer of Polk	41
Plymat of Polk	26
Priebe of Kossuth	37
Rabedeaux of Muscatine	48
Ramsey of Clarke	2
Redmond of Linn	5
Robinson of Linn	27
Rodgers of Dallas	29
Schwengels of Jefferson	18
Scott of Cerro Gordo	9
Shaff of Clinton	28
Shaw of Scott	30
Sovern of Linn	19
Taylor of Hardin	8
Tieden of Clayton	22
Van Gilst of Mahaska	36
Willits of Polk	15
Winkelman of Calhoun	21

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Palmer moved that a committee of four be appointed

to notify the Governor that the Senate was organized and ready to receive any communication he might be ready to transmit.

The motion prevailed and the Chair appointed as such committee Senators Palmer, Junkins, Hill of Polk and Plymat.

COMMITTEE TO NOTIFY THE HOUSE

Senator Norpel moved that a committee of four be appointed to notify the House that the Senate was organized and ready for business.

The motion prevailed and the Chair appointed as such committee Senators Norpel, Hill of Jasper, Kelly and Nystrom.

ADOPTION OF SENATE RESOLUTION 1

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

SENATE RESOLUTION 1
By Kinley, Lamborn, Palmer, Junkins, Van Gilst and Rabedeaux

Whereas, section two point eleven (2.11) of the Code provides that "Each house of the general assembly may employ such officers and employees as it shall deem necessary for the conduct of its business."; and

Whereas, Ralph R. Brown was elected secretary of the senate on January 13, 1973, for a term ending on January 12, 1975; *Now Therefore*

Be It Resolved by the Senate, That Ralph R. Brown be hired as special consultant to the senate for the period January 13, 1975, through and including January 17, 1975.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 1

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

SENATE CONCURRENT RESOLUTION 1
By Kinley, Lamborn, Palmer, Junkins, Van Gilst and Rabedeaux

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

Whereas, pursuant to Senate Resolution 1, duly adopted on

January 13, 1975, Ralph R. Brown has been hired as special consultant to the senate for the period January 13, 1975, through and including January 17, 1975; *Now Therefore*

Be It Resolved by the Senate, the House Concurring, that the compensation of Ralph R. Brown, special consultant to the senate, be set at three hundred sixty-five dollars and thirty-nine cents ($365.39) for the period January 13, 1975, through and including January 17, 1975.

Be It Further Resolved, That Ralph R. Brown be granted a two week vacation, with pay at the rate of three hundred sixty-five dollars and thirty-nine cents ($365.39) per week, in addition to any accrued vacation, at the same rate of pay, during his tenure as secretary of the senate.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE RESOLUTION 4

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

SENATE RESOLUTION 4
By Doderer and Lamborn

Whereas, Ralph R. Brown has served as secretary of the senate since February 1, 1973 in a most capable manner; and

Whereas, Ralph R. Brown has devoted his efforts to the efficient operation of the senate during the Sixty-fifth General Assembly and has performed the duties of the secretary of the senate in a nonpartisan manner; and

Whereas, Ralph R. Brown has made significant contributions toward the professionalization of the senate staff; and

Whereas, Ralph R. Brown has contributed valuable services to the members of the senate and the state of Iowa; *Now Therefore*,

Be It Resolved by the Senate, That the Senate extends its appreciation and thanks to Ralph R. Brown for his contributions to the Senate and extends its best wishes for the future.

The motion prevailed and the resolution was adopted.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Norpel 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.

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

The Senate resumed session, President Neu presiding.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Palmer reported that the committee assigned to notify the Governor that the Senate was organized and ready to receive communications had performed its duty.

The report was accepted and the committee discharged.

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 1, relating to a joint convention of the two houses to be held on January 13, 1975, at 1:30 p.m.; also, that Governor Ray be invited to deliver his message at a joint convention of the two houses on January 14, 1975 at 11:00 a.m. and that the President of the Senate and the Speaker of the House be designated to extend the invitation to him. Further, that at this joint convention, the votes for Governor and Lieutenant Governor be canvassed and the results announced and recorded.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 1

By Fitzgerald

Be It Resolved by the House, the Senate Concurring, That a joint convention of the two houses of the Sixty-sixth General Assembly be held on January 13, 1975, 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 14, 1975 at 11:00 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.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

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

The motion prevailed and the resolution was adopted.

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 the Senate might be ready to transmit.

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

TELLERS OF JOINT CONVENTION

Senator Rodgers moved that three members of the Senate 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 tellers, on the part of the Senate, Senators Rodgers, Sovern and Schwengels.

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 Kinley moved that the Senate 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 Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

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

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

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

Senator Kinley moved that the joint convention recess until the fall of the gavel at 11:00 a.m., Tuesday, January 14, 1975.

The motion prevailed and the joint convention was recessed.

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

On motion of Senator Kinley, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Neu presiding.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

June 19, 1974

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Michael V. Dunn, Keokuk, Lee County, Iowa, for reappointment as a member of the City Development Board pursuant to Chapter 1088, Section 33, Acts of the Sixty-fourth General Assembly, Second Session, for a regular six-year term commencing July 1, 1974, and ending June 30, 1980.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. John P. Millhone, Des Moines, Polk County, Iowa, for appointment as Director of Energy Policy pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

Also:

June 20, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Harriette J. Baum, Manchester, Delaware County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. James P. Fuller, Muscatine, Muscatine County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Harriette (James) Lindberg, Des Moines, Polk County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Orren S. Olson, Humboldt, Humboldt County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Robert D. Porter, Sioux City, Woodbury County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

Also:

June 28, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Alice Van Wert, Hampton, Franklin County, Iowa, for appointment as a member of the Occupational Safety and Health Review Commission pursuant to Chapter 88.10, 1973 Code of Iowa, for an unexpired term commencing immediately and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

July 1, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Stephen Garst, Coon Rapids, Carroll County, Iowa, for appointment as a member of the State Transportation Commission pur-

suant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. William F. McGrath, Melrose, Monroe County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Ann (Don D.) Pellegreno, Story City, Story County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session for an initial term commencing July 1, 1974, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Robert R. Rigler, New Hampton, Chickasaw County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. L. Stanley Schoelerman, Spencer, Clay County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an inital term commencing July 1, 1974, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Allen T. Thoms, Dubuque, Dubuque County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

July 17, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Vernon C. Cook, Clinton, Clinton County, Iowa, for appointment as a member of the Public Employment Relations Board pursuant to Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Edward F. Kolker, Waterloo, Black Hawk County, Iowa, for appointment as a member and chairman of the Public Employment Relations Board pursuant to Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial four-year term commencing July 1, 1974, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. John R. Loihl, Park Forest, Illinois, for appointment as a member of the Public Employment Relations Board pursuant to Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

August 13, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Margaret Baehr, Spencer, Clay County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid

Dealers pursuant to Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Charles Edmund "Ed" Chamberlain, Jr., Clear Lake, Cerro Gordo County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session for an initial term commencing July 1, 1974, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Jack L. Jennings, Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Phyllis Larson, Davenport, Scott County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Clifford Welcher, Greenfield, Adair County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

September 16, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Donald K. Gardner, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa State Highway Commission pursuant to Section 307.2, 1973 Code of Iowa, for an unexpired term ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Donald K. Gardner, Cedar Rapids, Linn County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial unexpired term ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

October 21, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Betty S. Maxheimer, Clarion, Wright County, Iowa, for appointment as a member of the IPERS Advisory Investment Board pursuant to Section 97B.8, 1973 Code of Iowa as amended by Chapter 149, Acts of the Sixty-fifth General Assembly, 1973 Regular Session for an unexpired term ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

December 31, 1974

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. John D. Thorson, Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Air Quality Commission of the Department of Environmental Quality for the State of Iowa pursuant to Section 455B.4, 1973 Code of Iowa, for an unexpired term ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

January 8, 1975

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the

name of Larry E. Crane, P.E., Des Moines, Polk County, Iowa, for appointment as Executive Director of Environmental Quality for the State of Iowa effective immediately under the provisions of Section 455B.2, 1973 Code of Iowa, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

COMMUNICATION FROM STATE BOARD OF PUBLIC INSTRUCTION

The following communication from the State Board of Public Instruction was presented:

December 17, 1974

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Governor Neu:

Pursuant to the provisions of Section 257.11, Code of Iowa, I am hereby submitting to the Senate for confirmation the appointment by the State Board of Public Instruction of Dr. Robert D. Benton as State Superintendent of Public Instruction. This appointment is for a four year term of office with the effective date of said appointment commencing January 1, 1975.

Sincerely yours,
MURIEL I. SHEPARD, President
State Board of Public Instruction

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with section 2.32, Code 1973, announced the appointment of the following Senators to investigating committees:

As a member of the City Development Board:

Michael V. Dunn, Lee County, Iowa, for a six-year term commencing July 1, 1974 and ending June 30, 1980.

Senator Junkins, Chairman
Senator Hansen
Senator Hultman

As Director of the Energy Policy Council for the State of Iowa:

John P. Millhone, Polk County, Iowa, to serve at the pleasure of the Governor.

Senator Plymat, Chairman
Senator Nolin
Senator Norpel

As members of the Energy Policy Council:

Harriette J. Baum, Delaware County, Iowa, to serve at the pleasure of the Governor.

Senator Tieden, Chairman
Senator Curtis
Senator Willits

James P. Fuller, Muscatine County, Iowa, to serve at the pleasure of the Governor.

Senator Rabedeaux, Chairman
Senator Miller of Marshall
Senator Van Gilst

Harriette Lindberg of Polk County, Iowa, to serve at the pleasure of the Governor.

Senator Plymat, Chairman
Senator Culver
Senator Orr

Orren S. Olson, Humboldt County, Iowa, to serve at the pleasure of the Governor.

Senator Coleman, Chairman
Senator Murray
Senator Sovern

Robert D. Porter, Woodbury County, Iowa, to serve at the pleasure of the Governor.

Senator Andersen, Chairman
Senator Nystrom
Senator Robinson

As a member of the Occupational Safety and Health Review Commission:

Alice VanWert, Franklin County, Iowa, for the unexpired portion of a term ending June 30, 1978.

Senator Taylor, Chairman
Senator Redmond
Senator Ramsey

As Chairman of the Public Employment Relations Board:

Edward F. Kolker, Black Hawk County, Iowa, for a four-year term commencing July 1, 1974 and ending June 30, 1978.

Senator Nolting, Chairman
Senator DeKoster
Senator Winkelman

As members of the Public Employment Relations Board;

Vernon C. Cook, Clinton County, Iowa, for a two-year term commencing July 1, 1974 and ending June 30, 1976.

Senator Shaff, Chairman
Senator Doderer
Senator Palmer

John R. Loihl, Park Forest, Illinois, for a two-year term commencing July 1, 1974 and ending June 30, 1976.

Senator Priebe, Chairman
Senator Rabedeaux
Senator Willits

As members of the Iowa Board of Examiners for Hearing Aid Dealers:

Margaret Baehr, Clay County, Iowa, for a one-year term commencing July 1, 1974 and ending June 30, 1975.

Senator Bergman, Chairman
Senator Culver
Senator Gallagher

Edmund Chamberlain, Jr., Cerro Gordo County, Iowa, for a three-year term commencing July 1, 1974 and ending June 30, 1977.

Senator Scott, Chairman
Senator Sovern
Senator Kelly

Jack L. Jennings, Woodbury County, Iowa, for a one-year term commencing July 1, 1974 and ending June 30, 1975

Senator Andersen, Chairman
Senator Burroughs
Senator Glenn

Phyllis Larson, Scott County, Iowa, for a two-year term commencing July 1, 1974 and ending June 30, 1976.

Senator Shaw, Chairman
Senator Briles
Senator Miller of Des Moines

Clifford Welcher, Adair County, Iowa, for a three-year term commencing July 1, 1974 and ending June 30, 1977.

Senator Rodgers, Chairman
Senator Merritt
Senator Schwengels

As a member of the IPERS Advisory Investment Board:

Betty S. Maxheimer, Wright County, Iowa, for the unexpired portion of a term ending June 30, 1977.

Senator Taylor, Chairman
Senator Gluba
Senator Hill of Jasper

As a member of the Air Quality Commission, Department of Environmental Quality for the State of Iowa:

John D. Thorson, Pottawattamie County, Iowa, for the unexpired portion of a term ending June 30, 1976.

Senator Griffin, Chairman
Senator Carr
Senator Heying

As Executive Director of the Department of Environmental Quality for the State of Iowa:

Larry E. Crane, Polk County, Iowa, to serve at the pleasure of the Governor.

Senator Hill of Polk, Chairman
Senator Heying
Senator Nolin

As State Superintendent of Public Instruction:

Dr. Robert D. Benton, Polk County, Iowa, for a regular four-year term commencing January 1, 1975 and ending December 31, 1978.

Senator Hill of Polk, Chairman
Senator Orr
Senator Robinson

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Hansen moved that the Secretary of the Senate be authorized to assign seats to the representatives of the news media and that appropriate badges be provided for their use.

The motion prevailed and the Secretary assigned the following:

51. Des Moines Register, Jerry Szumski
52. Des Moines Tribune, Norman Brewer
53. Associated Press, Val G. Corley
54. Des Moines Sunday Register, James Flansburg
55. United Press International, Randy Minkoff
56. Iowa Daily Press Association, Harrison Weber
57. KRNT Radio, David Garms
59. Dubuque Telegraph Herald, Stephen Good
60. The Cedar Rapids Gazette, Frank T. Nye
61. Iowa Press Association, Don Reid
62. Waterloo Courier, Bob Case
63. Quad-City Times, Roger Munns
64. KCCI-TV, James Worthington
65. Ames Daily Tribune, Jerry B. Dickinson, Rodson L. Riggs, Bill Wickersham
66. Dysart Reporter, Steven Karr
66. Des Moines Area Community College Eclectic, Jim Craig
67. Keokuk Daily Gate City, Ronald L. Lindsay, John Marion
68. The Daily Iowan, William Flannery, Jim Fleming, Chuck Hawkins, Tim Ohsann, Bill Roemerman
69. Legislative Bulletins, Otto Weber
70. Iowa Educational Broadcasting Network, Jeff Ames, Robert Bradsell, Sara Frasher, Joanne Strouf
71. Associated Press, William L. Eberline, Dan Even, Gordon Hanson, Terry Kinney, Chuck Roberts
72. Mason City Globe-Gazette, Charles W. Walk
73. Omaha World-Herald, David Beeder, Jeff Withrow
80. KCRG-TV, Dale Brodt, Gary Galvin, Mike McCollum, Andy Smith
81. Waterloo Courier, Bill Severin
81. Quad-City Times, John McCormick
82. KMA Radio, Bill Bone
83. WOI AM-FM-TV, Don Keeler, Nancy Fushan
84. WMT Stations, Dave Scheie
84. KCCI-TV, Kevin Cooney, Alan Loots, Bill Johnson, Mike Reynolds, Randy Schwager, Mark Threlkeld

85. KWWL, KLWW, KTIV, John Dodge, Jim Gritzner, Sandy Yoder
86. WHO and WHO-TV, Gus Horn
86. WOC, KIIK, Jack Thomsen
87. Iowa Radio Network, Donald Silcott
87. KRNT Radio, George Davidson
88. KGLO-TV, Roy Clark, Carole Custer, John Flanzer, Larry Huegli, Max Lee, Paul Miller
88. KTVO, Ron Heller, Randy Parlett, Terry Wollitz
89. KCBC Radio, Joe Kelly
89. KTIV, Dick Wait

BADGES AND UNIFORMS AUTHORIZED

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

COMMITTEE ON CHAPLAINS

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

APPOINTMENT BY LIEUTENANT GOVERNOR

President Neu announced the appointment of Gordon James of Des Moines to the Commission on Compensation, Expenses and Salaries for Elected State Officials, effective December 19, 1974, for a term ending June 30, 1977, to fill a vacancy created by the resignation of Harold W. Booth of Council Bluffs.

COMMITTEE ON PHOTOGRAPHS

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

The motion prevailed and the Chair appointed Senator Andersen.

INTRODUCTION OF BILLS

Senate File 1, by Senator Griffin, a bill for an act relating to operators' and chauffeurs' licenses.

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

Senate File 2, by Senator Rodgers, a bill for an act to prohibit

the underground storage of gas within the corporate limits of a city.

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

Senate File 3, by Senator Shaw, a bill for an act relating to unemployment compensation coverage for certain state employees.

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

Senate File 4, by Senator Shaw (Higgins), a bill for an act authorizing counties to provide facilities and services for handicapped persons.

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

SENATE RESOLUTION 2
By Doderer

Be It Resolved by the Senate: That each senator be hereby authorized to appoint a competent secretary; that each senator inform a committee of four, which the president of the senate is hereby authorized to appoint, of his or her selection. Each secretary shall be sworn in when found to be proficient by the committee on secretaries.

SENATE RESOLUTION 3
By Committee on Rules and Administration

Be It Resolved by the Senate, that the permanent rules of the senate for the 1974 regular session of the sixty-fifth general assembly, as amended and adopted on January 14, 1974, and further amended on February 5, 1974, be amended to read as follows and adopted as the permanent rules of the senate for the sixty-sixth general assembly:

RULES OF THE SENATE

Rule 1
Quorum

A constitutional majority shall constitute a quorum of the senate. Any senator may insist a quorum be present.

Rule 2
Adoption and Amendment of Rules

Whenever the senate is operating under temporary rules, the rules may be amended or repealed, or permanent rules may be adopted, by a constitutional majority of the senators. After adoption of permanent rules of the senate during any general assembly, the rules may be amended or repealed by a vote of twenty-six senators.

Rule 3
Rules of Parliamentary Procedure

In cases not covered by senate rules or joint rules, Mason's Manual of Legislative Procedure shall govern.

Rule 4
Sessions of the General Assembly

Page 2

The organization and committees of the senate shall carry over from the first to the second regular sessions of the same general assembly.

All bills and resolutions introduced in the first regular session of a general assembly which are not withdrawn, lost, or indefinitely postponed shall carry over into the second regular session of the same general assembly, and shall be returned to committee *except bills reported out by the committee on appropriations and the committee on ways and means, and senate bills amended by the house of representatives.* Committees may refer such bills and resolutions to a subcommittee for consideration or place them on the calendar.

Rule 5

Regular Order of Daily Business

The following order shall govern, subject to any special order:

1. Correction of the journal.
2. Introduction of bills.
3. Resolutions.
4. Communications to the senate.
5. Reports of committees.
6. Appropriations committee calendar.
7. Ways and means committee calendar.
8. Unfinished business before the senate.

Page 3

9. Consideration of daily calendar.

Rule 6

Senate Calendar

Bills *and resolutions* reported out by a committee for passage, amendment and passage, or without recommendation shall be arranged each day at 4:30 p.m. by the secretary on a daily calendar in the order of the file numbers of the bills *and resolutions* and following the preceding legislative day's calendar. Priority shall be given to senate over house bills *and resolutions* and to joint resolutions over bills. The combined daily calendars shall make up the senate calendar or order for consideration of bills *and resolutions.*

Special orders shall be at the head of the calendar. There shall be an appropriations calendar—for appropriations committee bills and bills reported out by the appropriations committee—and a ways and means calendar—for ways and means committee bills and bills reported out by the ways and means committee.

The senate may provide at any time for a separate category on the calendar to be listed as the "noncontroversial calendar" with special rules to apply.

Rule 7

Steering Committee

The senate may authorize *the appointment of* a steering committee. *Members of the steering committee shall be*

Page 4

appointed by the majority leader. The function of the steering

committee shall be to create its own calendar from the bills *and resolutions* on the regular calendar. Bill *and resolutions* on the steering committee calendar shall have priority over bills *and resolutions* on all other calendars, except appropriations and ways and means calendars.

Rule 8

Consideration of Special Orders

When any special order of the day is not considered on the day assigned, *or debate is not concluded on the day assigned,* it shall stand at the top of the unfinished business calendar.

Rule 9

Unfinished Business After a Special Order

When the pending question is interrupted by a special order, it shall, upon the disposal of the special order, be before the senate in the same stage as if it had not been interrupted.

Rule 10

When Eligible for Consideration

Bills, resolutions, and appointments shall be eligible for consideration by the senate as follows:

1. An appointment by the governor which requires senate confirmation shall be eligible one week after the president appoints the committee to investigate the appointee.

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2. A resolution *which has not been referred to committee* shall be eligible on the next legislative day after it is introduced or received. [This paragraph does not apply to resolutions referred to committee.]

3. A bill *or resolution* reported out by a committee shall be eligible one legislative day after it is first printed in the senate calendar.

4. A committee bill *or resolution* sponsored by the appropriations committee or the ways and means committee shall be eligible one legislative day after it is first printed in the senate calendar.

5. Any other committee bill *or resolution* shall be eligible three legislative days after it is first printed in the senate calendar.

When a bill *or resolution* on the calendar is not yet eligible, the date when it will become eligible shall be printed in the calendar.

Rule 11

Debate and Decorum

Before addressing the senate, the senator shall *depress the "speak" device and raise the microphone at the senator's desk, and when recognized,* rise [from his seat,] *and* respectfully address [himself to "Mr. President", and be recognized] *the chair.* [He] *The senator* shall [confine himself] *be confined* to the question under debate and *shall* avoid discussing

Page 6

personalities or implication of improper motives.

Rule 12

Point of Personal Privilege

A point of personal privilege shall only be recognized when there is no motion pending or other business being considered by the senate. Senators speaking on a point of personal privilege shall be limited to ten minutes.

Rule 13

Introduction and Presentation of Guests

Only former members of the senate and former and present members of Congress shall be presented to the senate, except that the president of the senate may present a visitor whose presence is of special significance to the senate. No presentation shall be made during debate or discussion on legislation. The presence of school groups accompanied by school officials shall be announced by the president of the senate and shall be recorded in the journal upon the written request of a member of the senate.

Rule 14

Form and Withdrawal of Motions and Amendments

Motions need not be in writing unless required by the president or by the senate. No motion requires a second. Any amendment, motion or resolution may be withdrawn by the mover if it has not been amended by the senate and if no amendment is pending. All amendments to bills, resolutions,

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and reports shall be in writing and filed at the desk before being acted upon by the senate.

No amendment to the Rules of the Senate, [to any] resolution, *or* bill, or amendment to [a bill] *an amendment*, shall be considered by the membership of the senate without a copy of said amendment to rule, resolution, *or* bill, or amendment to [a bill] *an amendment* being on the desks of the entire membership of the senate prior to consideration.

Rule 15

Order and Precedence of Motions

When a question is under debate, no motion shall be received but to adjourn, to recess, questions of privilege, to lay on the table, for the previous question, to postpone to a day certain, to refer, to amend, to postpone indefinitely, to defer, or incidental motions. Such motions shall have precedence in the order in which they are named. No motion to postpone to a day certain, to refer, or postpone indefinitely, being decided, shall be again allowed on the same day with regard to the same question. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend and, if carried, shall be considered equivalent to the rejection of the bill.

Rule 16

Designation of Motions

Motions before the senate shall be identified by the

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following numerical designations, which shall be displayed on the electronic voting system display boards following the word "motion":

1. Motion to adjourn sine die.

2. Motion to adjourn.

3. Motion to recess.
4. Motion to recess until the fall of the gavel.
5. Motion to amend.
6. Motion to amend the amendment.
7. Motion to refer.
8. Motion to defer.
9. Motion to reconsider.
10. Motion to reconsider and lay the motion to reconsider on the table.
11. Motion to lay on the table.
12. Motion to take from the table.
13. Motion to postpone to a day certain.
14. Motion to postpone indefinitely.
15. Motion to suspend the rules.
16. Motion to lift the call of the senate.
17. Motion to resolve into a committee of the whole.
18. Motion to rise from a committee of the whole.
19. Motion to adopt a report.
20. Motion to confirm an appointment by the governor.
21. Motion to concur in the house amendment.

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22. Motion to concur in the house amendment as amended.
23. Motion to refuse to concur in the house amendment.
24. Motion to refuse to concur in the house amendment as amended.
25. Motion to recede.
26. Motion to insist.
27. Motion for the previous question.
28. Motion that the bill (or resolution) be read the last time.
29. Shall the bill (or resolution) pass?
30. Shall the decision of the chair be sustained?

Rule [16] *17*

Motions not Debatable

The following motions are not debatable:

Adjourn
Recess
Call of the Senate
Lay on Table or Take from Table
Previous Question

A motion to suspend the rules is debatable.

Rule [17] *18*

Division of the Question

Any senator may call for a division of a question, which shall be divided if it includes propositions so distinct that if one is taken away, a substantive proposition shall remain

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for the decision of the senate. A motion to strike out and insert is indivisible; but a motion to strike out, if lost, shall not preclude amendments to the matter attempted to be stricken or a motion to strike out and insert.

Rule [18] *19*

The Previous Question

The previous question shall be in this form: "Shall debate

be closed on the pending question?" A motion for the previous question may be adopted by a majority of the senators present and voting. Its effect shall be to put an end to debate and bring the senate to a direct vote upon the pending question. However, any senator who has not previously spoken on the pending question and who, after the main question is taken up and before the motion for the previous question has been made, has filed with the president a written request to be heard on the pending question may speak no longer than five minutes on the pending question. If action on the pending question continues into another legislative day or is deferred, the previous question shall apply and the written requests to be heard shall be honored.

When the motion applies to an amendment, the senator proposing the amendment shall have five minutes to close debate on the amendment.

The senator handling the measure under consideration shall have ten minutes to close debate on the main question.

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Rule [19] *20*

Call of the Senate

Ten senators may file in writing a call of the senate on any item of legislative business. A call of the senate requires the presence of every senator. The sergeant-at-arms shall return promptly all absent senators. Adoption of a motion to recess or adjourn to a specific time will not lift the call. The call may be lifted, or a senator may be excused from the call without lifting the call, by a vote of a constitutional majority of the senators.

Rule [20] *21*

Committee of the Whole

The senate may resolve itself into a committee of the whole senate when it wishes to permit more free and informal discussion. Persons other than senators may appear and present information.

Any senator may move "that the senate now resolve itself into a committee of the whole to consider" a stated subject. The motion to resolve into a committee of the whole is equivalent to a motion to refer.

The president of the senate shall be chairman of the committee of the whole unless otherwise ordered by the senate.

The procedure in committee of the whole is subject to the rules of the senate. The previous question and the motion to reconsider shall be in order.

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The committee of the whole cannot take any final action and its power is limited to recommendation to the senate. The proceedings of the committee of the whole, including any roll call vote, shall be printed in the journal.

Any senator may at any time, except while voting or while a senator has the floor, move that "the committee rise and report" which is equivalent to a motion to adjourn.

After adoption of the motion to rise, the chairman shall report to the senate in the same manner as other committee

reports are given.

Rule [21] *22*

Last Reading and Passage of Bills

When a motion to place a bill on its last reading is lost, the same motion shall be in order at any later time. After the last reading of a bill, no amendment shall be received. The vote on final passage *immediately* shall be [immediately] taken without debate.

Rule [22] *23*

Engrossment of Bills

An engrossment is a proofreading and verification in order to be certain that a bill before the senate is identical with the original bill as introduced with all amendments which have been adopted correctly inserted. A bill shall be considered engrossed when ordered to its last reading.

Rule [23] *24*

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Manner of Voting

On voice vote, the question shall be distinctly put in this form: "Those in favor of (the question) say 'aye'." "Those opposed to (the question) say 'no'." If the president is in doubt or if any senator requests a division before the result is announced, the senate shall divide—those in the affirmative of the question shall first rise from their seats and afterward those in the negative.

[A roll call vote may be requested by any senator at any time before the result is announced.]

[Senators may vote at any time until the result of the vote is announced.]

A record roll call vote may be requested by any senator prior to the putting of any question or at any time before the results of a voice or non-record roll call vote are announced. Upon request for a record roll call vote, the president shall announce that such a roll call vote has been requested and shall state the question to be put to the senate. The president then shall direct the secretary of the senate to open the electronic voting system to receive the votes.

Senators present shall cast their votes, either by operating the voting mechanism located at their assigned desk or by signaling the president if they are unable to vote at their assigned desk. The president shall enter the votes of senators signaling their votes.

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After sufficient time has elapsed for all senators present to record their votes, the president shall direct the secretary of the senate to close the electronic voting system and shall announce to the senate that no further votes will be received. Senators may record their votes at any time prior to that announcement, except that the president may enter the senators' votes at any time prior to the announcement of the vote.

During a record roll call vote, both individual votes and vote totals shall be indicated openly on the display boards.

In lieu of voice vote, any senator may request, or the president may order, that a non-record roll call be taken.

Both individual votes and vote totals shall be indicated openly on the display boards, and the president shall announce the vote totals to the senate. Only vote totals shall be printed in the journal.

In the event the electronic voting system is not in operating order, the president shall direct the secretary of the senate to take the roll call by calling the names of the senators in alphabetical order.

Rule [24] *25*

Duty and Right of Voting

Every senator present when a question is put shall vote unless [he is] excused by the senate. [He] *The senator* may vote "present" if he *or she* has a personal interest in the question or concludes that he *or she* should not vote under the senate

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code of ethics. Any senator may vote "present" in other situations; but when a demand is made by any senator, [he] shall vote "aye" or "no".

Rule [25] *26*

Reconsideration

When a motion or question has been decided by the senate, any senator having voted on the prevailing side may move to reconsider the vote on the same or next legislative day. A constitutional majority is necessary to reconsider a bill or joint resolution. During three legislative days from the date the motion is filed, only the mover may call it up. Thereafter, any senator may call *up* the motion [up]. If a date for adjournment has been set by resolution of the senate, any senator may call up a motion to reconsider at any time within three days prior to the date set for adjournment.

If the motion to reconsider a bill or resolution prevails, motions to reconsider amendments thereto shall be in order and shall be disposed of without delay.

A motion that any action taken by the senate be reconsidered and the motion to reconsider be laid upon the table shall be a single and indivisible motion which, if carried, shall have the effect of preventing reconsideration unless a motion to take from the table prevails. A constitutional majority is necessary for such motion to prevail on a bill or joint resolution. Such motion can only be made from the floor after

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the vote is announced The member who moved the final reading shall have priority in making this motion.

A motion to reconsider and lay on the table shall have priority over a motion to reconsider if they are both filed on the same legislative day.

In the event that a motion to reconsider is pending at the end of the first session of any general assembly, or the general assembly adjourns sine die, and the motion has not been voted upon by the senate, it shall be determined to have failed.

Rule [26] *27*

Suspension of Rules and Taking from Table

No standing rule or order of the senate shall be rescinded

or suspended, nor shall any matter, tabled upon motion, be taken up, except by a vote of twenty-six senators.

INTRODUCTION AND FORM OF BILLS

Rule [27] *28*

Method of Introducing Bills

All bills to be introduced in the senate shall be typed into proper form by the legislative service bureau and shall be filed with the secretary of the senate not later than 3:00 p.m.

Rule [28] *29*

Time of Introduction of Bills

No bill shall be introduced in the senate after 4:00 p.m.

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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. After adjournment of the first regular session, bills may be prefiled at any time before the convening of the second regular session. No bill shall be introduced after 4:00 p.m. on Friday of the second week of the second 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. However, standing committees may introduce bills at any time.

Rule [29] *30*

Introduction, Reading, and Form of Bills *and Resolutions*

Every senate bill *and resolution* shall be introduced by one or more senators or by any standing committee of the senate and shall at once be given its first reading. Every bill *and resolution referred to committee* shall have received two readings before its passage. The [object] *subject* of every bill shall be expressed in its title.

Rule [30] *31*

Explanations

No bill, except appropriations committee bills, shall be introduced unless a concise and accurate explanation is attached. The chief sponsor or a committee to which the bill has been referred may add a revised explanation at any time

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before the last reading, and it shall be included in the daily clip sheet.

Rule [31] *32*

Fiscal Notes

A fiscal note shall be attached to any bill or joint resolution which might have an annual effect or a combined total effect within five years after enactment of fifty thousand dollars or more on the revenues, expenditures or fiscal liability of the state or its subdivisions. This rule does not apply to appropriation measures where the total effect is stated in dollar amounts.

The preliminary determination of whether the bill appears to require a fiscal note shall be made by the legislative service bureau which shall indicate that a bill requires a

fiscal note by stamping "FISCAL NOTE REQUIRED" prominently on the bill jacket. Upon completion of the bill draft, the legislative service bureau shall immediately send a copy to the legislative fiscal director for his review.

The fiscal note shall be printed on the bill before introduction if practicable; and in any event attached to the bill before the bill is reported out by a committee.

The legislative fiscal director shall prepare the fiscal note within a reasonable time after receiving the request. A copy of the fiscal note shall be filed by the legislative fiscal director with the secretary of the senate and the chief

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

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

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

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

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

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during the three days prior to the date set for adjournment.

Rule [32] *33*

Resolutions

1. A "senate resolution" is a resolution to be acted upon only by the senate which expresses sympathy or appreciation or is used for the appointment of special committees within the senate. A senate resolution requires the affirmative vote of a majority of the senators present and voting. It shall be filed with the secretary of the senate and printed in the journal.

2. A "concurrent resolution" is a resolution to be adopted by both houses of the general assembly which expresses the sentiment of the general assembly or deals with temporary legislative matters. It may authorize [for any legislative purpose] the expenditure, *for any legislative purpose,* of funds appropriated to the general assembly. A concurrent

resolution is not limited to, but may provide for a joint convention of the general assembly, adjournment or recess of the general assembly, or requests to a state agency or to the general assembly or a committee. A concurrent resolution requires the affirmative vote of a majority of the senators present and voting. It shall be filed with the secretary of the senate and printed in the journal.

3. A "joint resolution" is a resolution which follows the same legislative procedures as a bill and requires for

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approval the affirmative vote of a constitutional majority of each house of the general assembly. A joint resolution which appropriates funds or enacts temporary laws must contain the clause "Be It Enacted by the General Assembly of the State of Iowa:", is equivalent to a bill, and must be transmitted to the governor for his approval. A joint resolution which proposes amendments to the Constitution of the State of Iowa, ratifies amendments to the Constitution of the United States, proposes a request to Congress or an agency of the government of the United States of America, proposes to Congress an amendment to the Constitution of the United States of America, or creates a special commission or committee must contain the clause "Be It Resolved by the General Assembly of the State of Iowa:" and shall not be transmitted to the governor.

Rule [33] *34*

Resolutions, Applicable Rules

All rules applicable to bills shall apply to joint resolutions. [Any resolution may] *All resolutions shall* be referred to committee and thereafter shall be subject to the same committee and calendar procedures applicable to bills.

COMMITTEES AND COMMITMENT

Rule [34] *35*

Committee Appointments

Committee appointments shall be made by the [president] *majority leader* after consultation with the leadership of

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[each] *the minority* political party[, and membership shall be in the ratio that the numerical strength of each party bears to the total membership of the senate.] No senator shall serve on more than five committees. The [president] *majority leader* shall designate the chairman and ranking majority members of each standing committee. The minority leader shall designate the ranking minority member of each standing committee from the minority membership of that committee appointed by the [president] *majority leader.*

Rule [35] *36*

Standing Committees

The names of the standing committees of the senate shall be:

Agriculture
Appropriations
Cities and towns
Commerce

County government
Education
Energy
[Higher education]
[Human] *Labor* and industrial relations
Human resources
Judiciary
Natural resources

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Rules and administration
[Schools]
State government
Transportation
Ways and means

Rule [35A] *37*

Committee on Rules and Administration

The committee on rules and administration shall recommend rules and rule changes to the senate, shall recommend the persons to be hired as senate employees, shall recommend salary scales for all senate employees, and shall oversee senate administrative matters.

The majority party members of the committee on rules and administration will select, for senate approval, an individual to serve as secretary of the senate.

The minority party members of the committee on rules and administration will select, for senate approval, an individual to serve as assistant secretary of the senate.

Rule [36] *38*

Committee on Enrolled Bills

A committee on enrolled bills consisting of two senators appointed by the [president] *majority leader* shall examine each bill passed by both houses of the general assembly and verify that such bill has been correctly enrolled. The committee shall file a report in the journal which shall be deemed

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adopted unless objection is made within one legislative day thereafter.

Rule [37] *39*

First Reading and Commitment

Upon the first reading of an individual bill *or resolution*, the [president] *majority leader* shall refer it to an appropriate standing committee unless otherwise ordered by the senate. If the bill *or resolution* is a committee bill *or resolution*, the president shall place it on the calendar after its first reading. If the subject of the bill *or resolution* is not germane to the title of the committee presenting it, [the president or] the senate may refer it to a committee deemed appropriate. All bills carrying an appropriation for any purpose or involving the expenditure of state funds shall be referred to the committee on appropriations, and all bills pertaining to the levy, assessment or collection of taxes shall be referred to the committee on ways and means.

Any bill which provides for a new state board, commission, agency, or department or makes separate or autonomous an

existing state board, commission, agency, or department, shall be referred to the committee on state government. This rule shall also apply when such a provision is added to a bill by amendment adopted by the senate. If the bill is so referred after being sponsored or reported out by another committee, and if the committee on state government does not report out

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the bill within ten legislative days after referral, the bill shall automatically be restored to the calendar with the same priority which it had immediately before referral.

Rule [38] *40*

Rules for Standing Committees

The following rules shall govern all standing committees of the senate. Any committee may adopt additional rules which are consistent with these rules:

1. A majority of the members shall constitute a quorum.

2. The chairman of a committee shall refer each bill *and resolution* to a subcommittee within seven days after the bill *or resolution* has been referred to the committee. The chairman may appoint subcommittees for study of bills *and resolutions* without calling a meeting of the committee, but the subcommittee must be announced at the next meeting of the committee. No bill *or resolution* shall be reported out of a committee until the next meeting after the subcommittee is announced, except that the chairman of the appropriations committee may make the announcement of the assignment to a subcommittee by placing a notice in the journal. Any bill so assigned by the appropriations committee chairman shall be eligible for consideration by the committee upon report of the subcommittee but not sooner than three legislative days following the publication of the announcement in the journal.

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When a bill *or resolution* has been assigned to a subcommittee, the chairman shall report to the senate the bill *or resolution* number and the names of the subcommittee members and such reports shall be reported in the journal of the last legislative day of each week.

Where standing subcommittees of any committee have been named, the names of the members and the title of the subcommittee shall be published once and thereafter publication of assignments may be made by indicating the title of the subcommittee.

3. No bill *or resolution* shall be considered by a committee until it has been referred to a subcommittee and the subcommittee has made its report unless otherwise ordered by a majority of the members.

4. The rules adopted by a committee, including these rules, may be suspended by an affirmative vote of a majority of the members. Additional rules adopted by a committee may be amended or deleted by an affirmative vote of a majority of the members.

5. The affirmative vote of a majority of the members of

a committee is needed to sponsor a committee bill *or resolution* or to report a bill *or resolution* out for passage.

6. The vote on all bills *and resolutions* shall be by roll call and a record shall be kept by the secretary.

Rule [39] *41*

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Voting in Committee

All committee meetings shall be open at all times. Voting by secret ballot is prohibited. Roll call votes shall be taken in each committee when final action on any bill *or resolution* is voted, or at the request of a member upon any amendment or motion. All results shall be entered in the minutes which shall be public records. Records of these votes shall be made available by the chairman or his secretary at any time. This rule also applies to the steering committee and appropriations subcommittees.

Rule [40] *42*

Announcement of Committee Meetings

It shall be in order for the chairman of any committee to announce to the senate the time and place of committee meetings. The sergeant-at-arms shall post at the rear of the chamber the daily schedule of committee meetings.

Rule [41] *43*

Withdrawal of Bills *and Resolutions* from Committee

The secretary of the senate shall note on each bill *and resolution* the date of its reference to committee. No bill *or resolution* shall be withdrawn from any committee within fifteen legislative days after the bill *or resolution* has been referred to the committee and thereafter only upon written petition for the withdrawal of such bill *or resolution* signed by a constitutional majority of the senators. Only senators

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may circulate such a petition.

Rule [42] *44*

Committee Reports

All reports of committees on bills *and resolutions* (except the committee on enrolled bills) shall be made in triplicate to the secretary of the senate and shall accompany the original bill *or resolution.* However, the committee on enrolled bills and the committee on rules *and administration* may report at any time when no senator is addressing the senate.

All reports shall be printed in the journal immediately after they are filed with the secretary of the senate. Reports of committees recommending bills *or resolutions* for passage shall not be read. Reports of committees recommending amendment and passage, indefinite postponement, or without recommendation shall be read to the senate by the secretary. All committee reports shall then stand approved unless the senate directs otherwise.

Rule [43] *45*

Bills *or Resolutions* Recommended for Indefinite Postponement

When a question is postponed indefinitely, it shall not be again acted upon during that general assembly. If a bill

or resolution is reported back from a committee recommending indefinite postponement, the report shall be placed on the calendar and shall be disposed of within three legislative days. If not, the committee recommendation shall be considered

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adopted. However, no senate bill *or resolution* recommended for indefinite postponement shall be considered in the absence of the chief sponsor or, if a house bill *or resolution*, in the absence of the senator representing the district in which the sponsor resides. If a committee report recommends indefinite postponement, it shall require a vote of thirty-four senators to prevent indefinite postponement, and debate shall be limited to ten minutes on each side.

GENERAL RULES

Rule [44] *46*

Admission to Senate Chamber and Prohibition of Lobbying

While the senate is in session and for a period of ten minutes before the convening of any session, only legislators, employees of the legislature, authorized interns, and legislative aides shall be allowed in the senate chamber. A person or group accompanied by a senator or persons going directly to committee meetings may be admitted during recess. Former legislators not registered as lobbyists in either house shall also be admitted to the senate floor. News reporters shall be permitted to occupy the seats assigned for the press and to go to or from those seats. No other persons shall be allowed on the senate floor without express permission of the presiding officer of the senate.

Rule 47

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Legislative Interns and Aides

Legislative interns shall be allowed on the floor of the senate at any time; provided that each intern first has been approved by the joint legislative intern committee and the intern has obtained a name badge from the secretary of the senate. The secretary of the senate shall issue an appropriate name badge to all interns approved by the joint legislative intern committee.

In addition, those persons designated as "aides to senators" shall be allowed on the floor of the senate, provided that such individual first has been approved by the two senators serving on the joint legislative intern committee and the secretary of the senate, or designee on the joint committee. The secretary of the senate shall issue an appropriate name badge for such individuals.

Rule [45] *48*

Clearing of Lobby and Gallery

In case of disturbance or disorderly conduct in the lobby or gallery, the presiding officer may order it cleared.

Rule [46] *49*

Presentation of Petitions

Each petition shall contain a brief statement of its subject matter and the name of the senator presenting it. Petitions

shall be filed with the secretary of the senate and shall be noted in the journal.

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Rule [47] *50*

Distribution of Printed Material

No general distribution of printed material in the senate shall be allowed unless authorized by the secretary of the senate or by a senator.

Rule [48] *51*

Concerning the Printing of Papers

Any paper, other than that contemplated by Section 10, Article III of the Constitution of the State of Iowa, presented to the senate may, with the consent of a constitutional majority, be printed in the journal.

Rule [49] *52*

Reprinting of Bills

Whenever any bill has been substantially amended by the senate, the secretary of the senate shall order the bill reprinted on paper of a different color. [All adopted amendments shall be distinguishable.]

The secretary of the senate may order the printing of a reasonable number of additional copies of any bill, resolution, amendment, or journal.

OFFICERS AND EMPLOYEES

Rule [52] *53*

Duties of the President

The president shall call the senate to order at the hour to which the senate is adjourned. [He] *Unless otherwise ordered*

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by the senate, the president shall proceed with the regular order of daily business [unless otherwise ordered by the senate]. The president shall preserve order and decorum and decide all questions of order and corrections to the journal, subject to an appeal to the senate.

Rule [51] *54*

The President Pro Tempore

The senate shall elect a president pro tempore. When the president is absent, the president pro tempore shall preside, except when the chair is filled by temporary appointment by the president.

Rule [52] *55*

Secretary of the Senate

The secretary of the senate shall be an employee of the senate and shall:

1. Serve as the chief administrative officer of the senate.

[1.] *2.* Have charge of the secretary's desk.

[2.] *3.* Be responsible for the custody and safekeeping of all bills, resolutions, and amendments filed, except while they are in the custody of a committee.

[3.] *4.* Have charge of the daily journal.

[4.] *5.* Have control of all rooms assigned for the use of the senate.

[5.] *6.* Clear all bills as to proper form prior to introduction and keep a detailed record of senate action

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thereon.

[6.] *7.* Process the handling of amendments when filed and during the floor consideration of bills.

[7.] *8.* Insert adopted amendments into bills before transmittal to the house of representatives and prior to final enrollment.

[8.] *9.* Prescribe the duties of and supervise all senate employees.

[9.] *10.* Supervise legislative printing and its distribution.

[10.] *11.* Serve as parliamentarian for the senate.

Rule [52A] *56*

Legal Counsel

The legal counsel shall *be an employee of the senate and shall:*

1. Serve as chief legal officer of the senate.

2. Supervise the legal counsel's office.

3. Clear all bills, resolutions, and amendments as to proper form prior to introduction.

4. Provide assistance to the legislative service bureau during interim periods between legislative sessions.

Rule [53] *57*

Sergeant-at-Arms

The sergeant-at-arms shall *be an employee of the senate and shall:*

1. Wear the appropriate badge of his office.

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2. Attend the senate during its sessions.

3. Aid in the enforcement of order under the direction of the president of the senate and the secretary of the senate.

4. Execute the commands of the senate.

5. See that no unauthorized person disturbs the contents of the senators' desks.

6. Supervise the doorkeepers, assistant sergeant-at-arms, and pages.

7. Announce all delegations from the governor or house.

8. Supervise the seating of visitors and press representatives.

Rule [54] *58*

Senate Secretaries

Each senator shall be permitted to employ for each session of a general assembly a secretary of [his] *their* own selection. [All secretaries shall be competent stenographers.]

Secretaries, when not engaged in their regular duties, [shall] *may* assist the secretary of the senate in any work which he may assign them.

Rule 59

Use of Electronic Voting System

Any officer or employee of the senate, other than a duly elected member of the senate voting at their assigned desk, who operates the electronic voting machine mechanism located at the desk of a member of the senate shall be subject to

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immediate termination from employment. The provisions of this paragraph only shall apply during the taking of a roll call vote utilizing the electronic voting system.

SENATE RESOLUTION 5

By Committee on Ethics

Whereas, section sixty-eight B point ten (68B.10), of the Code requires that the senate committee on ethics shall prepare a code of ethics within thirty days after the commencement of the session; and

Whereas, The code further provides that the code of ethics shall not become effective until approved by the Senate, and that the code of ethics may be amended either upon the recommendation of the ethics committee or by the members of the Senate; *Now Therefore,*

Be It Resolved by the Senate, That the senate code of ethics for the sixty-fifth general assembly, as amended and adopted on February 7, 1973, be amended to read as follows and adopted as the senate code of ethics for the sixty-sixth general assembly.

SENATE CODE OF ETHICS

Recognizing that service in the Iowa General Assembly is a part-time endeavor and that members of the general assembly are honorable individuals who are active in the affairs of their localities and elsewhere and that it is necessary that they maintain a livelihood and source of income apart from their legislative compensation, the following rules are adopted pursuant to [Chapter 107, Acts of the 62nd General Assembly] *section sixty-eight B point ten (68B.10) of the Code,* to assist

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the members in the conduct of their legislative affairs.

1. Taking into account that legislative service is part-time, no legislator shall accept economic or investment opportunity, under circumstances where he knows, or should know, that there is a reasonable possibility that the opportunity is being afforded him with intent to influence his conduct in the performance of his official duties.

2. No legislator may charge to or accept from a person, corporation, partnership or association known to have a legislative interest a price, fee, compensation or other consideration for the sale or lease of any property or the furnishing of services which is in excess of that which the legislator would charge another.

3. No legislator in order to further his own economic interests, or those of any other person, may disclose or use confidential information acquired in the course of his official duties.

4. A member of the general assembly may appear before a governmental agency or board in any representation case, except that he shall not appear before a governmental agency or board

if the matter is subject to legislative review. Whenever a member of the general assembly appears before a governmental agency or board, he shall carefully avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional

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success or personal financial interest.

5. In order to permit the general assembly to function effectively, a legislator will sometimes be required to vote on bills and participate in committee work which will affect his employment and other monetary interests. In making a decision relative to his activity on given bills or committee work which are subject to the code, the following factors shall be considered:

a. Whether a substantial threat to his independence of judgment has been created by the conflict situation.

b. The effect of his participation on public confidence in the integrity of the legislature.

c. Whether his participation is likely to have any significant effect on the disposition of the matter.

d. The need for his particular contribution, such as special knowledge of the subject matter, to the effective functioning of the legislature.

A legislator with a conflict of interest may participate in floor debate if prior to debate the legislator indicates his conflict of interest.

6. Each legislator shall file with the secretary of the senate within ten days after the adoption of the Code of Ethics by the senate, and within ten days after the convening of each session of the general assembly, a statement on forms provided by the secretary of the senate setting forth the following

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information:

a. The nature of each business in which he is engaged and the nature of the business of each company in which he or his spouse has a financial interest.

b. The name of any state or national business, trade, labor, farm, professional, religious, educational or charitable association, foundation or organization *which is involved in supporting or opposing legislation brought before the general assembly and* by which he, his partner or business associate is employed or retained or has rendered services for compensation within the last twelve months.

c. Every office or directorship held by the legislator in any corporation, firm, enterprise, labor union, farm organization, cooperative, religious, educational or charitable association or organization, or trade or professional association held during the last twelve months and every membership in such an organization which is engaged in actively supporting or opposing legislation in the general assembly. The name of the entity shall be set out.

Disclosures required under this rule shall be as of the date filed unless provided to the contrary, and shall be amended to include interests and changes encompassed by this rule that

occur while the general assembly is in session. All filings under this rule shall be open to public inspection in the office of the secretary of the senate at all reasonable times.

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The secretary of the senate shall inform the ethics committee of the statements which are filed and shall report to the ethics committee the names of any senator who appear not to have filed complete statements. The ethics committee shall require any senator who appears not to have filed a complete statement to appear before the committee.

7. Members of the general assembly are urged to familiarize themselves with Chapter [107, Acts of the 62nd General Assembly] *68B* and Chapter 739 of the Code.

8. Legislators shall not charge any amount or item to any charge account to be paid for by any lobbyist or any organization he represents.

9. *No senator shall charge to the state of Iowa amounts for travel and expenses unless the senator actually has incurred those mileage and expense costs. Senators shall not file the vouchers for weekly mileage reimbursement required by section two point ten, (2.10) subsection seven (7) of the Code unless the travel was actually incurred at expense to the senator.*

10. Complaints against any member of the general assembly or any lobbyist shall be in writing, made under oath and filed with the ethics committee of the house in which the legislator is a member or of the house in which the lobbyist operates. If the ethics committee determines that the complaint sets out an apparent violation of the law or

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Code of Ethics or Rules Governing Lobbyists, it shall set the matter for hearing, notify the accused of his right to appear in person, to be represented by counsel, to present statements and evidence and to cross-examine witnesses. The committee shall hold a hearing and consider all relevant evidence and shall make its recommendations to the appropriate house.

SENATE RESOLUTION 6

By Committee on Ethics

Whereas, section sixty-eight B point ten (68B.10) of the Code provides that the senate committee on ethics shall prepare rules relating to lobbyists and lobbyist activities; and

Whereas, the Code further provides that the rules governing lobbyists shall not become effective until approved by the senate, and that the rules may be amended either upon recommendation of the ethics committee or by the members of the senate; *Now Therefore,*

Be It Resolved by the Senate, that the senate rules governing lobbyists for the 1974 regular session of the sixty-fifth general assembly, as amended and adopted on January 16, 1974, be amended to read as follows and adopted

as the senate rules governing lobbyists for the sixty-sixth general assembly.

SENATE RULES GOVERNING LOBBYISTS

1. For the purposes of these rules "lobbyist" is defined as a person who:

a. Is paid compensation for encouraging the passage, defeat, or modification of legislation; or

b. Attempts to encourage the passage, defeat, or modification of legislation on a regular basis; or

c. Represents on a regular basis an organization which

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has as one of its purposes the encouragement of the passage, defeat, or modification of legislation; or

d. Is a federal, state, or local government official or employee representing the official position of his or her department, commission, board, or agency and who attempts to encourage the passage, defeat, or modification of legislation.

2. The term "lobbyist" shall not include within its definition:

a. Officials and employees of a political party organized in the state of Iowa representing more than two percent of the total votes cast for governor in the last preceding general election, but only when representing the political party in an official capacity.

b. Representatives of the news media engaged only in the reporting and dissemination of news and editorials.

c. Federal, state, or local government officials and employees who in the course of their official duties submit proposed legislation or amendments to a senator or senate committee or who provide information or are requested or required to provide information to a senator or to appear before a senate committee and who do not actively encourage the passage, defeat, or modification of legislation.

d. The governor and lieutenant governor of the state of Iowa, *and all other elected state officials.*

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3. All lobbyists shall, on or before the day their lobbying activity begins, register with the secretary of the senate by filing a lobbyist registration statement listing:

a. Name, permanent business address, temporary residential and business address in Polk County during the legislative session, and telephone numbers.

b. The name and address of the individual, company firm, corporation, union, association, or cause for which he or she lobbies.

c. The general subjects of legislation in which the lobbyist is or may be interested, the number of the bills and resolutions (if known) which will be lobbied, and whether the lobbyist intends to lobby for or against each bill (if known).

d. A detailed description of any agreement, arrangement, or understanding concerning contingent fees.

e. Whether the lobbyist is a person defined in subparagraph (a), (b), (c), or (d) of rule one (1).

A separate registration statement shall be filed for each individual, company, firm, corporation, union, association, or cause represented. Any change in or addition to the foregoing information shall be registered with the secretary of the senate within ten days after the change or addition is known to the lobbyist.

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4. All federal, state, and local officials or employees representing the official position of their departments, commissions, boards, or agencies shall present to the secretary of the senate a letter of authorization from their department or agency heads prior to the commencement of their lobbying. The lobbyist registration statement of such officials and employees shall not be deemed complete until the letter of authorization is attached thereto.

5. Federal, state, and local officials who wish to lobby in opposition to the official position of their departments, commissions, boards, or agencies must indicate such on their lobbyist registration statements.

6. Each month of the year, by the twentieth day of that month, lobbyists shall file with the secretary of the senate a report concerning their lobbying activities during the preceding calendar month. The monthly report shall list the totals of all expenditures made or incurred by the lobbyist and his or her employer (if the amounts attributable to the employer are known or readily available) [upon each individual senator] *for the members of the senate, collectively,* in the performance of lobbying service during the period covered[.]

[The report shall list the amount expended directly upon each individual senator,] and shall include subtotals recorded for the following categories:

Page 5

a. food and refreshment,

b. entertainment (including the cost of providing a hospitality room).

c. the provision of travel to senators,

[d. telephone calls to senators,]

[e. postage and mailings to senators,]

[f] *d.* contributions to senators, senate candidates, and committees and organizations established to support the campaign of a senator (whether for re-election or other office) or senate candidate, [and]

e. recreation expenses,

f. lodging expenses away from home, and

g. other [miscellaneous] expenditures.

The report also shall list, if applicable, the senators, senate candidates, or their immediate families, for whom amounts in excess of five dollars were expended directly during the preceding month, shall list such totals, and

shall include subtotals recorded for the foregoing seven categories. In reporting expenditures for gatherings at which all members of the general assembly or members of the general assembly in large numbers are invited, the report only shall state the average expenses for all the senators who actually attended and are served food and refreshment.

The report also shall list the amounts for other direct

Page 6

expenses incurred in the performance of lobbying service, and shall include subtotals recorded for the following categories:

a. food and refreshments (such as for the lobbyist, the lobbyist's client or employer, association members, etc.),

b. entertainment (including the cost of maintaining a hospitality room),

c. travel expenses (such as travel to and from Des Moines),

d. lodging expenses away from home,

e. telephone *(including telephone calls to senators)*,

f. postage (mailings to *senators*, association members, etc.),

g. printing and copying,

h. advertising, and

i. other miscellaneous expenses.

In the event the combined cost of telephone calls and mailings to an individual senator exceeds five dollars in the preceding month, the report also shall list the senators for whom such expenditures were made, as well as the amount thereof.

[The monthly report also shall list, if applicable, the senators and senate candidates, or their immediate families, upon whom expenditures were made during the preceding

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month, and shall list the recipient and amount of any contributions to senators, senate candidates, and committees and organizations established to support the campaign of a senator (whether for re-election or other office) or senate candidates.]

7. Separate monthly lobbyist activity reports shall be filed for each individual, company, firm, corporation, union, association, or cause for which the lobbyist lobbies. However, when no expenses are incurred for one or more clients, the lobbyist may file a joint report for such clients. Monthly lobbyist activity reports shall be filed regardless of whether or not a lobbyist incurred expenses during the preceding calendar month.

8. If a lobbyist's service on behalf of a particular employer, client, or cause is concluded prior to the end of a calendar year, the lobbyist may cancel his or her registration on appropriate forms supplied by the secretary of the senate. Upon cancellation of registration, a lobbyist is not required to file monthly lobbyist activity

reports, but is prohibited from engaging in any lobbying activity on behalf of that particular employer, client, or cause until re-registering and complying with these rules.

9. Any lobbyist who fails to file a monthly lobbyist activity report as required by these rules shall be deemed

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to have voluntarily cancelled his or her registration. The secretary of the senate shall notify the lobbyist of such cancellation. Such lobbyist shall be prohibited from engaging in lobbying activity for the remainder of that calendar year on behalf of any employer, client, or cause without re-registering to lobby and filing all delinquent reports.

10. Lobbyists and the organizations they represent shall not allow any senators to charge any amounts or items to any charge account to be paid for by those lobbyists or by the organizations they represent.

11. A lobbyist, or an employer of a lobbyist, shall not offer economic or investment opportunity or promise of employment to any senator with intent to influence his or her conduct in the performance of official duties.

12. A lobbyist, or employer of a lobbyist, shall not pay for memberships in or contributions to clubs or organizations on behalf of a senator.

13. Lobbyists shall not be permitted on the floor of the senate while the senate is in session.

14. Each senator shall file, each month of the year, by the twentieth day of that month, with the secretary of the senate a report of all items or services in excess of five dollars which he or she received during the preceding month from a lobbyist, or the individual,

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organization, corporation, or cause represented by the lobbyist. This filing shall include the date each was received, the name of the lobbyist, and the individual, organization, corporation, or cause represented by the lobbyist. The types of items or services may include, but shall not be limited to: food and refreshment, entertainment, travel, *and* material goods [, and contributions to the senator's political campaign]. It shall not be necessary to affix a monetary value to each listing.

15. The secretary of the senate shall submit, each month of the year, by the twenty-fifth day of that month, to the senate ethics committee a list of the lobbyists and senators who appear to have failed to file the reports required by rules six (6) and fourteen (14). The senate ethics committee may require, on its own motion, any lobbyist or senator who appears to have failed to file a report or who appears to have filed an incomplete or inaccurate report to appear before the committee to explain the failure to file said report or the incomplete or inaccurate report.

16. Any member of the general assembly may file a complaint against a lobbyist or a senator alleging violation of law or the senate rules governing lobbyists. The complaint shall be in writing, made under oath, and filed with the secretary of the senate. The secretary of the

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senate promptly shall transmit the complaint to the chairman of the senate ethics committee, who promptly shall convene that committee to consider the complaint.

If the ethics committee determines that the complaint sets out an apparent violation of law or the senate rules governing lobbyists, it shall set the matter for hearing, and then notify the accused of his or her rights to appear in person to be represented by counsel, to present statements and evidence, and to cross-examine witnesses. The committee shall hold a hearing, consider all relevant evidence, and make its recommendation to the senate. Violation of the senate rules governing lobbyists may result in the suspension of a lobbyist, if directed by a two-thirds vote of the senate in accordance with section 68B.10 of the Code.

17. The senate ethics committee is authorized to meet during the time the general assembly is not in session to conduct hearings and other business that properly may come before it. If the committee submits a report seeking senate action against a lobbyist after the second regular session of a general assembly has adjourned sine die, said report shall be submitted to and considered by the subsequent general assembly.

18. A lobbyist's registration shall be valid for only one calendar year. If an individual desires to continue

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lobbying activity, he or she must re-register at the beginning of each calendar year.

19. These rules governing lobbyists shall be in effect throughout the calendar year, whether or not the general assembly is in session.

20. The senate ethics committee shall prescribe forms and procedures for compliance with these rules.

21. All statements and reports under these rules shall be public records open to public inspection at all reasonable times.

SENATE CONCURRENT RESOLUTION 2

By Van Gilst

Be It Resolved by the Senate, the House Concurring: That a joint subcommittee of six members be appointed—three from the senate to be appointed by the chairman of the committee on rules and administration, and three from the house of representatives to be appointed by the chairman of the committee on administration—to determine the additional joint positions of employment as may be necessary for the work of the session and that the committee nominate such persons to fill the positions.

SENATE CONCURRENT RESOLUTION 3
By Bergman

Be It Resolved by the Senate, the House Concurring: That a joint committee be designated, consisting of six members of the senate to be appointed by the president of the Senate, and six members of the house to be appointed by the speaker of the house of representatives, to arrange for the inauguration of the governor and the lieutenant governor.

SENATE CONCURRENT RESOLUTION 4
By Hultman

Be It Resolved by the Senate, the House Concurring: That the superintendent of printing be directed to furnish copies of the 1975 Code of Iowa; copies of the Acts of the 1973 and 1974 regular sessions of the sixty-fifth general assembly, and copies of the 1973 Code of Iowa to such members of the sixty-sixth general assembly of Iowa who may request the same. Senate members will leave orders for Codes and Acts at the secretary of the senate's desk and house members at the chief clerk of the house of representative's desk.

Be It Further Resolved: That the superintendent of printing is directed to furnish copies of the 1975 Code of Iowa and Acts of the 1973 regular session and 1974 regular session of the sixty-fifth general assembly as requested by the secretary of the senate and by the chief clerk of the house for the use of the staff in their respective offices.

Be It Further Resolved: That the superintendent of printing is directed to furnish copies of the 1975 Code of Iowa and the Acts of the 1973 and 1974 regular sessions of the sixty-fifth 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 of representatives for copies

to be furnished members of the press assigned seats in the house chamber.

SENATE CONCURRENT RESOLUTION 5
By Winkelman

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 corrected senate and house journals, one copy of each senate and house bill, one copy of each senate and house reprinted bill, one copy of each senate and house enrolled bill, and one copy of each senate and house clip sheet—for the duration of the sixty-sixth general

assembly—and that the same, with binders, be furnished to such officers free of charge, to be paid for out of the general fund not otherwise appropriated.

Be It Further Resolved: That the superintendent of printing be instructed to mail to Senator Dick Clark, Senator John C. Culver, Congressman Edward M. Mezvinsky, Congressman Michael T. Blouin, Congressman Charles E. Grassley, Congressman Neal Smith, Congressman Berkley Bedell, and Congressman Thomas Harkin one copy of the daily corrected senate and house journals, one copy of each senate and house bill, one copy of each senate and house reprinted bill, one copy of each senate and house enrolled bill, and one copy of each senate and house clip sheet—for the duration of the sixty-sixth general assembly—and that the same, with binders, be furnished to such officers free of charge, to be paid for out of the general fund not otherwise appropriated.

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

SENATE CONCURRENT RESOLUTION 6

By Committee on Rules and Administration

Be It Resolved by the Senate, the House Concurring: That the joint rules of the senate and house in the sixty-fifth general assembly as adopted by the house on February 8, 1973, and by the senate on February 19, 1973, be amended to read as follows and adopted as the permanent joint rules of the senate and house for the sixty-sixth general assembly:

JOINT RULES OF THE SENATE AND HOUSE

([Sixty-fifth] *Sixty-sixth* General Assembly)

Rule 1

Suspension of Joint Rules

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

Rule 2

Designation of Sessions

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

Rule 3

Sessions of a General Assembly

The organization and standing committees in each house of the general assembly and action taken by each house shall carry over from the first to the second regular session of the same general assembly. The status of each bill and resolution shall be the same at the beginning of the second regular session as it was immediately before adjournment of

Page 2

the first regular session, except that the rules of either house may provide for re-referral of some or all bills and resolutions to standing committees upon adjournment of the

first session or at the beginning of the second regular session.

Rule 4

Presentation of Messages

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

Rule 5

Printing and Form of Bills and Other Documents

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

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

Before introduction all bills must be reviewed by the [law clerk] *legal counsel* of that house.

Rule 6

Companion Bills

Page 3

When identical bills are introduced in each house, they shall be called companion bills. Each house shall designate the sponsor in the usual way followed in parentheses by the sponsor of the companion bill in the other house. The house where the bill is first introduced shall print the complete text. The printed companion bill shall contain the title, enacting clause, and a statement that the bill is a companion bill. However, if the bill is not more than four pages in length, the complete text shall be printed in both houses.

Rule 7

Reprinting of Bills

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

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

Rule 8

Daily Clip Sheet

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

Rule 9

Reintroduction of Bills and Other Measures

When a bill or resolution which has passed one house is

Page 4

rejected in the other, it shall not be again introduced during the general assembly.

Rule 10

Certification of Bills and Other Enrollments

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

Rule 11

Amendments by Other House

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

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

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

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

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

Page 5

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

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

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

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

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

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

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

IV. A motion to concur, refuse to concur, recede, insist, or adopt a conference committee report is in order even though

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the subject matter has previously been acted upon.

Rule 12

Conference Committee

1. Within one legislative day after either house insists upon an amendment to a bill, the presiding officer of [each] *the* house *and the majority leader of the senate* shall appoint

five members to a conference committee. The papers shall remain with the house that originated the bill.

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

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

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

5. The report of agreement is debatable, but cannot be amended. If the report contains recommended amendments to

Page 7

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

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

7. If the conference committee fails to reach agreement, a report of such failure signed by at least three members of each house shall be given promptly to each house. The bill shall be returned to the house that originated the bill and the members of the committee shall be immediately discharged and a new conference committee appointed by the presiding [officers] *officer of the house and the majority leader of the senate* from members who have not previously served on a conference committee on the bill under consideration.

Rule 13
Enrollment and Authentication of Bills

When a bill has passed both houses, it shall be enrolled and its house of origin shall be certified by the endorsement of the secretary or the chief clerk.

When bills are enrolled, they shall be examined by a joint standing committee of two from each house who shall compare the enrollment with the engrossed bills, correct any errors,

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and report immediately to their respective houses.

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

Rule 14
Concerning Other Enrollments

All resolutions and other matters which are to be presented to the governor for his approval shall be enrolled, examined,

signed, and presented in the same manner as bills.

Rule 15
Transmission of Bills to the Governor

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

Rule 16
Fiscal Notes

A fiscal note shall be attached to any bill or joint resolution which might have an annual effect or a combined total effect within five years after enactment of fifty thousand dollars or more on the revenues, expenditures or fiscal liability of the state or its subdivisions. This rule does not apply to appropriation measures where the total effect is stated in dollar amounts.

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The preliminary determination of whether the bill appears to require a fiscal note shall be made by the legislative service bureau which shall indicate that a bill requires a fiscal note by stamping "FISCAL NOTE REQUIRED" prominently on the bill jacket. Upon completion of the bill draft, the legislative service bureau shall immediately send a copy to the legislative fiscal director for his review.

The fiscal note shall be printed on the bill before introduction if practicable; and in any event attached to the bill before the bill is reported out by a committee.

The legislative fiscal director shall prepare the fiscal note within a reasonable time after receiving the request. A copy of the fiscal note shall be filed by the legislative fiscal director with the secretary of the senate and the chief clerk of the house. The legislative fiscal director may request the cooperation of the state comptroller or any state department or agency. If a fiscal note is prepared by the comptroller or any state department or agency at the request of the fiscal director, that fact shall be stated in the note.

Each fiscal note shall state in dollars the estimated effect of the bill on the revenues, expenditures, and fiscal liability of the state during each of the first five years after enactment. Sources of funds for expenditures under the bill shall be stated, including federal funds. If the fiscal director cannot make an accurate estimate, he shall

Page 10

state his best available estimate or shall state that no dollar estimate can be made and state concisely the reason.

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

A revised fiscal note may be requested by a committee chairman or a sponsor of the bill if the fiscal effect of the bill has been changed by adoption of an amendment.

However, a request for a revised fiscal note shall not delay action on a bill unless so ordered by the presiding officer of the house in which the bill is under consideration.

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

Rule 17

Joint Legislative Intern Committee

There shall be a joint legislative intern committee to organize and supervise a legislative intern program for Iowa college and university students. The committee shall consist of thirteen members: two members of the senate, one appointed by the majority leader and one appointed by the minority leader; two members of the house, one appointed by the majority leader and one appointed by the minority leader; the secretary of the senate or his designee; the chief clerk of the house

Page 11

or his designee; the director of the legislative service bureau or his designee; a person from each of the three state universities selected by each of the universities; a person representing the Drake University College of Law selected by Drake University; and two persons from Iowa private colleges selected by the other members of the committee.

The members of the joint legislative intern committee, except the two persons from Iowa private colleges, shall be named by the appropriate appointing authorities within twenty days after the convening of the first regular session of each general assembly. The two persons from Iowa private colleges will be selected at the committee's first meeting, or as soon as practical. Members shall serve until their successors have been duly appointed or selected. The committee shall elect a chairman and vice chairman from its membership. A vacancy shall be filled in the same manner as the original appointment.

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

The joint legislative intern committee shall have the

Page 12

following duties and responsibilities:

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

2. Establish the duties of interns.

3. Provide orientation and seminar programs for interns.

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

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

6. Prescribe all necessary forms.

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

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

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

SENATE CONCURRENT RESOLUTION 7

By Kinley and Lamborn

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Thursday, January 16, 1975, it be to reconvene on Monday, January 20, 1975, at 10:00 a.m.

Be It Further Resolved: That when adjournment is had on Friday, March 14, 1975, it be to reconvene on Monday, March 24, 1975, at 10:00 a.m.

SENATE CONCURRENT RESOLUTION 8

By Hill of Polk

Whereas, January 15 is the birthdate of the Reverend Martin Luther King, Jr.; and

Whereas, the Reverend Martin Luther King, Jr. has been recognized by all people of the world as having made great contributions towards the promotion of equality of man and the furtherance of peace; and

Whereas, pursuant to this recognition the Reverend Martin Luther King, Jr. was awarded the Nobel Peace Prize; and

Whereas, it is appropriate that the General Assembly of the State of Iowa pay tribute to the memory of the Reverend Martin Luther King, Jr. on the anniversary of his birth; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the General Assembly of the State of Iowa meeting in the year 1975 humbly honors the memory of the Reverend Martin Luther King, Jr. and the accomplishments and contributions which he made to this nation and the world; and

Be It Further Resolved, That copies of this resolution be forwarded to the widow of the Reverend Martin Luther King, Jr.

COMMITTEE ON ETHICS

Senator Kinley, as Majority Floor Leader, announced his appointments to the Senate ethics committee in accordance with section 68B.10, Code of Iowa:

Senator Kenneth D. Scott
Senator William E. Gluba
Senator Norman G. Rodgers

Senator Lamborn, as Minority Floor Leader, announced his appointments to the Senate ethics committee in accordance with section 68B.10, Code of Iowa:

Senator William N. Plymat
Senator Roger J. Shaff

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:

Pursuant to the provisions of section 68B.10, Code 1973, as amended, the undersigned, Chief Justice of the Iowa Supreme Court, hereby appoints John L. Mowry, of Marshalltown, and Nolden Gentry, of Des Moines, neither of whom is an employee of the General Assembly, as members of the Ethics Committee in the Senate.

Dated this 12th day of December, 1974.

C. EDWIN MOORE, Chief Justice
Iowa Supreme Court

The original and a true copy of this Order have been filed with the Secretary of the Senate of the Iowa General Assembly on this 12th day of December, 1974.

RALPH R. BROWN
Secretary of Senate

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate from the:

COMMISSION ON UNIFORM STATE LAWS

The report of the Commission on Uniform State Laws submitted in accordance with Section 5.4, Code 1973.

STATE HIGHWAY COMMISSION

The report of the State Highway Commission for the biennium from July 1, 1972 to June 30, 1974 submitted in accordance with Section 310.36, Code 1973.

THE OFFICE OF THE CITIZENS' AIDE

The Legislative Council:
The Secretary of the Senate:
The Chief Clerk of the House of Representatives:
The State Comptroller.

I, Thomas R. Mayer, the Citizens' Aide of Iowa do hereby appoint Ruth L. Mosher as Deputy Citizens' Aide effective January 7, 1975, at an annual salary as set by the Legislative Council.

The said Deputy Citizens' Aide is hereby granted authority to act as Citizens' Aide when the Citizens' Aide is absent from the State or becomes disabled, and if a vacancy occurs in the office of Citizens' Aide the said Deputy Citizens' Aide shall act as Citizens' Aide until the vacancy is filled by the Legislative Council.

The undersigned as Citizens' Aide does hereby delegate to said Deputy Citizens' Aide, all the Citizens' Aides' authority and duties except the duty of formally making recommendations or reports to the Governor or the General Assembly.

This instrument is made by authority of chapter 601G, 1973 Code of Iowa.

Signed this 7th day of January, 1975.

THOMAS R. MAYER, Citizens' Aide

I, Thomas R. Mayer, the Citizens' Aide of Iowa, do hereby appoint Douglas L. Hart as Second Deputy Citizens' Aid effective January 7, 1975, at an annual salary as set by the Legislative Council.

The undersigned as Citizens' Aide does hereby delegate to said Deputy Citizens' Aide, all the Citizens' Aide's authority and duties except the duty of formally making recommendations or reports to the Governor or the General Assembly.

This instrument is made by authority of chapter 601G, 1973 Code of Iowa.

Signed this 7th day of January, 1975.

THOMAS R. MAYER, Citizens' Aide

AMENDMENTS FILED

S—3001

Amend the Rules of the Senate for the 1974 Regular Session of the Sixty-fifth General Assembly, as amended and adopted on January 14, 1974, and further amended on February 4, 1974, as follows:

1. Rule 23 is amended to read as follows:

Rule 23

Manner of Voting

On voice vote, the question shall be distinctly put in this form: "Those in favor of (the question) say 'aye'." "Those opposed to (the question) say 'no'." [If the president is in doubt or if any senator requests a division before the result is announced, the senate shall divide—those in the affirmative of the question shall first rise from their seats and afterward those in the negative.]

[A roll call vote may be requested by any senator at any time before the result is announced.]

[Senators may vote at any time until the result of the vote is announced.]

A record roll call vote may be requested by any senator prior to the putting of any question or at any time before the results of a voice or non-record roll call vote are announced. Upon request for a record roll call vote, the president shall announce that such a roll call vote has been

requested and shall state the question to be put to the senate. The president then shall direct the secretary of the senate to open the electronic voting system to receive the votes.

Senators present shall cast their votes, either by operating the voting mechanism located at their assigned desk or by signaling the president if they are unable to vote at their assigned desk. The president shall enter the votes of senators signaling their votes.

After sufficient time has elapsed for all senators present to record their votes, the president shall direct the secretary of the senate to close the electronic voting system and shall announce to the senate that no further votes will be received. Senators may record their votes at any time prior to that announcement, except that the president may enter the senators' votes at any time prior to the announcement of the vote.

During a record roll call vote, both individual votes and vote totals shall be indicated openly on the display boards.

In lieu of voice vote, any senator may request, or the president may order, that a non-record roll call be taken. Both individual votes and vote totals shall be indicated openly on the display boards, and the president shall announce the vote totals to the senate. Only vote totals shall be printed in the journal.

In the event the electronic voting system is not in operating order, the president shall direct the secretary of the senate to take the roll call by calling the names of the senators in alphabetical order.

Page 2

2. Rule 34 is amended to read as follows:

Rule 34

Committee Appointments

Committee appointments shall be made by the [president] *majority leader* after consultation with the leadership of [each] *the minority* political party [, and membership shall be in the ratio that the numerical strength of each party bears to the total membership of the senate]. No senator shall serve on more than five committees. The [president] *majority leader* shall designate the chairman and ranking majority members of each standing committee. The minority leader shall designate the ranking minority member of each standing committee from the minority membership of that committee appointed by the [president] *majority leader.*

GEORGE R. KINLEY

S—3009

Amend the proposed permanent rules of the Senate contained in Senate Resolution 3 as follows:

1. Page 2, line 11, by striking the words "Committees may refer such bills and".

2. Page 2, by striking lines 12 and 13 and inserting in lieu thereof the following:

"Committees may refer such bills and resolutions to a subcommittee for consideration or place them on the calendar".

3. Page 2, line 19, by inserting after the word "bills" the words "*and resolutions*".

MINNETTE F. DODERER

S—3002

Amend Senate Resolution 3, as follows:

1. Page 13, lines 4 through 8, by striking the words: "If the president is in doubt or if any senator requests a division before the result is announced, the senate shall divide—those in the affirmative of the question shall first rise from their seats and afterward those in the negative."

GEORGE R. KINLEY

S—3007

Amend Senate Resolution 3, filed January 13, 1975, by striking lines 8 and 9 on page 14, and inserting in lieu thereof the following:

"During a record roll call vote, neither the individual votes nor vote totals shall be indicated openly on the display boards. Individual votes and vote totals shall be displayed when the secretary of the senate has closed the electronic voting system and announced to the senate that no further votes will be received".

CALVIN O. HULTMAN

S—3003

Amend Senate Resolution 3, filed January 13, 1975, by deleting line 2 on page 15, and inserting in lieu thereof the following:

"situations but when demand is made, every senator shall".

JAMES M. REDMOND

S—3008

Amend Senate Resolution 3, filed January 13, 1975, by striking line 18 on page 21, and inserting in lieu thereof the following: "resolutions. Any resolution may be".

WILLARD R. HANSEN

S—3006

Amend Senate Resolution 3, filed January 13, 1975, by striking lines 18, 19, and 20 on page 21, and inserting in lieu thereof the following: "resolutions".

PHILIP B. HILL

S—3004

Amend Senate Resolution 3, filed January 13, 1975, by striking lines 16 and 17 on page 31, and inserting in lieu thereof the following: "reprinted on paper of a different color. All adopted amendments shall be distinguishable."

PHILIP B. HILL

S—3005

Amend Senate Concurrent Resolution 6, filed January 13, 1975, by striking lines 14 and 15 on page 3, and inserting in lieu thereof the following:

"order the bill reprinted on paper of a different color. All adopted amendments shall be distinguishable."

PHILIP B. HILL

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Priebe, the Senate adjourned at 3:45 p.m., until 9:00 a.m., Tuesday, January 14, 1975.

JOURNAL OF THE SENATE

SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, JANUARY 14, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Auditor of State, Lloyd R. Smith, Des Moines, Iowa.

The Journal of Monday, January 13, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James H. Coddington, Humboldt, Iowa.

DISTINGUISHED GUEST

President Neu welcomed to the Senate the Honorable Robert D. Fulton who served as Lieutenant Governor from 1965 through 1968 and Governor in 1969. He also served as a member of the Senate and the House of Representatives from Black Hawk County.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-five students from Central Junior High School, Newton, Iowa, accompanied by Miss Walker, Mrs. Bennett, and Mrs. Fulmer. Senator Hill of Jasper.

PETITION FILED

The following petition was presented and placed on file:

By Senator Sovern from sixteen residents of Linn County opposing proposed legislation in regard to the licensing of social workers.

ADOPTION OF SENATE CONCURRENT RESOLUTION 3

Senator Bergman asked and received unanimous consent to take up **Senate Concurrent Resolution 3,** found on page 47 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted. The Chair appointed to the inaugural committee Senators Bergman, DeKoster, Miller of Des Moines, Miller of Marshall, Redmond and Robinson.

COMMITTEE ON MILEAGE

Senator Glenn moved that a committee of four be appointed as a committee on mileage.

The motion prevailed and the Chair appointed as such committee Senators Glenn, Carr, Curtis and Griffin.

ADOPTION OF SENATE CONCURRENT RESOLUTION 4

Senator Hultman asked and received unanimous consent to take up **Senate Concurrent Resolution 4,** found on page 47 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 5

Senator Winkelman asked and received unanimous consent to take up **Senate Concurrent Resolution 5,** found on pages 47 and 48 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE RESOLUTION 2

Senator Doderer asked and received unanimous consent to take up **Senate Resolution 2,** found on page 22 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted. The Chair appointed to the committee on secretaries Senators Doderer, Gluba, Burroughs and Tieden.

ADOPTION OF SENATE CONCURRENT RESOLUTION 7

Senator Kinley asked and received unanimous consent to take up **Senate Concurrent Resolution 7,** found on page 54 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF TEMPORARY RULES

Senator Kinley offered amendment S—3001 filed by him to the Senate Rules of Procedure for the 1974 Regular Session of the Sixty-fifth General Assembly:

S-3001

Division S—3001A

Amend the Rules of the Senate for the 1974 Regular Session of the Sixty-fifth General Assembly, as amended and adopted on January 14, 1974, and further amended on February 4, 1974, as follows:

1. Rule 23 is amended to read as follows:

Rule 23

Manner of Voting

On voice vote, the question shall be distinctly put in this form: "Those in favor of (the question) say 'aye'." "Those opposed to (the question) say 'no'." [If the president is in doubt or if any senator requests a division before the result is announced, the senate shall divide—those in the affirmative of the question shall first rise from their seats and afterward those in the negative.]

[A roll call vote may be requested by any senator at any time before the result is announced.]

[Senators may vote at any time until the result of the vote is announced.]

A record roll call vote may be requested by any senator prior to the putting of any question or at any time before the results of a voice or non-record roll call vote are announced. Upon request for a record roll call vote, the president shall announce that such a roll call vote has been requested and shall state the question to be put to the senate. The president then shall direct the secretary of the senate to open the electronic voting system to receive the votes.

Senators present shall cast their votes, either by operating the voting mechanism located at their assigned desk or by signaling the president if they are unable to vote at their assigned desk. The president shall enter the votes of senators signaling their votes.

After sufficient time has elapsed for all senators present to record their votes, the president shall direct the secretary of the senate to close the electronic voting system and shall announce to the senate that no further votes will be received. Senators may record their votes at any time prior to that announcement, except that the president may enter the senators' votes at any time prior to the announcement of the vote.

During a record roll call vote, both individual votes and vote totals shall be indicated openly on the display boards.

In lieu of voice vote, any senator may request, or the president may order, that a non-record roll call be taken. Both individual votes and vote totals shall be indicated openly on the display boards, and the president shall announce the vote totals to the senate. Only vote totals shall be printed in the journal.

In the event the electronic voting system is not in

operating order, the president shall direct the secretary of the senate to take the roll call by calling the names of the senators in alphabetical order.

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Division S—3001B

2. Rule 34 is amended to read as follows:

Rule 34

Committee Appointments

Committee appointments shall be made by the [president] *majority leader* after consultation with the leadership of [each] *the minority* political party [, and membership shall be in the ratio that the numerical strength of each party bears to the total membership of the senate]. No senator shall serve on more than five committees. The [president] *majority leader* shall designate the chairman and ranking majority members of each standing committee. The minority leader shall designate the ranking minority member of each standing committee from the minority membership of that committee appointed by the [president] *majority leader.*

Senator Rabedeaux called for a division of the amendment, section 1 to be considered as division S—3001A and section 2 to be considered as division S—3001B.

On motion of Senator Kinley, division S—3001A was adopted.

Senator Lamborn offered amendment S—3013 to division S—3001B of the amendment and moved its adoption:

S-3013

Amend amendment S-3001, page 2, by striking lines 4 through 14, and inserting in lieu thereof the following: Committee appointments shall be made by the president *and the president pro tempore* after consultation with the leadership of [each] *their respective* political [party] parties, and membership shall be in the ratio that the numerical strength of each party bears to the total membership of the senate. No senator shall serve on more than five committees. The president shall designate the [chairman and ranking minority members] *ranking minority member and other minority members* of each standing committee. The [minority leader] *president pro tempore* shall designate the *chairman and the* ranking [minority] majority party member *and the majority party membership* of each standing committee [from the minority membership appointed by the president].

Roll call was requested by Senator Lamborn.

On the question "Shall amendment S—3013 to division S—3001B be adopted?" (Senate Rule 34) the vote was:

Ayes, 25:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Plymat	Taylor
Curtis	Kelly	Rabedeaux	Tieden
DeKoster	Lamborn	Ramsey	Winkelman
Doderer			

Nays, 25:

Carr	Hill of Jasper	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of Des Moines	Priebe	Van Gilst
Gluba	Nolin	Redmond	Willits
Heying			

The Chair cast an "aye" vote to break the tie and amendment S—3013 to division S—3001B was adopted.

(Division S—3001B of the amendment as amended pending.)

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

The Senate resumed session, President Neu 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 Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

The joint convention reconvened, President Neu presiding.

Senator Kinley moved to dispense with the roll call and to authorize the President of the joint convention to declare a quorum present, which motion prevailed.

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

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

The motion prevailed and the President appointed as such committee Senators Gallagher, Nolin and Briles, on the part of

the Senate, and Representatives Byerly, Brunow and Drake, on the part of the House.

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

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

Mr. President, Mr. Speaker, Mr. Chief Justice, Senators and Representatives, State Officials, Distinguished Guests, Ladies and Gentlemen:

I am not going to deliver my budget recommendations to you until next week. But this morning I am going to give you a small preview.

One appropriation I will recommend contains a few dollars to the Iowa Historical Society for a compilation of all the messages and addresses of Iowa's governors over the last seventy years.

I admit I had some reservations about this undertaking only a few weeks ago when Peter Harstad, Director of the Historical Society, proposed it during the Governor's budget hearings.

As I said then, the work will never be a best seller.

But I had a change of heart during the preparation of this message and those that will follow.

For I had an opportunity to look back over the messages Iowa's early governors delivered to Iowa's pioneer legislatures, and their words often have special relevance to today's complex times.

Those early gubernatorial messages mention troubled economies, national unrest, adverse weather conditions, and concern about the leverage of great monopolies against individual people. In short, they deal with the same problems which we face today.

Our predecessors survived the hardships and overcame their many crises —just as we will do.

Those early messages illustrate so well that today's crises are tomorrow's history.

And a careful reading reaffirms the wisdom of approaching problems with perspective and judgment rather than with rhetoric bordering on hysteria.

* * *

Reading history made by those early governors and legislatures is good for yet another reason. It quickly inspires humility, something all of us in politics can use.

The names of R. P. Lowe, Buren R. Sherman or Frank D. Jackson are not exactly household words. But they all served as Governor of Iowa for at least four years.

Then again, neither do the names of Samuel L. Bestow or George R. Struble leap at us from the pages of history. But they distinguished themselves as leaders in the Iowa Senate and House of Representatives, respectively.

This would be well for us to consider at a time when the Sixty-sixth General Assembly is only hours old.

Iowans of the future will best remember what is accomplished by this legislature, not necessarily who it was who did it. It will be our deeds and not our names which will make lasting Iowa history.

Our people will look to us for results, not talk or game playing. And for those who might want to use this session for a political forum, remember

the effect your actions have on the lives of people. It was Plutarch who reminds us from 2,000 years ago: "Though boys throw stones at frogs in sport, the frogs do not die in sport, but in earnest."

* * *

Another common thread runs through the messages of early governors—an appreciation for this place we call Iowa.

We are, yet today, a privileged people in Iowa—privileged in ways not shared by many in other states.

If you read the December 9, 1974, issue of Time Magazine you would have noted that Iowa, in the midst of a national recession, had the lowest unemployment rate in the country.

We know, however, the number of Iowans without jobs is increasing—reminding us graphically that for all our advantages, we are an integral part of a national economy.

It tells us there are some people in Iowa today who are out of work, who do not have paychecks, who are living with the fear and uncertainty which can only be understood if you've ever been without a job.

This should remind us all that these are not times for reckless governmental spending on the hope that economic growth will continue to swell the state treasury with surplus funds.

1974 was a year of hardship for many of our farmers—still reeling from adverse weather and depressed livestock prices.

Yet in spite of these trials, Iowa's corn and soybean production in 1974 was the fourth largest crop in our history. Our total foreign exports of farm products amounted to $1.774 billion last year, clearly demonstrating we have become a major economic force, not only in the United States, but in the world.

We are blessed with another condition in our state—Iowa is not experiencing the sharp growing pains of population explosion some other regions are. We have seen hopeful signs that our population is stabilizing and becoming more balanced between rural and urban settings.

1974 was a year that saw our energy woes—which had been building for decades—become a factor in the terrible economic toll of double-digit inflation.

And it was a year in which we weathered a change in national leadership under the most traumatic circumstances.

* * *

Now as we begin 1975, fraught as it may be with economic problems and threats of material scarcity, we in Iowa can list an inventory that can give us confidence.

We are, as a group, among the best educated of the world's peoples. We have just experienced one of the greatest growths in per capita income. Healthy industrial development, despite the money and energy crunches, has been moving forward.

Our environment is relatively free of pollution in comparison to other regions, and we can preserve it. We are one of the greatest food-producing areas of the world. Our government is open and stable.

These advantages should not be seen as gifts only to be enjoyed, but as opportunities to be used.

* * *

In a recent National Geographic magazine, there appeared an article entitled "The Family Farm Ain't What It Used To Be." Featured was

Earl Zumbach from Delaware County, an excellent representative of Iowa's modern farming community. He knows running a farm business requires great management skills and careful planning.

In the article, Mr. Zumbach is quoted as saying: "I've always thought a guy should just sit down on a feed sack in the barn every so often and try to set some goals."

Serving in government today is a tough chore, too, requiring a sense of good management and goal-setting.

Every so often we should "sit down on the feed sack" and do some hard thinking about this state and our role in shaping its direction.

First, I think we have to realize we are operating in a period of great uncertainty. While this is no time to be timid or to withdraw, it is a time to exercise judgment and caution, particularly as you get down to the business of lawmaking and budget making.

Essentially, it is a time that will require great balance. I recognize the very human tendency to get caught up in the moment and to react within the confines of the moment—and so it is important that we keep our perspective.

Let me illustrate. There have been many kinds of material shortages recently. We even had a shortfall of carpenters' nails. We had been so successful in our emergency fuel oil pool that one legislator urged us to put the state into the nail business. If one followed his logic, soon government might be merchandising just about every commodity. This is not government's proper role.

Common sense, as well as conditions which will shape us, requires a balanced approach to state government.

Without much effort, you can give Iowans too much government. May I tell you again if government assumes too many functions, individual and private performance deteriorates.

On the other hand, 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 people may not be provided.

The most important priority for both the executive and legislative branches of Iowa state government is wise management of what we have . . . to make government work better.

That isn't fancy and it won't get you headlines back home. But if we are successful, there will be enough credit for all the politicians.

To members of both parties seeking to win favor in the eyes of your constituents I would suggest: He serves his party best who best serves Iowa and she serves her party best who best serves Iowa.

There is much within your power to do during this legislative session.

You can be a part of solving the most serious problem that confronts us as a nation. It is not inflation or the energy shortages or dwindling resources, as important as these are. Our most serious problem now is that many people in this country have lost their confidence. They fear the worst. People who fear the worst tend to invite it. Heads lowered in despair cannot scan horizons for new opportunities.

How do you help? You do it with performance, the kind of performance that can restore the confidence of people in their government, in themselves and in their future.

We approach our task with a shared affection for Iowa. And our behavior toward this state should be as J. B. Priestly once described—that of a "loving wife toward her husband who would do anything on earth

for him except stop criticizing him and trying to improve him." Our state deserves that same affectionate treatment, but also the same sharp glance.

I have spoken of Iowa in affectionate terms as I have discussed the Condition of the State. Let me also share with you some recommendations for improvement, derived from a sharp glance at the problems.

* * *

In addition to numerous pieces of management legislation which I will spell out in this message, and, in addition to specific measures which I will deliver to you next week in the budget address, I see especially three major areas that demand your attention during this session.

They have a commonality. All deal with the wise use and attention to that which we term our resources.

You should approach each with perspective and that sense of balance which is so necessary.

They deal with our human resources, our natural resources, and the financial resources of our state government.

* * *

1. HOUSING AUTHORITY

First, in the area of human resources: We in Iowa are among the best fed, best clothed, best educated and most affluent of all the world's peoples. Yet there remain among us those who don't have a decent place to live. Shortage of capital for many, high construction costs and tight money have discouraged needed construction of housing. An Iowa Housing Authority would be in a position to attract federal funds and have the ability to encourage housing for low income, elderly and handicapped persons. Our Governor's Task Force has developed much additional information to assist you, and it is within your power now to take this important step by creating an Iowa Housing Authority.

* * *

2. LAND USE PLANNING

Second, in the area of natural resources: In Iowa, our land has to be one of our most important natural resources. Decisions are made each day that dictate for decades the way in which Iowa land is used. Each year, some 30,000 acres give way to urban demand, and this at a time when the world's needs for food production become ever greater. We must respect the right of individuals to own their land and to make determinations for its use. But it is also imperative that our land not be exploited, destroyed or used in such a way that other landowners are deprived of reasonable use of their property. In 1972, many of you were here when you enacted the nation's first soil conservancy law, pioneering the concept that our land, even though in private ownership, is still a public trust. It is a law working exceedingly well. This session you can again pioneer with solid land-use planning legislation.

* * *

3. IMPROVING THE INCOME TAX

Third, there is the matter of financial resources. In all your actions here do not forget for a moment that you are spending other people's money. Taxes are never easy to pay; they become even a greater hardship in times of economic downturn, precisely the same time when many turn to government for help.

It is a continual process to assure our people that taxes levied against them are imposed fairly and equitably. Much has been done already in this

decade of the seventies to improve the fairness and mixture of Iowa's tax structure.

We have seen a major shift from regressive local property taxes to state revenues for school financing. Much of it has been phased in over the years, as we said it would be when we proposed the plan in 1971. Today, it is now an accomplished fact—more than half of the revenue supporting operations of our elementary and secondary school system comes from sources other than property taxes. When this shift was made, the progressivity of Iowa's income tax was also improved.

In 1973, basic costs of welfare were lifted from property taxes to state taxes. Property taxes on livestock were repealed. A phaseout of all personal property taxes began. A sweeping new elderly tax relief plan was enacted. The minimum income level for paying state income taxes was raised, benefiting low income people.

In 1974, the standard deduction in the income tax was doubled; the basic exemption on the inheritance tax was increased and we took the giant stride of eliminating the sales tax from food and prescription drugs.

The income tax is our most progressive tax. Its very progressivity makes it most reactive to inflation in the economy. We have seen people jump from one tax bracket to a higher one even though they're experiencing a drop in actual purchasing power.

It is apparent that another improvement is in order.

In my budget message next week I will spell out with a specific proposal how we can build greater equity into our state income tax.

* * *

I want to now mention other specific recommendations. Hopefully, a number of them will be somewhat familiar to you.

—WASHINGTON OFFICE. Federal actions strongly affect the interests of our state. We would do well to strengthen our relationship with our Congressional delegation in a concerted effort to assure our state of deriving maximum benefits and protection from the federal government. An excellent way to do this would be to establish an office in the nation's capitol as 22 other states have already done.

—COMPETITIVE BIDDING LAW. In this session you should enact a competitive bidding law for other units of government similar to that which applies to state government.

—EMPLOYMENT SECURITY REORGANIZATION. Iowa state government has experienced broad reorganization in the 1970's. An additional step you can take in this session is to place the administration of our essential Employment Security Commission under a single director, with a review board, in lieu of the archaic three-member commission form.

—CRIMINAL CODE REVISION. Proposals to revise Iowa's criminal code have been under consideration for a long time and much groundwork is already done. Adopt or reject what you will, but do take action.

—LIQUOR OUTLETS. I want to again suggest that the Iowa Liquor Commission be allowed to establish, under its control, franchised outlets in our smaller communities in lieu of establishing state-owned facilities.

—SPEED LIMIT. We cannot permit the present fifty-five miles per hour speed limit to expire on June 30. Slower highway speeds have become a fact of life in a nation which must become increasingly energy conscious. Best of all, we have seen a savings of lives.

—DIVISION FOR THE DEAF. We believe a good way to aid our Iowans

handicapped by deafness would be to provide a Division for the Deaf in the Iowa Department of Health.

—WAGE COLLECTION/WAGE PAYMENT LAW. It is shattering enough to lose a job; it is devastating to be denied wages owed. Now is the time to strengthen our law protecting workers.

—ABANDONED RAILROAD RIGHT-OF-WAY. Rail lines now considered for abandonment wind through some of Iowa's most scenic areas. It is in the public interest to preserve these routes for bicycling and hiking trails where feasible, or for other purposes that would otherwise take productive farmland. Units of government should have first option to obtain these routes.

—TAX EXEMPTION FOR HOME IMPROVEMENTS. I have long felt that in the interest of fairness, Iowans should provide a temporary exemption on the taxation of improvements and additions to a person's home.

—CABLE-TV TASK FORCE. Cable television has passed the infancy stage in Iowa and is growing. I would ask that you assist us in developing a special one-year Task Force to examine this important area which holds such great potential for public good.

—IMPROVE CAMPAIGN LAW. We now have a working campaign finance and disclosure commission. In addition to financial matters, we should broaden its scope to include unfair campaign practices.

—MOBILE HOME TIE-DOWN. There is solid evidence that tie-down of mobile homes can prevent loss of lives and reduce property damage in severe wind. Such tie-downs should be required by law.

—AREA SCHOOLS' ROLE DEFINED. Our area schools are the fastest growing segment of Iowa's educational system with a primary mission of providing career training for our people. This role should be strengthened and clarified by legislative expression.

—COUNTY GOVERNMENT. Government closest to the people can be the most efficient government of all, and proposals to unify the 42 funds now identified in county budgets into seven basic funds could provide county officials much more flexibility within workable and controllable limitations.

—UNFAIR TRADE PRACTICES/ANTI-TRUST. Iowa's present anti-trust law is vague and antiquated. It should be updated and should cover services as well as products in a modern unfair trade practices law. Also, the possibility of civil sanctions in addition to purely criminal sanctions should be considered as a means to discourage price-fixing schemes.

—PARK USER FEE. A modest fee for use of Iowa's parks is a reasonable and fair way to assure Iowans attractive and well-kept recreational areas. In a related matter, I urge you to repeal the law making it mandatory to license such water craft as inflatable rafts and canoes. This provision went too far and we should correct it.

—NO FAULT INSURANCE. While you should not curtail a victim's right to recover from a wrongdoer, there is merit in first-party insurance coverage for medical expenses and loss-of-earnings payments regardless of who is at fault in an accident. I recommend you adopt a reasonable no-fault insurance plan.

—CHILDHOOD DEVELOPMENT. I urge you to join us in exploring the potentials of increased efforts in early childhood development through a funding measure to back up our Governor's Task Force that has already begun work.

—STRENGTHEN ENERGY POLICY COUNCIL. With twenty-five percent of all energy consumed in Iowa used in transportation, it makes sense to include the Director of the Department of Transportation as a member of the new Energy Policy Council.

—FOREIGN INVESTMENTS IN IOWA LAND. Iowa law now limits foreign alien investment in Iowa land to 640 acres. But you should strengthen it to assure there are not loopholes available to those who would circumvent this law for their own personal gain.

—CORPORATE FARMING. Large-scale corporations or conglomerates that take an unfair competitive advantage not only pose a threat to the family farm and the efficiency of our agricultural system, but also threaten the very basic social fiber of our Iowa communities. Legislation requiring curtailment of non-farm corporate involvement should be aimed at the right target and should not deny our farmers the necessary framework for continued efficient operation.

* * *

In this message I have not attempted to discuss the need of improving our Iowa Public Employees' Retirement System (IPERS), or how we must approach the important matters of highway financing, conservation, education and social services, or additional help for cities and towns. These, and numerous other matters, directly relate to the state budget and I will be detailing recommendations to you in that message next week.

* * *

As this session begins, much has been made of the change in control of this legislature. While it is true that different people must now assume responsibility for leading your two houses, the control has not been relinquished — it is still firmly in the hands of the people.

Each of you has been given a special opportunity to serve. For this privilege much is required of you.

You will be judged at some future date by history, which will take note whether in your brief span of service you fulfilled your responsibilities to your state and its people.

Your success or failure will be measured by the answers to four questions:

First, were you people of courage?

Second, were you people of judgment?

Third, were you men and women of dedication?

And finally, were you men and women of integrity?

* * *

Though it is true that the quality of a product need not be judged by the length of time it takes to produce it, it is also true that our constituents would welcome a short session.

It is in their interest that you start with a minimum of partisanship and divisiveness, for, as Plato said: "The beginning is the most important part of the work."

Let us begin.

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

CANVASS OF VOTES

President Neu announced that the time had arrived for the

canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held November 5, 1974, and announced as teller, on the part of the Senate, Senator Rodgers, and assistant tellers, Senators Sovern and Schwengels, and as teller, on the part of the House, Representative Woods, and assistant tellers, Representatives Rinas and Pellett.

President Neu further announced that, in accordance with statute, the six tellers just named would constitute the judges for the 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 5, 1974.

On motion of Senator Kinley, the joint convention recessed until 1:30 p.m., Thursday, January 16, 1974.

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

On motion of Senator Rodgers, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

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

The Senate resumed session, President 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3 relating to arrangements for the inauguration of the governor.

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

Senate Concurrent Resolution 4 relating to the superintendent of printing furnishing copies of the 1975 Code of Iowa and Acts to members of the Sixty-sixth General Assembly, staff and press.

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

Senate Concurrent Resolution 5 relating to the mailing of House and Senate journals, bills and clip sheets.

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

Senate Concurrent Resolution 7 relating to adjourning on January 16 and March 14, 1975.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 5, by Senator Curtis, a bill for an act relating to the membership of the board of review.

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

Senate File 6, by Senator Norpel, a bill for an act relating to reporting of vehicle accidents.

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

Senate File 7, by Senator Norpel (Hennessey), a bill for an act relating to the use of reflectorized materials on bicycles.

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

Senate File 8, by Senator Hill of Polk, a bill for an act changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts.

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

Senate File 9, by Senators Hultman and Tieden, a bill for an act relating to the retirement qualifications of members of the peace officers' retirement system.

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

Senate File 10, by Senators Hultman and Tieden, a bill for an act relating to the age of retirement for policemen and firemen.

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

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Neu announced the appointment of Senator Minnette F. Doderer to the Departmental Rules Review Committee to replace Barton Schweiger for the unexpired portion of a term ending April 30, 1977, in accordance with Chapter 17A.2, Code, 1973.

SENATE CONCURRENT RESOLUTION 9

By Priebe, Winkelman, Coleman, Curtis, Culver, Bergman, DeKoster, Scott, Tieden, Andersen, Nolin, Kelly, Carr,

Heying, Kinley, Van Gilst, Lamborn, Junkins, Miller of Des Moines, Nystrom, Hill of Jasper, Sovern, Briles, Doderer, Nolting, Burroughs, Ramsey, Robinson, Hill of Polk, Redmond, Rodgers, Norpel, Merritt, Orr, Willits, Palmer, Gallagher, Taylor and Gluba

Whereas, northwest Iowa has suffered one of its worst snowstorms in the history of the state of Iowa; and

Whereas, northwest Iowa is presently engaged in the monumental task of removing snow by whatever means possible and this removal is exceedingly expensive; and

Whereas, there has been a tremendous loss of livestock as a result of the snowstorm in a year in which livestock producers have faced economic declines; and

Whereas, the snow removal problems and the sanitary problems that may result because of the difficult task of removing dead livestock are placing great burdens on northwest Iowa; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the governor is urged to designate northwest Iowa as a disaster area and to provide whatever aid is accessible in assisting the people of northwest Iowa to recover from the severe snowstorm.

COMMUNICATIONS

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

January 14, 1975

Mr. Clark Rasmussen
Secretary of Senate
State House
Local

Dear Mr. Rasmussen:

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

These include 160 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

Receipt of the above is hereby acknowledged.

CLARK R. RASMUSSEN, Secretary of Senate

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
534-64-25	Xerox Corporation Chicago, Illinois Outdated invoice	$ 842.99	Disapproved
1884-64-25	Lawrence Maasdam d/b/a Maasdam Construction Co. Sully, Iowa County registration fee refund	194.00	Disapproved
1890-64-25	Ockenfeis Transfer Iowa City, Iowa County plate fee refund	175.86	Disapproved
1966-64-25	L. P. Ames Nevada, Missouri Prorate fee adjustment	313.11	Disapproved
2314-64-25	Chesterman Company Sioux City, Iowa Registration fee refund	219.67	Disapproved
2423-64-25	John R. Hink Davenport, Iowa County plate license refund	37.50	Disapproved
2696-64-25	Ivan L. Sanders Le Mars, Iowa Prorate refund	566.02	Disapproved
240-65-25	Addressograph-Multigraph Corp. Des Moines, Iowa Duplicated claim for equipment	985.62	Disapproved
330-65-25	Lloyd R. Knott Iowa Falls, Iowa License fee refund	24.00	Disapproved
355-65-25	Lloyd W. Tindall Athens, Georgia Outdated expense claim	164.00	Disapproved
402-65-25	Estate of Dena Rietema c/o John Rietema, Executor Kanawha, Iowa Refund transfer tax	91.85	Disapproved
435-65-25	Roederer Transfer and Storage Co. Davenport, Iowa Registration fee refund	67.50	Disapproved
453-65-25	Judith Ann Gimbel Ute, Iowa Merit pay adjustment	77.50	Disapproved
462-65-25	Ruth Warden Omaha, Nebraska Back salary	55.50	Disapproved
467-65-25	Elva Hansen Woodward, Iowa Merit pay adjustment	52.00	Disapproved
479-65-25	North American Van Lines Fort Wayne, Indiana Registration fee refund	110.00	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
534-65-25	Benefield Brothers Cullman, Alabama Trip permit refund	24.00	Disapproved
574-65-25	Glenn Breiland Sioux City, Iowa Registration fee refund	87.07	Disapproved
610-65-25	Sherry Gable Waterloo, Iowa Property damage	217.49	Disapproved
678-65-25	Fingerhut Manufacturing Co. St. Cloud, Minnesota Fine refund	95.52	Disapproved
684-65-25	Fern M. Hutcheson Marshalltown, Iowa Merit pay adjustment	87.00	Disapproved
700-65-25	Douglas L. Peters Storm Lake, Iowa Prorate fee refund	167.37	Disapproved
734-65-25	Ben Schwartz - d/b/a Schwartz Marshalltown, Iowa County license fee refund	242.16	Disapproved
750-65-25	Farmers Union Coop Elevator Kennebec, South Dakota Special permit refund	53.00	Disapproved
755-65-25	Gleason Equipment, Inc. Chicago, Illinois Duplicate registration fees	Undetermined	Disapproved
756-65-25	Burch Construction Company Cedar Rapids, Iowa License fee refund	114.10	Disapproved
757-65-25	Artic Transport, Inc. Council Bluffs, Iowa Refund of trailer registration	33.19	Disapproved
759-65-25	James A. Clark Logan, Iowa License refund	200.00	Disapproved
947-65-25	Hawaiian Flowers, Ltd. Stevens Point, Wisconsin Fine refund	24.00	Disapproved
1018-65-25	Elmer Dykstra Pella, Iowa County plate license refund	35.38	Disapproved
1040-65-25	Mama Cookies Bakeries, Inc. Chicago, Illinois Prorate refund	140.00	Disapproved
1132-65-25	M.B. & B.G. Cuthbertson Toledo, Iowa License fee refund	90.00	Disapproved
1150-65-25	Onley Refrigerated Transport Oakland, Iowa Fine refund	50.00	Disapproved
1155-65-25	North American Van Lines, Inc. Fort Wayne, Indiana License fee refund	6.00	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
1190-65-25	Jones & McKnight Steel, Inc. Kankakee, Illinois Fine refund	20.00	Disapproved
2003-65-25	Myron Roenfeld Silver City, Iowa Eyeglasses broken by patient	35.00	Disapproved
2004-65-25	Lester's of Minnesota, Inc. Lester Prairie, Minnesota Fine refund	28.00	Disapproved
2005-65-25	Transport Service Company Chicago, Illinois Fine refund	50.00	Disapproved
2023-65-25	Schwartz Brothers Storage & Van Chicago Heights, Illinois Permit & fine refund	40.00	Disapproved
2027-65-25	Shell Oil Company Bettendorf, Iowa Fine refund	35.00	Disapproved
2028-65-25	John E. Campbell Guthrie Center, Iowa Prorate registration fee refund	240.00	Disapproved
2029-65-25	Transport, Inc of South Dakota Sioux Falls, South Dakota Permit & fine refund	19.00	Disapproved
2052-65-25	Michael E. Gammon Roland, Iowa Broken eyeglasses	52.50	Disapproved
2062-65-25	Phil Weerheim Rock Rapids, Iowa Registration fee refund	99.80	Disapproved
2077-65-25	W. A. LaBaube Berger, Missouri Fine refund	30.00	Disapproved
2087-65-25	Harold L. Gillette Atlantic, Iowa Damage of employee's eyeglasses	66.75	Disapproved
2094-65-25	Dean C. Lingle Holstein, Iowa Registration fee refund	267.93	Disapproved
2105-65-25	Gilmore-Tatge Mfg. Co., Inc. Clay Center, Kansas Fine refund	36.00	Disapproved
2107-65-25	Abbas Trucking Dakota City, Iowa County license fee refund	45.00	Disapproved
2109-65-25	Pickens-Kane Moving & Storage Chicago, Illinois Fine & trip permit	40.00	Disapproved
2147-65-25	Accoustical Spray Insulation Co. Norfolk, Nebraska Fine refund	48.00	Disapproved
2180-65-25	Bulk Carriers, Inc. Auburn, Nebraska Fine refund	40.00	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
2191-65-25	Iowa-Illinois Concrete Products Corp. Bettendorf, Iowa Fine refund	28.00	Disapproved
2209-65-25	Joseph Hottes Des Moines, Iowa Retroactive pay	407.50	Disapproved
2217-65-25	J. D. Westoff Transp. New Vienna, Iowa Registration fee refund	629.54	Disapproved
2222-65-25	Thomas Dean Heuertz Le Mars, Iowa Registration fee refund	473.24	Disapproved
2230-65-25	Coast Provision Company Santa Fe Springs, California Fine refund	30.00	Disapproved
2231-65-25	Palm Industries, Inc. Litchfield, Minnesota Fine refund	19.00	Disapproved
2232-65-25	Wells Dairy Company Le Mars, Iowa County license fee refund	170.00	Disapproved
2240-65-25	Janssen & Bartelson Milk Hauling Sibley, Iowa License refund	327.27	Disapproved
2247-65-25	Sun'n Snow Sports, Inc. Black River Falls, Wisconsin Fine refund	25.00	Disapproved
2249-65-25	Bennett Box Company Centerville, Iowa Fine refund	14.00	Disapproved
2253-65-25	Buske Lines, Inc. Litchfield, Illinois Fine refund	42.00	Disapproved
2264-65-25	Mallinger Truck Line Fort Dodge, Iowa Registration refund	1,081.59	Disapproved
2267-65-25	Higman Sand & Gravel Akron, Iowa License fee refund	25.00	Disapproved
2272-65-25	South Omaha Feed & Supply Omaha, Nebraska Fine refund	27.50	Disapproved
2294-65-25	Elmer Peters Ocheyedan, Iowa County registration refund	30.00	Disapproved
2307-65-25	Sutherland Farmers Coop Co. & Boyd McGee Peterson, Iowa License fee refund	30.00	Disapproved
2360-65-25	Innovar Industries of Glasstite Dunnell, Minnesota Fine refund	32.00	Disapproved
2367-65-25	Ford Truck Line Tipton, Iowa License refund	468.64	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
2368-65-25	Steve Meyers Trucking Humeston, Iowa Registration fee refund	354.88	Disapproved
2403-65-25	ADR Industries, Inc. Adair, Iowa License fee refund	210.00	Disapproved
2405-65-25	Wesley T. Payer Wagner, South Dakota Reciprocity fee refund	Undetermined	Disapproved
2413-65-25	Rodney G. Harkness Chatsworth, Iowa License refund	30.00	Disapproved
2420-65-25	Dealers Transport Co. Kansas City, Missouri Trip permit refund	150.00	Disapproved
2433-65-25	Harkers Wholesale Meat, Inc. Le Mars, Iowa License fee refund	115.00	Disapproved
2434-65-25	Dix Greenhouse, Inc. Flat River, Missouri Refund fine & fee	44.00	Disapproved
2437-65-25	Hove Truck Line Stanhope, Iowa License fee refund	526.65	Disapproved
2448-65-25	Henry G. Nelson, Inc. Avoca, Iowa Registration fee refund	25.00	Disapproved
2464-65-25	Gerald Nygard & Rodney G. Harkness Chatsworth, Iowa License fee refund	13.00	Disapproved
2480-65-25	Zearing Fertilizer Zearing, Iowa Registration fee refund	680.00	Disapproved
2485-65-25	Hofer, Inc. Pittsburg, Kansas Fine refund	72.00	Disapproved
2487-65-25	David Saben & Smithway Motor Express, Inc. Fort Dodge, Iowa County plate refund	483.00	Disapproved
2511-65-25	Ace Line, Inc. Des Moines, Iowa Reciprocity fee refund	5,761.20	Disapproved
2527-65-25	Van Iperen Feed & Grain Company Hospers, Iowa License fee refund	463.82	Disapproved
2530-65-25	Marvin L. Yockstick Altoona, Iowa County license refund	Undetermined	Disapproved
2533-65-25	Mackey Trucking Churdan, Iowa License refund	58.62	Disapproved
2538-65-25	Hirschbach Motor Lines, Inc. Sioux City, Iowa License refund	2,569.35	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
2554-65-25	Palco Service Bureau New Haven, Indiana Registration fee refund	92.52	Disapproved
2575-65-25	Higman Sand & Gravel Akron, Iowa License fee refund	71.00	Disapproved
2576-65-25	Donald F. Stone Fredericksburg, Iowa License fee refund	199.00	Disapproved
2580-65-25	Litton Automated Business System Pine Brook, New Jersey Outdated (duplicate) invoice	163.70	Disapproved
2593-65-25	Heartland Express Shenandoah, Iowa Prorate refund	1,703.40	Disapproved
2601-65-25	Thomas Oil, Inc.—Gary Riese Mankato, Minnesota Trip permit & fine refund	25.00	Disapproved
2621-65-25	Buff Scott, Jr. Cherokee, Iowa Shirt torn by patient	5.59	Disapproved
2622-65-25	Mid Equipment, Inc. Grundy Center, Iowa Registration fee refund	514.66	Disapproved
2639-65-25	Edith Abbott Independence, Iowa Broken glasses by patient	101.00	Disapproved
2640-65-25	Robert Lee Porter Cherokee, Iowa Clothing damaged by patient	18.52	Disapproved
2661-65-25	Takin Brothers Freight Line, Inc. Waterloo, Iowa License refund	233.75	Disapproved
2662-65-25	Takin Brothers Freight Line, Inc. Waterloo, Iowa License refund	300.00	Disapproved
(2)2715-66-25	Ihle Implement, Inc. Nevada, Iowa Outdated invoice already paid	62.72	Disapproved
(8)2721-66-25	O's Gold Seed Company Parkersburg, Iowa Reciprocity refund	330.00	Disapproved
(12)2725-66-25	Livestock Transport Ossian, Iowa Reciprocity refund	444.78	Disapproved
35-66-25	Lumbermans' Wholesale Des Moines, Iowa Reciprocity refund	60.00	Disapproved
37-66-25	Dorothy B. Cummings Ainsworth, Iowa Damage to glasses by patient	26.00	Disapproved
39-66-25	Warren D. Chemical Omaha, Nebraska Outdated invoice	756.00	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
48-66-25	David R. Pate Mt. Pleasant, Iowa Damage to clothing by patient	25.00	Disapproved
59-66-25	John F. Kneip Cherokee, Iowa Damage to clothing by patient	6.00	Disapproved
61-66-25	Atlantic Carrier, Inc. Atlantic, Iowa Prorate refund	Undetermined	Disapproved
64-66-25	Nancy E. Roper Independence, Iowa Damage to eyeglasses by patient	22.95	Disapproved
92-66-25	Jerrold E. Groves Boone, Iowa Windshield broken when performing audit	46.80	Disapproved
97-66-25	Litton Automated Business Systems Newark, New Jersey Outdated invoice	154.33	Disapproved
155-66-25	Lowry Enterprises, Inc. St. Louis, Missouri Registration fee refund	250.70	Disapproved
167-66-25	Tiona Truck Lines Butler, Missouri Fine & trip fee refund	40.00	Disapproved
174-66-25	James C. Murphy Independence, Iowa Employee property damage by patient	27.90	Disapproved
181-66-25	Glenn E. Randolph Riverton, Iowa County license fee refund	60.00	Disapproved
199-66-25	Elmer Gilbert Van Wert, Iowa County license fee refund	25.00	Disapproved
202-66-25	Abdul Ahad, M.D. St. Joseph, Missouri Outdated invoice for service (salary)	121.32	Disapproved
210-66-25	Duane Smith Davenport, Iowa Property damage by patient	91.00	Disapproved
211-66-25	Duane Smith Davenport, Iowa Property damage by patient	27.00	Disapproved
213-66-25	Kiles Feed & Grain Nichols, Iowa County license fee refund	387.00	Disapproved
218-66-25	Branson Truck Line Lyons, Kansas Fine refund	20.00	Disapproved
278-66-25	Bituminout Material & Supply Co. Wheatland, Iowa Refund of unexpired license	185.25	Disapproved
308-66-25	Reuben Samani Sioux Center, Iowa Refund of registration fee penalty	76.05	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
330-66-25	Douglas Mordhorst Hornick, Iowa Replaced stolen property	82.36	Disapproved
337-66-25	Farmers Hybrid Co., Inc. Hampton, Iowa Fine refund	20.00	Disapproved
339-66-25	Rocket Transfer Company, Inc. Des Moines, Iowa County license refund	180.00	Disapproved
340-66-25	Raymond A. Burris Altoona, Iowa License refund	60.00	Disapproved
362-66-25	Annabell E. Johnson Cherokee, Iowa Auto damage	40.00	Disapproved
368-66-25	Mrs. Stuart McCord Maxwell, Iowa Military exemption	500.00	Disapproved
416-66-25	Lock Trucking, Inc. Wheatland, Wyoming Trip permit refund	120.00	Disapproved
426-66-25	Rendell Owens Oskaloosa, Iowa Employee expense reimbursement	54,528.90	Disapproved
438-66-25	Hennessey-Van Cleave-Hurley Funeral Home Missouri Valley, Iowa Outdated invoice	255.00	Disapproved
439-66-25	Kiene Brothers Washington, Iowa License fee refund	441.68	Disapproved
455-66-25	Curt's Royal Blue, Inc. Marshalltown, Iowa Stopped warrant	161.00	Disapproved
468-66-25	Ruby V. Cavanaugh Woodward, Iowa Property damage	7.00	Disapproved
475-66-25	Ellerbrock Trucking Auburn, Iowa License fee refund	67.03	Disapproved
488-66-25	Terry Chitty Toledo, Iowa Property loss	154.96	Disapproved
524-66-25	Lois Kile Yale, Iowa Property damage	165.83	Disapproved
569-66-25	Holmes Freight Lines Omaha, Nebraska Prorate registration fee refund	1,564.86	Disapproved
572-66-25	Jill Oldham Charles City, Iowa Property damage	25.00	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
582-66-25	Kenneth C. Fuson Granger, Iowa Property damage	59.50	Disapproved
604-66-25	Karon K. Prindle Pacific Junction, Iowa Property damage	25.00	Disapproved
613-66-25	Warren D. Jones West Des Moines, Iowa Attorney's fees - merit employment appeal	650.00	Disapproved
633-66-25	Edward J. Staker Woodward, Iowa Property damage	50.00	Disapproved
634-66-25	Harold Stout Granger, Iowa Property damage	45.00	Disapproved
701-66-25	Wilson Concrete Company Omaha, Nebraska Prorate license fee refund	279.91	Disapproved
702-66-25	Confinement Livestock System Eldora, Iowa License fee refund	325.21	Disapproved
708-66-25	Barrett Mobile Home Transport, Inc. Moorhead, Minnesota License fee refund	267.90	Disapproved
711-66-25	Kenneth R. Daugherty, III Newton, Iowa Damage to auto	166.35	Disapproved
775-66-25	Weston K. Laing Chariton, Iowa Merit employment claim	5.76	Disapproved
779-66-25	Daniel R. Frye Russell, Iowa Merit employment claim	6.00	Disapproved
784-66-25	Thomas L. Hardie Chariton, Iowa Merit pay increase	4.80	Disapproved
786-66-25	David P. Witman Chariton, Iowa Merit pay increase	4.80	Disapproved
796-66-25	Thomas J. Fogarty Des Moines, Iowa Property (auto) damage	140.00	Disapproved
797-66-25	John L. Gardner Chariton, Iowa Merit pay increase	5.76	Disapproved
798-66-25	Charles Moon Chariton, Iowa Merit pay increase	5.76	Disapproved
807-66-25	Robert J. Moad Chariton, Iowa Merit pay increase	6.20	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
827-66-25	James L. Butler & Raymond Harris, Inc. Altoona, Iowa Prorate registration fee refund	292.31	Disapproved
879-66-25	Iowa Power & Light Company Missouri Valley, Iowa License fee refund	121.25	Disapproved

January 14, 1975

Mr. Clark Rasmussen
Secretary of Senate
State House

Dear Mr. Rasmussen:

In accordance with Section 25A.12, Code of Iowa, 1973, we are hereby submitting to the General Assembly all claims and judgments paid during 1974 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

Receipt of the above is hereby acknowledged.

CLARK R. RASMUSSEN, Secretary of Senate

CHAPTER 25A GENERAL TORT CLAIMS APPROVED BY STATE APPEAL BOARD, 1974

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
T-512-65	Mrs. Robert Berry	Loss of filly horse	$ 10,000.00	$ 4,500.00
T-710-65	Vera Bliesman	Injuries at State Fair	165.70	50.00
T-815-65	Stephen Livingston	Wrongful termination of employment	3,953.65	500.00
T-967-65	Jerry D. Showers	Wrongful death	25,000.00	1,000.00
T-2120-65	Madeline Beth Noble/Windauer	Hand injury	6,800.00	2,700.00
T-2125-65	Ronald Haraminich	Property damage	350.00-450.00	250.00
T-2278-65	Rebecca Harding	Personal injury	75,000.00	8,500.00
T-34-66	Dorothy D. Snyder	Auto damage	37.60	37.60
T-54-66	Herman L. Wenman	Paint on auto	49.96	49.96
T-148-66	Paul M. Leuch	Loss of property	25.00	25.00
T-161-66	National Aviation Underwriters	Damage to radio tower and airplane	1,538.53	1,538.53
T-180-66	Victor Lee Johnson	Disposal of personal property	100.00	35.00
T-192-66	Elizabeth Coulter	Injury from fall	985.97	985.97
T-245-66	Floyd E. Getman, O.D.	Damage to auto	43.98	43.98
T-299-66	Steven W. Foster	Loss of watch	72.31	35.00
T-355-66	Don Bezicek	Paint damage to clothing	10.00	10.00
T-356-66	Jerome R. Lampe	Paint damage to clothing	11.00	11.00
T-364-66	Greg Scott	Paint damage to clothing	20.00	20.00
T-365-66	David L. Back	Paint damage to clothing	10.00	10.00
T-371-66	Nancy Gipple	Paint damage to clothing	10.98	10.98
T-409-66	Melford G. Robinson	Damage to auto due to gate malfunction	35.00	35.00
T-411-66	Virgil Norman Smith	Loss of cow due to failure to maintain fence	400.00	400.00
T-532-66	Raymond E. Roxroth	Damage to camper by a faulty parking lot gate	71.59	71.59
T-566-66	Danelle E. Lindahl	Auto damage due to gate malfunction	30.90	30.90
T-641-66	City of Des Moines	Damage ozone monitoring unit	684.40	684.40

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
T-710-66	Richard J. Wolken	Damage to auto sustained in parking lot	32.07	32.07
T-730-66	Ginger Anne Heaberlin	Injuries due to fall at Fairgrounds	63.70	63.70
T-817-66	Rosenberg Auto Supply Co., Inc.	Auto damage	51.36	51.36
T-945-66	David Michael Bulgarelli	Auto damage at Iowa City	177.67	117.67

CHAPTER 25A HIGHWAY TORT CLAIMS APPROVED BY STATE APPEAL BOARD, 1974

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
H-30-65-T	Rex J. Ryden	Auto damage	$ 1,080.52	$ 735.63
H-118-65-T	Ray Nyemaster	Damage to land	429,906.00	12,000.00
H-125-65-T	Cynthia A. Byram	Auto accident	11,893.10	3,725.00
H-128-65-T	Sherman Bromley	Property damage	1,758.37	930.00
H-151-65-T	Henrietta Breese	Failure to cap water supply	101.46	101.46
H-160-65-T	W. E. Lynch	Water damage to crop	612.50	300.00
H-168-65-T	Richard E. Rykena	Loss of crops	7,721.60	3,712.05
H-171-65-T	John Gowdy	Crop damage	288.55	288.55
H-178-65-T	Clarence Creagan	Water damage	434.62	434.62
H-184-65-T	Lee Anne Snyder	Paint splattered vehicle	32.96	32.96
H-9-66-T	Binn & Stevens Explosives	Tractor-trailer damage	1,278.64	900.00
H-15-66-T	William E Daum	Auto damage	13.91	13.91
H-23-66-T	Charles E. Hicks	Auto damage	32.96	32.96
H-25-66-T	Byron G. Hager	White highway paint on auto	31.54	31.54
H-32-66-T	Delton Gruhn	Crop damage	760.00	777.51
H-39-66-T	Open Bible Church	Property damage	983.00	983.00
H-49-66-T	Joseph R. Grote	Property damage	250.00	250.00
H-56-66-T	Edwin F. Fangmann	Auto damage	65.87	65.87
H-62-66-T	Leo T. Hinsch	Auto damage	106.09	106.09

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
H-63-66-T	Reilly Construction Company	Tire damage	2,330.83	2,330.83
H-69-66-T	Allen P. Johnson	Paint on auto	87.85	87.85

CHAPTER 25A—TORT CLAIMS
JUDGMENTS AND SETTLEMENTS AT OR BEFORE TRIAL—1974

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
H-45-65-T	Thomas Hunt	Personal injury (Judgment)	$ 750,000.00	$ 500,000.00 (UNDER APPEAL)
H-66-65-T	Mathilda Tananger	Wrongful death (Judgment)	50,000.00	6,600.00
H-67-65-T	J & H Investment Co.	Property damage (Judgment)	80,948.37	4,000.00
T-515-65	James Speed	Personal injury (Judgment)	3,500,000.00	750,000.00 (UNDER APPEAL)
T-706-65	Robert Bascom	Personal injury (Judgment)	5,000.00	1,500.00
T-929-65	Marion Fetters Gustoff	Property damage (Judgment)	1,544.20	1,158.98
T-2025-65	Lucille Gravenish	Personal injury (Judgment)	15,000.00	1,567.20
T-1143-63	Paul Weaver	Personal injury (Settlement)	200,000.00	8,000.00
H-36-64-T	Leonard Stessman	Failing to adequately mark const. site (Settlement)	1,283.85	550.00
T-84-64 & T-459-65	Edith Squibb	Indemnity contribution (Settlement)	10,000.00	2,500.00
H-201-64-T & H-139-64-T	Raid Quarries Corp. Iowa Southern Utilities	Indemnity-property damage (Settlement)	144,000.00	10,000.00
H-219-64-T	Robert L. Barnes	Personal injury (Settlement)	123,579.35	2,500.00
H-260-64-T	Frank & Adora Jones	Property damage (Settlement)	48,750.00	5,000.00
T-1344-64	Edward J. Milligan	Personal injury (Settlement)	40,000.00	1,500.00
H-79-65-T	Lonnie Mischler	Personal injury (Settlement)	8,500.00	125.00
H-106-65-T	James Kelley	Property damage (Settlement)	4,927.52	200.00
T-448-65	Jayne Intelkofer	Personal injury (Settlement)	50,000.00	2,500.00
T-1019-65	Kay Stroud Giles	Wrongful death (Settlement)	250,000.00	25,000.00

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3013 to Division S—3001B of the amendment to Senate Rule 34 was adopted by the Senate on January 14, 1975.

MINNETTE F. DODERER

AMENDMENTS FILED

S—3014

Amend the Rules of the Senate for the 1974 Regular Session of the Sixty-fifth General Assembly, as amended and adopted on January 14, 1974, and further amended on February 4, 1974, as follows:

1. Rule 26, line 4, by striking the words "*twenty-six*" and inserting in lieu thereof the words "*thirty-four*".

CLIFTON C. LAMBORN

S—3016

Amend Senate Resolution 3, filed January 13, 1975, by striking lines 8, 9, 10 and 11 on page 2 and inserting in lieu thereof the words "returned to committee. Committees may refer such bills and".

EARL M. WILLITS

S—3019

Amend Senate Resolution 3, filed January 13, 1975, as follows:

(1) By striking line 19 on page 2 and inserting in lieu thereof the words: "2. Introduction of bills and resolutions".

(2) By striking lines 1, 2, 3, and 4 on page 5 and inserting in lieu thereof the words:

[2. A resolution which has not been referred to committee shall be eligible on the next legislative day after it is introduced or received. This paragraph does not apply to resolutions referred to committee.]

(3) By striking line 5, on page 20 and inserting in lieu thereof the words: "only by the senate which expresses sentiment".

(4) By striking lines 24 and 25 on page 20 and inserting in lieu thereof the words: "3. A 'joint resolution' is a resolution which requires for".

(5) By striking lines 17, 18, 19, and 20 on page 21, and inserting in lieu thereof the following:

"All rules applicable to bills shall apply to resolutions, except as altered by Rule 33".

EARL M. WILLITS
EUGENE M. HILL
MINNETTE F. DODERER

S—3010

Amend Senate Resolution 3, filed January 13, 1975, by striking the words *"be confined"* in line 24 of page 5 and inserting in lieu thereof the words *"confine all remarks"*.

WILLIAM E. GLUBA
JAMES M. REDMOND

S—3017

Amend Senate Resolution 3, filed January 13, 1975, by striking line 16, page 22, and inserting in lieu thereof the word "Cities".

EARL M. WILLITS

S—3012

Amend Senate Resolution 3 containing the proposed permanent rules of the Senate as follows:

Page 29, line 16, after the period insert the following: *"Except in the case of the majority and minority floor leaders, during debate each senator shall be allowed to have only one person, either a secretary, legislative aide, or authorized intern, present in the senate chamber to assist the senator."*

ROGER J. SHAFF
CALVIN O. HULTMAN
RAY TAYLOR

S—3011

Amend Senate Resolution 3, containing the proposed permanent rules of the Senate, page 30, line 15, by inserting after the period the following:

"Each political party shall be allowed to employ three aides to senators."

ROGER J. SHAFF
CALVIN O. HULTMAN
RAY TAYLOR

S—3015

Amend Senate Resolution 3, filed January 13, 1975, by striking line 16 on page 34 and inserting in lieu thereof the words "All secretaries shall be competent stenographers.".

EUGENE M. HILL

S—3018

Amend Senate Resolution 3, filed January 13, 1975, by adding on page 35 after line 4 the following new rule:

Rule 60
Investigating Committees

Investigating committees appointed by the president of the senate shall be composed of three senators from the majority party and two senators from the minority party. The senator of whom a governor's nominee is a constituent shall not chair the investigating committee for that nominee.

Within five days after the investigating

committee is appointed, any member of the investigating committee may demand a hearing upon the nominee's confirmation, at which hearing the nominee may be questioned as to her or his qualifications to fulfill the office to which nominated and be further questioned as to her or his viewpoints on issues facing the office to which nominated. The public may, at the discretion of the investigating committee, be permitted to submit oral or written statements as to the qualifications of the nominee.

Any senator may submit, within five days after the investigating committee is appointed, written questions to be answered by the nominee prior to consideration of the nominee's confirmation by the senate.

EARL M. WILLITS

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 3:06 p.m., until 9:00 a.m., Wednesday, January 15, 1975.

JOURNAL OF THE SENATE

THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JANUARY 15, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Honorable Bass Van Gilst, member of the Senate from Oskaloosa, Mahaska County, Iowa.

The Journal of Tuesday, January 14, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. W. A. Castles, Dallas Center, Iowa.

DISTINGUISHED VISITOR

The Chair welcomed the Honorable Howard C. Reppert, Jr., former member of the Senate from Polk County.

ADOPTION OF TEMPORARY RULES

UNFINISHED BUSINESS

The Senate resumed consideration of division S—3001B of the Kinley amendment as amended to the Senate Rules of Procedure for the 1974 Regular Session of the Sixty-fifth General Assembly.

Senator Doderer moved to reconsider the vote by which amendment S—3013 to division S—3001B was adopted by the Senate on January 14, 1974.

Roll call was requested.

On the question "Shall the motion to reconsider amendment S—3013 to division S—3001B be adopted? (Senate Rule 34) the vote was:

Ayes, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Nays, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

The motion prevailed, and amendment S—3013 to division S—3001B was taken up for reconsideration.

Senator Lamborn moved the adoption of amendment S—3013 to division S—3001B.

Amendment S—3013 to division S—3001B lost.

Senator Palmer offered amendment S—3021 to division S—3001B, and moved its adoption:

S—3021

Amend S—3001 by Senator Kinley filed January 13, 1975, by striking the word "minority leader" on line 11 of page 2 and inserting in lieu thereof the word "president".

Amendment S—3021 to division S—3001B was adopted.

On motion of Senator Palmer, division S—3001B of the amendment as amended was adopted.

Senator Lamborn offered amendment S—3014 and moved its adoption:

S—3014

Amend the Rules of the Senate for the 1974 Regular Session of the Sixty-fifth General Assembly, as amended and adopted on January 14, 1974, and further amended on February 4, 1974, as follows:

1. Rule 26, line 4, by striking the words *"twenty-six"* and inserting in lieu thereof the words *"thirty-four"*.

Roll call was requested.

On the question "Shall amendment S—3014 be adopted?" (Senate Rule 26) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Amendment S—3014 lost.

Senator Kinley moved that the Senate Rules of Procedure for the 1974 Regular Session of the Sixty-fifth General Assembly as amended be adopted as the temporary rules of the Senate for the Sixty-sixth General Assembly.

The motion prevailed and the Senate Rules of Procedure for the 1974 Regular Session of the Sixty-fifth General Assembly as amended became the temporary rules of the Senate for the Sixty-sixth General Assembly.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Senator Kinley announced the following committee assignments for the Sixty-sixth General Assembly:

STANDING COMMITTEES OF THE SENATE APPOINTED BY SENATOR GEORGE R. KINLEY, MAJORITY FLOOR LEADER

AGRICULTURE

Nolin, Chairman	Burroughs	Priebe	Taylor
Scott*	Heying	Shaff	Van Gilst
Tieden**	Merritt		

APPROPRIATIONS

Palmer, Chairman	Doderer	Murray	Robinson
Hill, E.*	Gluba	Nolin	Shaw
DeKoster**	Hansen	Nolting	Sovern
Andersen	Heying	Norpel	Tieden
Bergman	Hultman	Nystrom	Van Gilst
Coleman	Junkins	Orr	Willits
Culver	Kelly	Plymat	Winkelman
	Lamborn	Priebe	

CITIES

Willits, Chairman	Griffin**	Nolting	Redmond
Carr*	Hansen	Nystrom	Schwengels
	Miller, C.	Palmer	

*Ranking Member
**Ranking Minority Member

COMMERCE

Junkins, Chairman	Bergman**	Curtis	Priebe
Rodgers*	Briles	Gallagher	Rabedeaux
	Carr	Glenn	

COUNTY GOVERNMENT

Miller, C., Chairman	Briles**	Hill, P.	Scott
Merritt*	Gallagher	Ramsey	Taylor
	Heying	Robinson	

EDUCATION

Orr, Chairman	Carr	Merritt	Plymat
Sovern*	Griffin	Norpel	Willits
Shaw**	Hansen		

ENERGY

Gallagher, Chairman	Hultman**	Robinson	Scott
Culver*	Briles	Rodgers	Tieden
	Burroughs		

HUMAN RESOURCES

Gluba, Chairman	Hill, E.	Orr	Ramsey
Miller, C.*	Hill, P.	Palmer	Scott
Murray**	Kelly	Plymat	Sovern

JUDICIARY

Glenn, Chairman	Coleman	Hill, P.	Rodgers
Redmond*	DeKoster	Miller, C.	Shaw
Kelly**	Doderer	Ramsey	Willits
Carr			

LABOR AND INDUSTRIAL RELATIONS

Robinson, Chairman	Andersen**	Griffin	Rabedeaux
Nolting*	DeKoster	Kinley	Redmond
	Glenn	Merritt	

NATURAL RESOURCES

Heying, Chairman	Winkelman**	Hultman	Norpel
Priebe*	Bergman	Miller, E.	Sovern
	Culver		

RULES AND ADMINISTRATION

Palmer, Chairman	Junkins*	Kinley	Van Gilst
	Rabedeaux**	Lamborn	

STATE GOVERNMENT

Hill, E., Chairman	Andersen	Gluba	Redmond
Coleman*	Curtis	Kinley	Schwengels
Nystrom**	Doderer	Miller, E.	Winkelman
	Glenn	Nolin	

*Ranking Member
**Ranking Minority Member

TRANSPORTATION

Coleman, Chairman	Miller, E.**	Murray	Rabedeaux
Nolin*	Doderer	Norpel	Shaff
	Gallagher	Orr	

WAYS AND MEANS

Rodgers, Chairman	Burroughs	Junkins	Schwengels
Van Gilst*	Culver	Kinley	Shaff
Curtis**	Gluba	Lamborn	Taylor
	Hill, E.	Nolting	

SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR ANDERSEN

Labor and industrial relations	Appropriations (State departments subcommittee)	State government

SENATOR BERGMAN

Commerce**	Appropriations (Transportation subcommittee)	Natural resources

SENATOR BRILES

County government**	Commerce	Energy

SENATOR BURROUGHS

Agriculture	Energy	Ways and means

SENATOR CARR

Cities*	Education	Judiciary
Commerce		

SENATOR COLEMAN

Transportation, Chairman	Appropriations (Transportation subcommittee*)	Judiciary
State government*		

SENATOR CULVER

Energy*	Appropriations (Human resources subcommittee)	Natural resources
		Ways and means

SENATOR CURTIS

Ways and means**	Commerce	State government

*Ranking Member
**Ranking Minority Member

SENATOR DeKOSTER

Appropriations** (Education subcommittee)	Judiciary	Labor and industrial relations

SENATOR DODERER

Appropriations (State departments subcommittee)	Judiciary State government	Transportation

SENATOR GALLAGHER

Energy, Chairman Commerce	County government	Transportation

SENATOR GLENN

Judiciary, Chairman Commerce	Labor and industrial relations	State government

SENATOR GLUBA

Human resources, Chairman	Appropriations (Human resources subcommittee*)	State government Ways and means

SENATOR GRIFFIN

Cities**	Education	Labor and industrial relations

SENATOR HANSEN

Appropriations (Transportation subcommittee)	Cities	Education

SENATOR HEYING

Natural resources, Chairman	Appropriations (Natural resources subcommittee*)	Agriculture County Government

SENATOR E. HILL

State government, Chairman	Appropriations* (Claims subcommittee chairman)	Human resources Ways and means

SENATOR P. HILL

County government	Human resources	Judiciary

SENATOR HULTMAN

Energy**	Appropriations (Natural resources subcommittee)	Natural resources

*Ranking Member
**Ranking Minority Member

SENATOR JUNKINS		
Commerce, **Chairman** Rules and administration*	**Appropriations** (Natural resources subcommittee chairman)	Ways and means
SENATOR KELLY		
Judiciary**	**Appropriations** (Natural resources subcommittee)	Human resources
SENATOR KINLEY		
Labor and industrial relations	Rules and administration	State government Ways and means
SENATOR LAMBORN		
Appropriations (Natural resources subcommittee)	Rules and administration	Ways and means
SENATOR MERRITT		
County government* Agriculture	Education	Labor and industrial relations
SENATOR C. MILLER		
County government, Chairman	Human resources* Cities	Judiciary
SENATOR E. MILLER		
Transportation**	Natural resources	State government
SENATOR MURRAY		
Human resources**	Appropriations (Human resources subcommittee)	Transportation
SENATOR NOLIN		
Agriculture, Chairman Transportation*	Appropriations (Transportation subcommittee)	State government
SENATOR NOLTING		
Labor and industrial relations*	Appropriations (Education subcommittee*)	Cities Ways and means

*Ranking Member
**Ranking Minority Member

SENATOR NORPEL

Appropriations (Transportation subcommittee chairman)	Education Natural resources	Transportation

SENATOR NYSTROM

State government**	Appropriations (Claims subcommittee)	Cities

SENATOR ORR

Education, Chairman	Appropriations (Education subcommittee)	Human resources Transportation

SENATOR PALMER

Appropriations, Chairman (Claims subcommittee)	Rules and administration, Chairman	Cities Human resources

SENATOR PLYMAT

Appropriations (Education subcommittee)	Education	Human resources

SENATOR PRIEBE

Natural resources*	Appropriations (Human resources subcommittee chairman)	Agriculture Commerce

SENATOR RABEDEAUX

Rules and administration** Commerce	Labor and industrial relations	Transportation

SENATOR RAMSEY

County government	Human resources	Judiciary

SENATOR REDMOND

Judiciary* Cities	Labor and industrial relations	State government

SENATOR ROBINSON

Labor and industrial relations, Chairman	Appropriations (Natural resources subcommittee)	County government Energy

*Ranking Member
**Ranking Minority Member

SENATOR RODGERS		
Ways and means, Chairman	Commerce* Energy	Judiciary
SENATOR SCHWENGELS		
Cities	State government	Ways and means
SENATOR SCOTT		
Agriculture* County government	Energy	Human resources
SENATOR SHAFF		
Agriculture	Transportation	Ways and means
SENATOR SHAW		
Education**	Appropriations (State departments subcommittee)	Judiciary
SENATOR SOVERN		
Education*	Appropriations (State departments subcommittee*)	Human resources Natural resources
SENATOR TAYLOR		
Agriculture	County government	Ways and means
SENATOR TIEDEN		
Agriculture**	Appropriations Human resources) subcommittee)	Energy
SENATOR VAN GILST		
Ways and means*	Appropriations (Education subcommittee chairman)	Agriculture Rules and administration
SENATOR WILLITS		
Cities, Chairman	Appropriations (State departments subcommittee chairman)	Education Judiciary
SENATOR WINKELMAN		
Natural resources**	Appropriations (Transportation subcommittee)	State government

*Ranking Member
**Ranking Minority Member

ANNOUNCEMENT OF SUBCOMMITTEE APPOINTMENTS

Senator Palmer, chairman of the appropriations committee, announced the appointment of the following subcommittees to the committee on appropriations:

APPROPRIATIONS SUBCOMMITTEES

CLAIMS

Hill, E., Chairman	Nystrom	Palmer	

EDUCATION

Van Gilst, Chairman	Nolting* DeKoster	Orr	Plymat

HUMAN RESOURCES

Priebe, Chairman	Gluba* Culver	Murray	Tieden

NATURAL RESOURCES

Junkins, Chairman	Heying* Hultman	Kelly Lamborn	Robinson

STATE DEPARTMENTS

Willits, Chairman	Sovern* Andersen	Doderer	Shaw

TRANSPORTATION

Norpel, Chairman	Coleman* Bergman	Hansen Nolin	Winkelman

ADOPTION OF SENATE RESOLUTION 3

Senator Palmer called up for consideration Senate Resolution 3, relating to the permanent rules of the Senate, found on pages 22-39, inclusive, of the Senate Journal.

Senator Willits withdrew amendment S—3016 filed by him on January 14, 1975, and found on page 88 of the Senate Journal.

Senator Doderer withdrew amendment S—3009 filed by her on January 13, 1975, and found on pages 57 and 58 of the Senate Journal.

Senator Willits offered amendment S—3019 filed by Senators Willits, Hill of Jasper and Doderer and called for a division of the amendment as follows:

*Ranking Member
**Ranking Minority Member

S—3019

Division S—3019A

Amend Senate Resolution 3, filed January 13, 1975, as follows:

Division S—3019B

(1) By striking line 19 on page 2 and inserting in lieu thereof the word: "Introduction of bills and resolutions".

Division S—3019A (cont'd)

(2) By striking lines 1, 2, 3, and 4, on page 5 and inserting in lieu thereof the words: [A resolution which has not been referred to committee shall be eligible on the next legislative day after it is introduced or received. This paragraph does not apply to resolutions referred to committee.]

(3) By striking line 5 on page 20 and inserting in lieu thereof the words: "Only by the senate which expresses sentiment".

Division S—3019C

(4) By striking lines 24 and 25 on page 20 and inserting in lieu thereof the words: "3. A 'joint resolution' is a resolution which requires for".

Division S—3019A (cont'd)

(5) By striking lines 17, 18, 19, and 20 on page 21, and inserting in lieu thereof the following:

"All rules applicable to bills shall apply to resolutions, except as altered by Rule 33".

Senator Hill of Polk requested a further division of the amendment, section 4 to be considered as division S—3019C.

Senator Willits moved the adoption of division S—3019A.

Roll call was requested.

On the question "Shall Division S—3019A of the amendment be adopted?" (S.R. 3) the vote was:

Rule 24 was invoked.

Ayes, 25:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Orr	Scott
Doderer	Kinley	Palmer	Sovern
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Redmond	Willits
Gluba			

Nays, 23:

Andersen	DeKoster	Hultman	Miller of Marshall
Bergman	Griffin	Kelly	Murray
Burroughs	Hansen	Lamborn	Nystrom
Curtis	Hill of Polk		

Plymat	Schwengels	Shaw	Tieden
Rabedeaux	Shaff	Taylor	Winkelman
Ramsey			

Absent or not voting, 2:

Briles	Norpel

Division S—3019A of the amendment was adopted.

Senator Hansen raised the point of order that amendments S—3006 and S—3008 became out of order with the adoption of division S—3019A of the Willits, et al., amendment.

The Chair ruled the point well taken and amendments S—3006 and S—3008 out of order.

Senator Willits withdrew division S—3019B of the amendment.

On motion of Senator Willits, division S—3019C of the amendment was adopted.

Senator Palmer offered amendment S—3023 and moved its adoption:

S—3023

Amend Senate Resolution 3, filed January 13, 1975, by inserting after the words *"majority leader"* on line 1 of page 4, the words *", president pro-tempore and the two assistant majority leaders"*.

Roll call was requested.

On the question "Shall amendment S—3023 be adopted?" (S.R. 3) the vote was:

Rule 24 was invoked.

Ayes, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Nays, 23:

Andersen	Hill of Polk	Nystrom	Shaff
Bergman	Hultman	Plymat	Shaw
Burroughs	Kelly	Rabedeaux	Taylor
Curtis	Lamborn	Ramsey	Tieden
DeKoster	Miller of	Schwengels	Winkelman
Griffin	Marshall		
Hansen	Murray		

Absent or not voting, 1:

Briles

Amendment S—3023 was adopted.

Senator Gluba offered amendment S—3010 filed by Senators Gluba and Redmond and moved its adoption:

S—3010

Amend Senate Resolution 3, filed January 13, 1975, by striking the words *"be confined"* in line 24 of page 5 and inserting in lieu thereof the words *"confine all remarks"*.

Amendment S—3010 was adopted.

Senator Kinley offered amendment S—3002 filed by him and moved its adoption:

S—3002

Amend Senate Resolution 3, as follows:

1. Page 13, lines 4 through 8, by striking the words: "If the president is in doubt or if any senator requests a division before the result is announced, the senate shall divide—those in the affirmative of the question shall first rise from their seats and afterward those in the negative."

Amendment S—3002 was adopted.

Senator Hultman offered amendment S—3007 filed by him, moved its adoption and requested a roll call:

S—3007

Amend Senate Resolution 3, filed January 13, 1975, by striking lines 8 and 9 on page 14, and inserting in lieu thereof the following:

"During a record roll call vote, neither the individual votes nor vote totals shall be indicated openly on the display boards. Individual votes and vote totals shall be displayed when the secretary of the senate has closed the electronic voting system and announced to the senate that no further votes will be received.".

On the question "Shall amendment S—3007 be adopted?" (S.R. 3) the vote was:

Ayes, 23:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn		Winkelman

Nays, 27:

Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Doderer	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of Des Moines	Plymat	Van Gilst
Gluba		Priebe	Willits

Amendment S—3007 lost.

Senator Redmond offered amendment S—3003 filed by him and moved its adoption:

S—3003
Amend Senate Resolution 3, filed January 13, 1975, by deleting line 2 on page 15, and inserting in lieu thereof the following:
"situations but when demand is made, every senator shall".

Amendment S—3003 was adopted.

Senator Willits offered amendment S—3017 filed by him and moved its adoption:

S—3017
Amend Senate Resolution 3, filed January 13, 1975, by striking line 16, page 22, and inserting in lieu thereof the word "Cities".

Amendment S—3017 was adopted.

Senator Shaff offered amendment S—3012 filed by Senators Shaff, Hultman and Taylor:

S—3012
Amend Senate Resolution 3, containing the proposed permanent rules of the Senate as follows:
Page 29, line 16, after the period insert the following: *"Except in the case of the majority and minority floor leaders, during debate each senator shall be allowed to have only one person, either a secretary, legislative aide, or authorized intern, present in the senate chamber to assist the senator."*

Action on amendment S—3012 was temporarily deferred.

Senator Shaff offered amendment S—3011 filed by Senators Shaff, Hultman and Taylor:

S—3011
Amend Senate Resolution 3, containing the proposed permanent rules of the Senate, page 30, line 15, by inserting after the period the following:
"Each political party shall be allowed to employ three aides to senators."

Action on amendment S—3011 was deferred temporarily for the preparation of an amendment to amendment S—3011.

Senator Hill of Polk offered amendment S—3004 filed by him and moved its adoption:

S—3004
Amend Senate Resolution 3, filed January 13, 1975, by striking lines 16 and 17 on page 31, and inserting in

lieu thereof the **following:**
"reprinted on paper of a different color. All adopted amendments shall be distinguishable."

Amendment S—3004 was adopted.

Senator Hill of Jasper withdrew amendment S—3015 filed by him on January 14, 1975, and found on page 89 of the Senate Journal.

Senator Willits offered amendment S—3018 filed by him and called for a division of the amendment as follows:

S—3018

Division S—3018A

Amend Senate Resolution 3, filed January 13, 1975, adding on page 35 after line 4 the following new rule:

Rule 60

Investigating Committees

Investigating committees appointed by the president of the senate shall be composed of three senators from the majority party and two senators from the minority party. The senator of whom a governor's nominee is a constituent shall not chair the investigating committee for that nominee.

Division S—3018B

Within five days after the investigating committee is appointed, any member of the investigating committee may demand a hearing upon the nominee's confirmation, at which hearing the nominee may be questioned as to her or his qualifications to fulfill the office to which nominated and be further questioned as to her or his viewpoints on issues facing the office to which nominated. The public may, at the discretion of the investigating committee, be permitted to submit oral or written statements as to the qualifications of the nominee.

Any senator may submit, within five days after the investigating committee is appointed, written questions to be answered by the nominee prior to consideration of the nominee's confirmation by the senate.

Senator Hill of Polk raised the point of order that division S—3018A was out of order for the reason that powers granted the President of the Senate by the Code of Iowa cannot be restricted by Rules of the Senate.

The Chair ruled the point not well taken and the amendment in order, and that if further research indicated otherwise, the Chair would notify the Senate and inform the Senate of its interpretation.

On motion of Senator Willits, division S—3018A of the amendment was adopted.

On motion of Senator Willits, division S—3018B of the amendment was adopted.

(Senate Resolution 3 pending at recess.)

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

CONSIDERATION OF SENATE RESOLUTION 3 CONTINUED

The Senate resumed consideration of Senate Resolution 3.

Senator Doderer offered amendment S—3020 by Senators Doderer and Redmond and moved its adoption:

S—3020

Amend the proposed permanent rules of the Senate contained in Senate Resolution 3 as follows:

1. Page 2, lines 8, 9, 10, and 11, by striking the words "*except bills reported out by the committee on appropriations and the committee on ways and means, and senate bills amended by the house of representatives*".

2. Page 2, line 19, by inserting after the word "bill" the words "*and resolutions*".

3. Page 24, line 22, by inserting after the word "bill" the words "*or resolution*".

4. Page 24, line 23, by inserting after the word "bill" the words "*or resolution*".

5. Page 25, line 1, by inserting after the words "the bill" the words "*or resolution*".

6. Page 25, line 1, by inserting after the words "referral, the bill" the words "*or resolution*".

7. Page 34, line 14, by striking the word "Each" and inserting in lieu thereof the words "[each] *Every*".

8. Page 34, by striking line 16 and inserting in lieu thereof the words "All secretaries shall be competent stenographers."

9. Page 34, by striking lines 17, 18, and 19 and inserting in lieu thereof the words "[Secretaries, when not engaged in their regular duties, shall assist the secretary of the senate in any work which he may assign them.]"

Amendment S—3020 was adopted.

Senator Lamborn offered amendment S—3027:

S—3027

Amend Senate Resolution 3, page 3, by inserting after line 1 the following new rule:

NEW RULE. The Senate shall operate on a four day work week. The four days designated as the work week shall be Monday through Thursday. In addition, the Senate shall schedule one night session each week; the night session shall be set by a vote of the Senate and shall remain uniform throughout the legislative session, unless changed by a vote of the Senate.

Senator Lamborn withdrew amendment S—3027.

Senator Doderer moved to reconsider the vote by which amendment S—3023 was adopted by the Senate.

The motion prevailed and amendment S—3023 was taken up for reconsideration.

Senator Doderer asked and received unanimous consent to withdraw amendment S—3023.

Senator Doderer offered amendment S—3031 by Senators Doderer and Palmer, and moved its adoption:

S—3031

Amend Senate Resolution 3, page 3, line 25, and page 4, line 1, by striking the words *"Members of the steering committee shall be appointed by the majority leader."* and inserting in lieu thereof the words *"The majority leader, the president pro tempore, and the two assistant majority leaders shall appoint the majority party members to the steering committee. The president shall appoint the minority party members to the steering committee."*

Amendment S—3031 was adopted.

Senator Lamborn offered amendment S—3030 and moved its adoption:

S—3030

Amend Senate Resolution 3, Page 7, by inserting the following new paragraph after line 8:

NEW PARAGRAPH. When any bill or resolution has been special ordered for consideration for seven legislative days prior thereto, no amendment to the bill or resolution shall be filed after 5:00 p.m. on the legislative day preceding the special order. Notwithstanding other provisions of this rule, amendments to bills or resolutions which have been special ordered may not be withdrawn forty-eight hours before the bill or resolution is considered without unanimous consent of the Senate.

Roll call was requested.

On the question "Shall amendment S—3030 be adopted?" (S.R. 3) the vote was:

Ayes, 19:

Andersen	Hill of Polk	Plymat	Shaff
Bergman	Hultman	Rabedeaux	Shaw
Burroughs	Lamborn	Robinson	Taylor
Curtis	Miller of	Schwengels	Winkelman
Griffin	Marshall		
Hansen	Nystrom		

Nays, 30:

Carr	Heying	Murray	Redmond
Coleman	Hill of Jasper	Nolin	Rodgers
Culver	Junkins	Nolting	Scott
DeKoster	Kelly	Norpel	Sovern
Doderer	Kinley	Orr	Tieden
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Ramsey	

Absent or not voting, 1:

Briles

Amendment S—3030 lost.

Senator Lamborn offered amendment S—3028, moved its adoption and requested a roll call:

S—3028

Amend Senate Resolution 3, page 16, line 15,
by striking the words "[twenty-six]" and inserting
in lieu thereof the words "*thirty-four*".

On the question "Shall amendment S—3028 be adopted?" (S.R. 3) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of	Schwengels	
Griffin	Marshall		

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Amendment S—3028 lost.

Senator Lamborn offered amendment S—3029:

S—3029

Amend Senate Resolution 3 as follows:

1. Page 22, by striking line 15, and inserting in lieu thereof the following:

"Appropriations for Education
Appropriations for Human Resources
Appropriations for Natural Resources
Appropriations for State Departments
Appropriations for Transportation
Appropriations for Claims"

2. Page 23, by inserting after line 5, the following new paragraph:

NEW PARAGRAPH. There shall be an appropriations committee chairman and ranking minority member to oversee the activities of the six appropriations committees.

Senator Lamborn withdrew amendment S—3029.

Senator Doderer offered amendment S—3025 and moved its adoption:

S—3025

Amend the Permanent Rules of the Senate as contained in Senate Resolution 3 as follows:

1. Page 23, by striking lines 19 through 25 and page 24, by striking lines 1 and 2, and inserting in lieu thereof the following:

[Rule 37]

[Committee on Enrolled Bills

[A committee on enrolled bills consisting of two senators appointed by the president shall examine each bill passed by both houses of the general assembly and verify that such bill has been correctly enrolled. The committee shall file a report in the journal which shall be deemed adopted unless objection is made within one legislative day thereafter.]

2. Page 24, line 3, by striking the figure *"39"* and inserting in lieu thereof the figure *"38"*.

3. Page 25, line 4, by striking the figure *"40"* and inserting in lieu thereof the figure *"39"*.

4. Page 26, line 25, by striking the figure *"41"* and inserting in lieu thereof the figure *"40"*.

5. Page 27, line 11, by striking the figure *"42"* and inserting in lieu thereof the figure *"41"*.

6. Page 27, line 17, by striking the figure *"43"* and inserting in lieu thereof the figure *"42"*.

7. Page 28, line 2, by striking the figure *"44"* and inserting in lieu thereof the figure *"43"*.

8. Page 28, line 18, by striking the figure *"45"* and inserting in lieu thereof the figure *"44"*.

9. Page 29, line 10, by striking the figure *"46"* and inserting in lieu thereof the figure *"45"*.

10. Page 29, line 25, by striking the figure *"47"*

and inserting in lieu thereof the figure "*46*".
11. Page 30, line 16, by striking the figure "*48*" and inserting in lieu thereof the figure "*47*".
12. Page 30, line 20, by striking the figure "*49*" and inserting in lieu thereof the figure "*48*".
13. Page 31, line 1, by striking the figure "*50*" and inserting in lieu thereof the figure "*49*".
14. Page 31, line 6, by striking the figure "*51*" and inserting in lieu thereof the figure "*50*".
15. Page 31, line 12, by striking the figure "*52*" and inserting in lieu thereof the figure "*51*".
16. Page 31, line 22, by striking the figure "*53*" and inserting in lieu thereof the figure "*52*".
17. Page 32, line 6, by striking the figure "*54*" and inserting in lieu thereof the figure "*53*".
18. Page 32, line 12, by striking the figure "*55*" and inserting in lieu thereof the figure "*54*".
19. Page 33, line 11, by striking the figure "*56*" and inserting in lieu thereof the figure "*55*".

Page 2

20. Page 33, line 21, by striking the figure "*57*" and inserting in lieu thereof the figure "*56*".
21. Page 34, line 12, by striking the figure "*58*" and inserting in lieu thereof the figure "*57*".
22. Page 34, line 20, by striking the figure "*59*" and inserting in lieu thereof the figure "*58*".

Amendment S—3025 was adopted.

Senator Palmer offered amendment S—3024:

S—3024

Amend Senate Resolution 3, filed January 13, 1975, as follows:
1. By inserting after the words "*majority leader*" on line 6 of page 24, the words: ", *president pro-tempore and the two assistant majority leaders*".
2. Strike the word "it" on line 6 of page 24 and insert in lieu thereof the words "*the bill or resolution*".

Senator Lamborn offered amendment S—3033 to amendment S—3024 and moved its adoption:

S—3033

Amend amendment S—3024 to Senate Resolution 3 by striking lines 3 through 7 and inserting in lieu thereof the following:
"1. Page 24, line 6, by striking the words '[president] *majority leader*' and inserting in lieu thereof the word '*president*'.
2. Page 24, lines 11 and 12, by striking the words '[the president or]' and inserting in lieu thereof the words '*the president or*'."

Roll call was requested.

On the question "Shall amendment S—3033 to amendment S—3024 be adopted?" (S.R. 3) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of	Schwengels	
Griffin	Marshall		

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Amendment S—3033 to amendment S—3024 lost.

On motion of Senator Sovern, amendment S—3024 was adopted.

The Senate resumed consideration of amendment S—3011 previously deferred.

Senator Shaff offered amendment S—3034 to amendment S—3011 and moved its adoption:

S—3034

Amend S—3011, amending Senate Resolution 3, line 5, by striking the word *"aides"* and inserting in lieu thereof the words *"administrative assistants and research assistants"*.

Amendment S—3034 to amendment S—3011 was adopted.

Senator Shaff moved the adoption of amendment S—3011 as amended.

Roll call was requested.

On the question "Shall amendment S—3011 as amended be adopted?" (S.R. 3) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of	Schwengels	
Griffin	Marshall		

Nays, 26:

Carr	Doderer	Gluba	Junkins
Coleman	Gallagher	Heying	Kinley
Culver	Glenn	Hill of Jasper	Merritt

Miller of Des Moines	Norpel	Redmond	Sovern
Nolin	Orr	Robinson	Van Gilst
Nolting	Palmer	Rodgers	Willits
	Priebe	Scott	

Amendment S—3011 as amended lost.

(Senate Resolution 3 pending.)

FORMER SECRETARY OF THE SENATE HONORED

Senator Lamborn and Senator Kinley appeared in the well of the Senate and on behalf of the members of the Senate and the Senate staff presented gifts to the former Secretary of the Senate, Ralph R. Brown, along with an enrolled copy of Senate Resolution 4. Senator Lamborn thanked him for his service to the Senate during the Sixty-fifth General Assembly.

Mr. Brown accepted the gifts with the following remarks:

"Thanks, Cliff and George, and all the members of the Senate and the staff. It has been a pleasure to serve you these two years in the Senate, and a great learning experience. I wish to express my appreciation to all of you."

The Senate honored him with a standing ovation.

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

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Lamborn requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

ADOPTION OF SENATE RESOLUTION 3

The Senate resumed consideration of Senate Resolution 3 and amendment S—3012.

Senator Shaff moved the adoption of amendment S—3012, and requested a record roll call.

On the question "Shall amendment S—3012 be adopted?" (S.R. 3) the vote was:

Ayes, 19:

Andersen	Griffin	Nystrom	Shaff
Bergman	Hansen	Plymat	Shaw
Burroughs	Hill of Polk	Rabedeaux	Tieden
Curtis	Hultman	Ramsey	Winkelman
DeKoster	Lamborn	Schwengels	

Nays, 27:

Carr	Hill of Jasper	Nolin	Robinson
Coleman	Junkins	Nolting	Rodgers
Culver	Kelly	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	
Heying			

Absent or not voting, 4:

Briles	Miller of Marshall	Murray	Taylor

Amendment S—3012 lost.

Senator Ramsey offered amendment S—3035 and moved its adoption:

S—3035

Amend Senate Resolution 3, filed January 13, 1975, by inserting the following new paragraph after line 15 on page 30:

NEW PARAGRAPH No more than four (4) administrative assistants and research assistants, who are serving in a partisan capacity shall be paid from state funds.

A record roll call was requested.

On the question "Shall amendment S—3035 be adopted?" (S.R. 3) the vote was:

Ayes, 22:

Andersen	Hansen	Nystrom	Shaff
Bergman	Hill of Polk	Plymat	Shaw
Burroughs	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn	Schwengels	Winkelman
Griffin	Murray		

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 2:

Briles	Miller of Marshall

Amendment S—3035 lost.

Senator Palmer moved the adoption of Senate Resolution 3 as amended.

On the question "Shall the resolution as amended be adopted?" (S.R. 3) the vote was:

Ayes, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Nays, 22:

Andersen	Hansen	Nystrom	Shaff
Bergman	Hill of Polk	Plymat	Shaw
Burroughs	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn	Schwengels	Winkelman
Griffin	Murray		

Absent or not voting, 2:

Briles	Miller of Marshall

The resolution having received a constitutional majority was declared to have passed the Senate and the rules contained therein became the Permanent Rules of the Senate for the Sixty-sixth General Assembly.

INTRODUCTION OF BILLS

Senate File 11, by Senator Norpel, a bill for an act relating to motor vehicle accident records.

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

Senate File 12, by Senator Priebe (Krause), a bill for an act relating to the use of weed seed in commercial feed.

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

Senate File 13, by Senator Van Gilst, a bill for an act relating to the issuance of special registration plates to owners of vehicles holding amateur radio licenses.

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

Senate File 14, by Senator Tieden (Halvorson), a bill for an act relating to the issuance of trapping licenses to aliens or non-residents and making provisions of this act retroactive.

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

Senate File 15, by Senator Norpel, a bill for an act to allow persons sixty-five years of age or older to fish without a license.

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

Senate File 16, by Senator Kelly, a bill for an act to repeal bounties on certain wild animals.

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

Senate File 17, by Senator Kelly, a bill for an act relating to a motor vehicle involved in an accident and providing a penalty.

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

REPORT OF COMMITTEE ON SENATE SECRETARIES

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 Leonard C. Andersen ..... Charlotte Andersen
Senator Irvin L. Bergman ..... Vera Bergman
Senator James E. Briles ..... Mary Wilcox
Senator Cliff Burroughs ..... Dorothy Bahls
Senator Robert M. Carr ..... Jane Fowler
Senator C. Joseph Coleman ..... Kathleen Needles
Senator Louis P. Culver ..... Lou Clarke
Senator Warren E. Curtis ..... Emily Curtis
Senator Lucas J. DeKoster ..... Elsie Haun
Senator Minnette F. Doderer ..... Sue Logsdon
Senator James V. Gallagher ..... Katie Doyle
Senator Gene W. Glenn ..... Constance Eichhorn
Senator William E. Gluba ..... Vivian Haag
Senator James W. Griffin, Sr. ..... Dwan Carter
Senator Willard R. Hansen ..... Maree Hansen
Senator Hilarius L. Heying ..... Josephine Heying
Senator Eugene M. Hill ..... Genevieve Snetselaar
Senator Philip B. Hill ..... Sylvia Tow
Senator Calvin O. Hultman ..... Marjorie Helkenn
Senator Lowell L. Junkins ..... Carole Reeves
Senator E. Kevin Kelly ..... Nanci Long
Senator George R. Kinley ..... Kay Bolton
Senator Clifton C. Lamborn ..... Marcella Nelson
Senator Milo Merritt ..... Verniece Thomsen
Senator Charles P. Miller ..... Virginia Miller
Senator Elizabeth R. Miller ..... Betty Speagh
Senator John S. Murray ..... Betty Wise
Senator Karl Nolin ..... Willa Nolin
Senator Fred W. Nolting ..... Brenda Jotske
Senator Richard J. Norpel, Sr. ..... Theresa Gosek
Senator John N. Nystrom ..... Bonnie McCoy
Senator Joan Orr ..... Norma Santee
Senator William D. Palmer ..... Billie Ore
Senator William N. Plymat ..... Peggy Thomson
Senator Berl E. Priebe ..... Rose Marie Pawlewski

Senator W. R. Rabedeaux ..... Golda Beals
Senator Richard R. Ramsey ..... Bessie Lamb
Senator James M. Redmond ..... Sherry Goodwin
Senator Cloyd E. Robinson ..... Geraldine McCarthy
Senator Norman G. Rodgers ..... Grace Rehnblom
Senator Forrest V. Schwengels ..... Hazel Schroedel
Senator Kenneth D. Scott ..... Norma Bliquez
Senator Roger J. Shaff ..... Margaret Bruce
Senator Elizabeth Shaw ..... Loanne Dodge
Senator Steve Sovern ..... Linda Pearson
Senator Ray Taylor ..... Jane Bevington
Senator Dale L. Tieden ..... Marguerite Miller
Senator Bass Van Gilst ..... Bonnie King
Senator Earl M. Willits ..... Shirley White
Senator William P. Winkelman ..... Rose McCauley

MINNETTE F. DODERER, Chairman
WILLIAM E. GLUBA
CLIFF BURROUGHS
DALE L. TIEDEN

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	Round Trip Miles
Lieutenant Governor Arthur A. Neu	200
Andersen, Leonard C.	400
Bergman, Irvin L.	460
Briles, James E.	200
Burroughs, Cliff	270
Carr, Robert M.	410
Coleman, C. Joseph	236
Culver, Louis P.	260
Curtis, Warren E.	360
DeKoster, Lucas J.	488
Doderer, Minnette F.	240
Gallagher, James V.	304
Glenn, Gene W.	174
Gluba, William E.	340
Griffin, James W., Sr.	280
Hansen, Willard R.	220
Heying, Hilarius L.	380
Hill, Eugene M.	66
Hill, Philip B.	None
Hultman, Calvin O.	238
Junkins, Lowell L.	372
Kelly, E. Kevin	426
Kinley, George R.	None
Lamborn, Clifton C.	388
Merritt, Milo	330
Miller, Charles P.	334
Miller, Elizabeth R.	98

Name	Round Trip Miles
Murray, John S.	70
Nolin, Karl	160
Nolting, Fred W.	240
Norpel, Richard J., Sr.	460
Nystrom, John N.	100
Orr, Joan	112
Palmer, William D.	None
Plymat, William N.	None
Priebe, Berl E.	280
Rabedeaux, W. R.	288
Ramsey, Richard R.	100
Redmond, James M.	270
Robinson, Cloyd E.	250
Rodgers, Norman G.	68
Schwengels, Forrest V.	240
Scott, Kenneth D.	218
Shaff, Roger J.	400
Shaw, Elizabeth	360
Sovern, Steve	270
Taylor, Ray	160
Tieden, Dale L.	400
Van Gilst, Bass	140
Willits, Earl M.	None
Winkelman, William P.	200

Respectfully submitted,
GENE W. GLENN, Chairman
ROBERT M. CARR
WARREN E. CURTIS
JAMES W. GRIFFIN, SR.

COMMUNICATIONS FROM THE SUPREME COURT OF IOWA

REPORT OF THE SUPREME COURT

IN THE MATTER OF SUPREME COURT FEES

To the 1975 Regular Session of the Sixty-sixth General Assembly of the State of Iowa:

Pursuant to Chapter 289 of the Acts of the 1973 Session of the Sixty-fifth General Assembly, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly a rule fixing fees to be charged by the Clerk of the Supreme Court, in lieu of all prior fees, as follows:

1. The fee for filing an application for permission to appeal or petition for certiorari shall be fifteen dollars. If an application for permission to appeal is granted, the applicant shall pay a docketing fee of twenty-five dollars within forty days. If a petition for certiorari is granted, the petitioner shall pay a docketing fee of twenty-five dollars within ten days.

2. The fee for filing an original proceeding other than certiorari shall be twenty-five dollars. No docketing fee shall be charged in such cases.

3. The fee for docketing an appeal from a final judgment or decree shall be twenty-five dollars.

4. The fee for providing copies of papers shall be forty cents for each page, except that copies of opinions of the court shall be furnished to the trial judge, counsel of record and to any unrepresented party in the case without cost.

Respectfully submitted,
THE SUPREME COURT OF IOWA
C. EDWIN MOORE, Chief Justice

Des Moines, Iowa
January 15, 1975

ACKNOWLEDGEMENT

I, Clark R. Rasmussen, Secretary of the Senate of the State of Iowa, hereby acknowledge delivery to me on the 15th day of January, 1975 of the foregoing report of the Supreme Court of Iowa pertaining to Supreme Court fees.

CLARK R. RASMUSSEN,
Secretary of the Senate, 1975
Regular Session of the Sixty-sixth
General Assembly of the State of Iowa.

REPORT OF THE SUPREME COURT

IN THE MATTER OF THE
RULES OF CIVIL PROCEDURE

To the 1975 Regular Session of the Sixty-sixth General Assembly of the State of Iowa:

Pursuant to sections 684.18 and 684.19, Code 1973, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly changes in the existing Rules of Civil Procedure as follows:

Rule 48. COMMENCING ACTIONS.

That Rule 48 be stricken and the following substituted:

"48. COMMENCEMENT OF ACTIONS. A civil action is commenced by filing a petition with the court."

Rule 49. TOLLING LIMITATIONS.

That Rule 49 be stricken and the following substituted:

"49. ORIGINAL NOTICE. ISSUANCE AND FORM.

(a) Written directions for the service of the original notice and copy of petition shall be delivered to the clerk with the petition. There shall also be delivered to the clerk with the petition the original notice to be served and sufficient copies of both. The original notice shall contain the name of the court and the names of the parties, be directed to the defendant, state the name and address of the plaintiff's attorney, if any, otherwise the plaintiff's address, and the time within which these rules require the defendant to appear and defend, and shall notify defendant that in case of defendant's failure to do so judgment by default will be rendered against the defendant for the relief demanded in the petition.

(b) Upon the filing of the petition the clerk shall forthwith deliver for service the original notice and copies, copies of the petition, and the directions for service to the sheriff, to a person specially appointed to serve it, or other appropriate person. Upon request of the plaintiff, separate or additional original notices shall issue against any defendants.

(c) The original notice shall be signed by the clerk and be under the seal of the court. The clerk may require the party delivering the original notice to the clerk to advance reasonable costs of service."

Rule 50. CONTENTS OF ORIGINAL NOTICE.

That Rule 50 be stricken and the following substituted:

"50. SERVING COPIES OF ORIGINAL NOTICE AND PETITION. The original notice and copy of petition shall be served together except when service is by publication. If service is by publication the original notice alone shall be published and shall also contain a general statement of the cause or causes of action and the relief demanded, and, if for money, the amount thereof."

Rule 53. TIME FOR APPEARANCE.

That Rule 53 be stricken and the following substituted:

"53. TIME FOR APPEARANCE. A defendant served as provided in these rules by publication or by publication and mailing must appear on or before the date fixed in the notice as published, which date shall not be less than 20 days after the date of last publication.

A defendant served in a manner prescribed by a statute or order of court shall appear on or before the date fixed as provided by said statute or order of court.

In the event service of process is made by mail under Rule 56.2 the appearance date shall be on the date fixed in the original notice which shall not be less than 60 days following the date of mailing.

In all other cases the defendant shall appeal within 20 days after the service of the original notice and petition upon such defendant."

Rule 55. FAILURE TO FILE PETITION.

That Rule 55 be stricken and the following substituted:

"55. TOLLING LIMITATIONS. For the purpose of determining whether an action has been commenced within the time allowed by statutes for limitation of actions, whether the limitation inheres in the statutes creating the remedy or not, the filing of a petition shall be deemed a commencement of the action."

Rule 56. PERSONAL SERVICE.

That Rule 56 be designated Rule 56.1 and the following rule be adopted:

"56.2. ALTERNATE METHOD OF SERVICE. Every corporation, individual, personal representative, partnership or association that shall have the necessary minimum contact with the State of Iowa shall be subject to the jurisdiction of the courts of this state, and the courts of this state shall hold such corporation, individual, personal representative, partnership or association amenable to suit in Iowa in every case not contrary to the provisions of the constitution of the United States.

Service may be made on any such corporation, individual, personal representative, partnership or association (1) as provided in Rule 56.1 within or without the state, or (2) if such service cannot be so made, in any manner consistent with due process of law prescribed by order of the court in which the action is brought.

Nothing herein shall limit or affect the right to serve an original notice upon any corporation, individual, personal representative, partnership or association within or without this state in any manner now or hereafter permitted by statute or rule."

Rule 59. RETURNS OF SERVICE.

That Rule 59 be amended by adding the following:

"(d) The person serving the process shall make proof of service thereof to the court promptly and in any event within the time during which the person served must respond to the process. Failure to make proof of service does not affect the validity of the service.

(e) Where service includes notice by mail, proof of such mailing shall be by affidavit. The affidavit, with a duplicate copy of the papers referred to in the affidavit attached thereto, shall be forthwith filed with the court."

NEW RULE.

That the following rule be adopted:

"59.1. AMENDMENT OF PROCESS OR PROOF OF SERVICE. At any time in its discretion and upon such terms as it deems just, the court may allow any process or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the process issued.

Rule 82. SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS.

That the first sentence of Rule 82(a) be stricken and the following substituted:

"Everything required by these rules to be filed, every order required by its terms to be served, every pleading subsequent to the original petition unless the court otherwise orders because of numerous defendants, every paper relating to discovery required to be served upon a party unless the court otherwise orders, every written motion other than one which may be heard ex parte, and every written notice, appearance, demand, offer of judgment, and similar paper shall be served upon each of the parties."

Rule 82. SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS.

That the following be added after the first sentence in Rule 82(f):

"In the event a case involves an appeal or review relating to an administrative agency, officer, commissioner, board, administrator, or judge, the clerk shall mail without cost to the applicable administrative agency, officer, commissioner, board, administrator, or judge a copy of any remand order, final judgment or decision in the case and a copy of any procedendo from the Supreme Court."

Rule 83. ENLARGEMENT; ADDITIONAL TIME AFTER SERVICE BY MAIL.

That the following be added to Rule 83(b):

"Such additional time shall not be applicable where a court has prescribed the method of service of notice and the number of days to be given."

Rule 117. MOTION DAYS—DISPOSITION OF MOTIONS.

That Rule 117(a) be amended by striking the word "five" in the fifth line thereof and substituting in lieu thereof the word "ten".

NEW RULE.

That the following rule be adopted:

"124.1. STIPULATIONS REGARDING DISCOVERY PROCEDURE. Unless the court orders otherwise, the parties may by written stipulation (1)

provide that depositions may be taken before any person, at any time or place, upon any notice, and in any manner and when so taken may be used like other depositions, and (2) modify the procedures provided by these rules for other methods of discovery, except that stipulations extending the time provided in Rules 125, 127 and 130 for responses to discovery may be made only with the approval of the court."

Rule 126. INTERROGATORIES TO PARTIES.

That Rule 126 be amended by adding after the first sentence in the third paragraph of subdivision (a), the following:

"A party answering interrogatories must set out the interrogatory immediately preceding the answer thereto. A failure to comply with this rule shall be deemed a failure to answer and shall be subject to sanctions as provided in Rule 134."

RULE 215.1. UNIFORM RULE FOR DISMISSAL FOR WANT OF PROSECUTION.

That Rule 215.1 be amended by striking the phrase "(d) which have been filed but in which the plaintiff has been unable by due diligence to obtain service of original notice," by changing the designations of subparagraphs (e) and (f) to (d) and (e) respectively and by adding the following to the second paragraph of said rule: "The case shall not be dismissed if there is a timely showing that the original notice and petition have not been served and that the party resisting dismissal has used due diligence in attempting to cause process to be served."

Rule 237. ON WHAT CLAIMS.

That Rule 237 be amended by adding the following:

"(h) SUPPORTING STATEMENT AND MEMORANDUM. Upon any motion for summary judgment pursuant to Rule 237, there shall be annexed to the motion a separate, short and concise statement of the material facts as to which the moving party contends there is no genuine issue to be tried, including specific reference to those parts of the pleadings, depositions, answers to interrogatories, admissions on file and affidavits which support such contentions and a memorandum of authorities."

Rule 260. LEVY ON PERSONALTY.

That Rule 260(b) be amended by striking the words "equipment used in farming operations or farm products or".

Rule 335. TIME FOR APPEAL.

That Rule 335(b) be amended by striking the words "before the Appendix to the briefs is filed with said clerk.", and substituting the following in lieu thereof: "prior to ten days after the date on which the appeal is docketed."

Rule 336. HOW TAKEN.

That Rule 336(a) be stricken and the following substituted:

"(a) Appeal other than those allowed by order under rule 332 or rule 335 is taken and perfected by filing a notice with the clerk of the court where the order, judgment or decree was entered, signed by the appellant or his attorney. It shall specify the parties taking the appeal, and the decree, judgment, order or part thereof appealed from. The appellant shall serve a copy of the notice on each other party or his counsel in the manner prescribed in rule 82(b). The notice presented to the clerk of the trial court for filing shall be accompanied by a proof of service in the form prescribed in rule 82(g). Promptly after filing the notice of appeal with the clerk of the

trial court the appellant shall mail or deliver to the clerk of the supreme court an informational copy of such notice."

Respectfully submitted,
THE SUPREME COURT OF IOWA
C. EDWIN MOORE, Chief Justice

Des Moines, Iowa
January 15, 1975

ACKNOWLEDGEMENT

I, Clark R. Rasmussen, Secretary of the Senate of the State of Iowa, hereby acknowledge delivery to me on the 15th day of January, 1975 of the foregoing report of the Supreme Court of Iowa pertaining to Rules of Civil Procedure.

CLARK R. RASMUSSEN,
Secretary of the Senate, 1975
Regular Session of the Sixty-sixth
General Assembly of the State of Iowa.

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from the:

ENERGY AND MINERAL RESOURCES RESEARCH INSTITUTE
IOWA STATE UNIVERSITY

The report of the Energy and Mineral Resources Research Institute, Iowa State University, for the period from May 17, 1974, to January 15, 1975, submitted in accordance with Chapter 1065, Section 6, Laws of the Sixty-fifth General Assembly, 1974 Session.

EXPLANATION OF VOTES

Throughout the 1974 campaign for the office of Lieutenant Governor, I recommended a proposal to the legislative rules that would require more than a simple majority of votes necessary to suspend the rules and the use of this vehicle to reconsider a bill or motion that had failed to pass. This had the effect which, I believe, substantially lengthened the sessions of the Sixty-fifth General Assembly. I have a firm conviction that the figure should have been somewhere between three-fifths and two-thirds majority of votes required to suspend the rules. I sincerely believe that if the condition warranted it and a sincere explanation was made to the assembly that the required number of votes needed could be acquired. My position was made clear in party caucus. In order to get quick approval of the rules I decided to abide with the caucus majority. This then is the reason I voted against the amendments S—3028 and S—3014.

CHARLES P. MILLER

AMENDMENTS FILED

S—3022

Amend Senate Concurrent Resolution 6, filed January 13, 1975, as follows:

1. By striking the words *"and the majority leader of the senate"* in line 6 of page 6.

2. By inserting after the word "committee." in line 7 of page 6 the sentences: *"The majority leader of the senate, the president pro-tempore of the senate and the two assistant majority leaders of the senate shall appoint three members to a conference committee. The president of the senate shall appoint two members to a conference committee."*.

3. By striking the words *"and the majority leader of the senate"* in lines 14 and 15 of page 7.

4. By inserting after the word "consideration." in line 17 of page 7 the sentence: *"The majority leader of the senate, the president pro-tempore of the senate and the two assistant majority leaders of the senate shall appoint three members and the president of the senate shall appoint two members all of whom shall not have previously served on a conference committee on the bill under consideration."*

WILLIAM D. PALMER

S—3032

Amend the Joint Rules of the Senate and House of the Sixty-fifth General Assembly, as contained in Senate Concurrent Resolution 6 as follows:

1. Page 7, line 20, by inserting after the word "enrolled" the words *"in the house of origin under the direction of either the secretary or the chief clerk"*.

2. Page 7, by striking lines 23, 24, and 25, and page 8, by striking line 1, and inserting in lieu thereof the following:

"[When bills are enrolled, they shall be examined by a joint standing committee of two from each house who shall compare the enrollment with the engrossed bills, correct any errors, and report immediately to their respective houses.]"

MINNETTE F. DODERER

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Thursday, January 16, 1975.

JOURNAL OF THE SENATE

FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JANUARY 16, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Steamboat Rock, Hardin County, Iowa.

The Journal of Wednesday, January 15, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fred Ashler, Hamburg, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred students from the Clarke Community High School, Osceola, Iowa, accompanied by Warren Keeler, Vicky Kimes and Ralph Evans. Senator Ramsey.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

January 14, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Gerald Bair, Norwalk, Warren County, Iowa, for appointment as Director of Revenue for the State of Iowa effective immediately under the provisions of Section 421.2, 1973 Code of Iowa to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. Ray
Governor

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

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

REPORT OF COMMITTEE ON SENATE SECRETARIES

Senator Doderer asked and received unanimous consent to take up the report of the committee on Senate secretaries, filed January 15, 1975, and found on pages 115 and 116 of the Senate Journal, and moved its adoption.

The motion prevailed and the report was adopted.

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

REPORT OF COMMITTEE ON MILEAGE

Senator Glenn asked and received unanimous consent to take up the report of the committee on mileage, filed January 15, 1975, and found on pages 116 and 117 of the Senate Journal, and moved its adoption.

The motion prevailed and the report was adopted.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Kinley placed in nomination the name of Senator Minnette F. Doderer of Johnson County as a candidate for the office of President pro tempore of the Senate of the Sixty-sixth General Assembly.

Senator Hultman placed in nomination the name of Senator W. R. Rabedeaux of Muscatine County as a candidate for the office of President pro tempore of the Senate of the Sixty-sixth General Assembly.

There being no further nominations, the Chair put the question and the Secretary called the roll.

The vote for Senator Doderer was:

Ayes, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

The vote for Senator Rabedeaux was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

The Chair announced that Senator Doderer had been elected President pro tempore of the Senate of the Sixty-sixth General Assembly.

Senator Rabedeaux asked and received unanimous consent that the Secretary of the Senate be instructed to cast a unanimous ballot for Senator Doderer.

The ballot was cast and Senator Doderer was unanimously elected.

President Neu requested Senators Van Gilst, Priebe and Lamborn to escort Senator Doderer to the rostrum.

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

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

Tradition has it, according to the Journals of the Iowa Senate, that the newly-elected President pro tempore's speech begins with sincere thanks and humble appreciation for the high honor bestowed upon him, plus assurances that he will conduct himself in a fair and non-partisan manner when presiding over this body. Let me assure you all that I am in complete accord with that practice.

Today however, you have broken with that tradition, among others, and therefore I must as well, because for the first time in the history of this state it isn't a "him" speaking. For that reason I'd like to commend not only the members of my party, but the Senate as a whole, for entrusting a woman with the responsibilities of this office—the third highest in the state.

As many of you are aware, I am by nature a proud woman. Today I am especially proud—of being elected President pro tempore of the Senate—and of all of you who have made it happen. I would be just as proud if another woman were standing in my place at this moment. It is a good thing for all of humankind, a very good thing indeed, when any of us are responsible for the advancement of equality in our society.

The Iowa Senate has advanced the cause of all women by its choice for President pro tempore. I sincerely thank you.

I am fully aware that I would not be assuming this office today if it were not for the help, the kindness, the fairness and the trust of my fellow senators and many other men and women along the way.

President Neu, in his opening remarks of three days ago, referred to the unique situation in which we find ourselves this year. He warned that without concerted cooperation between the two parties, little or nothing will be accomplished during this session. He is correct, of course, and all of us must pledge ourselves to maintaining a true spirit of cooperation in all of our deliberations and actions.

In my opinion, by the way, President Neu has been an extremely fair and impartial presiding officer. My predecessor in this job, Senator Shaff, also did a commendable job of chairing this body. I will exert every effort to do the same.

In going over the lists of priorities of the Democratic party and those of the governor, it is readily apparent that we are in accord on a majority of ideas proposed. This will make our job easier.

The British statesman Benjamin Disraeli said "All power is a trust and we are accountable for its exercise . . . ." The Democratic party, which controls the Senate for the first time since 1967, recognizes the responsibility which goes with that power, the trust given by the voters, and the fact that individually and collectively, we must and will be accountable to the people of Iowa.

President pro tempore Doderer took the chair at 10:35 a.m.

ELECTION OF PERMANENT OFFICERS AND EMPLOYEES

Senator Palmer submitted the following report of the committee on rules and administration and moved its adoption:

REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Your committee on rules and administration begs leave to submit the names of the following personnel for nominations as permanent officers and employees of the Senate for the Sixty-sixth General Assembly:

Secretary of the Senate .....Clark R. Rasmussen, West Des Moines
Legal Counsel .....Steven C. Cross, Des Moines
Administrative Assistant to Majority Leader .....Barton D. Rule, Dunlap
Administrative Assistant to
Minority Leader ..... Ralph M. Kauffman, Maquoketa
Research Assistant to Majority Leader .....Mary Warren, Aurora
Research Assistant to Minority Leader ..... Diane Glass, Perry
Research Assistant to
President pro tempore .....Norma S. Matthews, Des Moines
Research Assistant to
Assistant Majority Leader .....Charles Riekena, Forest City
Research Assistant to
Assistant Majority Leader .....Nicholas Needles, Indianola
Research Assistant to Majority Caucus .....Robert Brammer, Cedar Falls
Research Assistant to Majority Caucus ..... Martin Brown, Iowa Falls
Research Assistant to Minority Caucus .....Donald Mason, Iowa City
Executive Secretary to the Secretary .....K. Marie Thayer, Ankeny
Secretary to the Secretary .....Joyce M. Horner, Des Moines
Journal Editor .....Dorothy F. Nepstad, Des Moines
Journal Clerk .....Suzanne Thomsen, Des Moines

Assistant to the Legal Counsel .....Rosemary P. Andreano, Des Moines
Finance Clerk .....Mary Ann Abbott, Des Moines
Engrossing Clerk .....Elizabeth Ligouri, Des Moines
Enrolling Clerk .....Corliss J. Williams, Des Moines
Records and Supply Clerk .....Cynthia A. Vitous, Des Moines
Special Clerk .....Judy K. Iseminger, Des Moines
Control Board Operator .....Mary Lynn Neuhaus, Dubuque
Switchboard Operator .....Betty M. Lawler, Des Moines
Switchboard Operator ..... Betty Schwengels, Fairfield
Bill Clerk .....Caryll Wilbur, Indianola
Assistant Bill Clerk .....Chris A. Huss, Des Moines
Postmaster .....Dino Masolini, Des Moines
Sergeant-at-Arms .....William C. Sloan, Des Moines
Assistant Sergeant-at-Arms .....Byron Marshall, Indianola
Chief Doorkeeper .....Leonard A. Borg, Des Moines
Doorkeeper .....Charlotte Brien, Des Moines
Doorkeeper .....George R. Chastain, Des Moines
Doorkeeper .....Richard Dunker, Des Moines
Doorkeeper .....Charles M. McCoun, Des Moines
Doorkeeper .....Ray J. Prosperi, Des Moines
Doorkeeper .....B. W. Rulon, Des Moines
Cloakroom Attendant .....Gertrude Harris, Des Moines
Porter .....James M. Sullivan, Des Moines
Secretary of the Senate's Page .....
Senate Page ..... Loren Boston, Ames
Senate Page .....Gretchen Castle, Oskaloosa
Senate Page .....Diann Graham, Ida Grove
Senate Page .....Nancy Hiles, Lamoni
Senate Page .....Janet Martens, Winterset
Seante Page .....Crystal Meier, Wheatland
Senate Page .....David Miles, Charles City
Senate Page ..... Jon Shaw, Council Bluffs
Senate Page .....Sean Strub, Iowa City
Senate Page .....Beverly Vonk, Sioux Center
Senate Page .....James Wine, Des Moines

WILLIAM D. PALMER, Chairman

The motion prevailed and the report was adopted.

Senator Palmer moved the election of the permanent officers and employees placed in nomination by the committee on rules and administration.

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.

ADOPTION OF SENATE CONCURRENT RESOLUTION 2

Senator Van Gilst asked and received unanimous consent to take up Senate Concurrent Resolution 2, found on page 46 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

JOINT SUBCOMMITTEE ON ADMINISTRATION

Senator Palmer announced the appointment of the following Senators to the joint subcommittee on administration:

Senator Van Gilst, Chairman
Senator Junkins
Senator Rabedeaux

REPORT OF JOINT SUBCOMMITTEE ON ADMINISTRATION ON JOINT LEGISLATIVE EMPLOYEES

Senator Van Gilst asked and received unanimous consent to take up the following report and moved its adoption:

REPORT OF JOINT ADMINISTRATION SUBCOMMITTEE

MR. PRESIDENT: Your joint administration subcommittee begs leave to submit the names of the following personnel for nomination as employees on the joint Senate-House payroll for the Sixty-sixth General Assembly:

LEGISLATIVE INDEXING

Supervisor of Legislative Indexing ..... Maxine Gunton
Assistant Supervisor of Legislative Indexing ..... Juanita Swackhammer
Index Clerk ..... Terry Pepper
Assistant Index Clerk ..... Thomas L. Thomas

LEGISLATIVE SERVICE BUREAU

Bill Drafter ..... Leroy Zeman, Mark Soldat
Senior Bill Clerk ..... Lois Carter
Bill Clerk ..... Janet Johnson
Terminal Operator ..... Christine Juehrs
Proofreader ..... Dorothy Bartholomew, Dorothy Kelly, Patricia A. Ryan, Jean L. Shirbroun
Assistant Bill Clerk ..... Marcia Cranberg
Xerox Operator ..... Lois Johnson

LEGISLATIVE FISCAL BUREAU

Legislative Fiscal Analyst I ..... Eric L. Smith

JOINT EMPLOYEES

Mail Carrier ..... Francis J. Burns
Historical Building Clerk ..... Michael McDonald
Law Library Clerk ..... Michael Brien

BUILDINGS AND GROUNDS

Matron ..... Mary Parker
Elevator Operator ..... Evelyn Seaney, Agnes Bertogli
Parking Attendant ..... John Jorgensen, Raymond Keeney, Frank Miller, Harold Missman, James Webb
Night Watchman ..... Alex Moffatt, Pirl Stuart

On the part of the Senate:	On the part of the House:
BASS VAN GILST, Chairman	MARY T. O'HALLORAN, Chairman
LOWELL JUNKINS	HORACE DAGGETT
W. R. RABEDEAUX	SCOTT D. NEWHARD

The motion prevailed and the report was adopted.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 1	Transportation
S. F. 2	Commerce
S. F. 3	State government
S. F. 4	Human resources
S. F. 5	County government
S. F. 6	State government
S. F. 7	Transportation
S. F. 8	Agriculture
S. F. 9	State government
S. F. 10	Cities
S. F. 11	State government
S. F. 12	Agriculture
S. F. 13	Transportation
S. F. 14	Natural resources
S. F. 15	Natural resources
S. F. 16	Natural resources
S. F. 17	Judiciary
S.C.R. 8	Rules and administration
S.C.R. 9	State government

On motion of Senator Kinley, the Senate recessed until 12:30 p.m. to reassemble in the North Room, Second Floor, of the Veterans Memorial Auditorium.

The Senate reconvened, President pro tempore Doderer 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 seat of the joint convention on the main floor of the Veterans Memorial Auditorium in columns of two's, led by the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

The joint convention reconvened, President pro tempore Doderer presiding.

Senator Kinley moved that the roll call be dispensed with and that the President be authorized to declare a quorum present, which motion prevailed.

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

The report of canvass of the vote was read by the Secretary of the joint convention as follows:

MADAME 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 5, 1974, beg leave to make the following report of the total vote cast for Governor:

Robert D. Ray	534,518
Jim Schaben	377,553
Ralph Scott	8,323
Scattering	64

And the total vote cast for Lieutenant Governor at the election, held November 5, 1974:

Arthur A. Neu	479,117
Charles P. Miller	393,445
Merlin F. Glade	7,078
Scattering	38

All of which is most respectfully submitted.

NORMAN RODGERS
Teller of the Senate
JACK E. WOODS
Teller of the House
DAVID L. WRAY
Secretary of the Joint Convention

STEVE SOVERN
FORREST V. SCHWENGELS
B. JOSEPH RINAS
WENDELL C. PELLETT
Assistant Tellers

Senator Rodgers of Dallas moved that the report be adopted.

The motion prevailed and the report was adopted.

President pro tempore Doderer 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 Arthur A. Neu, having received the highest number of votes cast for Lieutenant Governor at the last general election, was duly elected to the office of Lieutenant Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified.

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

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

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Sixty-sixth General Assembly of the State of Iowa, of all the votes cast at the general election held November 5, 1974, for the office of 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 four years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this sixteenth day of January, A.D., 1975.

DALE M. COCHRAN
Speaker of the House
NORMAN RODGERS
Teller of the Senate
JACK E. WOODS
Teller of the House
DAVID L. WRAY
Clerk of the House and
Secretary of the Joint Convention

MINNETTE DODERER
President Pro Tempore of the Senate and
President of the Joint Convention

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

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Sixty-sixth General Assembly of the State of Iowa, of all the votes cast at the general election held November 5, 1974, for the office of Lieutenant Governor of the State of Iowa, it appeared that Arthur A. Neu received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this sixteenth day of January, A.D., 1975.

DALE M. COCHRAN
Speaker of the House
NORMAN RODGERS
Teller of the Senate
JACK E. WOODS
Teller of the House
DAVID L. WRAY
Clerk of the House and
Secretary of the Joint Convention

MINNETTE DODERER
President Pro Tempore of the Senate and
President of the Joint Convention

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

Senator Glenn of Wapello 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 Arthur A. Neu of the official result of the canvass of votes.

The motion prevailed and President pro tempore Doderer named as such committee Senators Glenn of Wapello, Merritt of Mitchell, and Rabedeaux of Muscatine, on the part of the Senate, and Representatives Middleswart of Warren, Hargrave of Johnson and O'Halloran of Black Hawk, on the part of the House.

A concert was presented by the Central College Concert Choir, Central College, Pella, under the direction of Laurence Grooters, Professor of Music.

REPORT OF COMMITTEE

Senator Glenn of Wapello, from the joint committee appointed to notify Robert D. Ray and Arthur A. Neu of their election to the office of Governor and Lieutenant Governor of Iowa, respectively, submitted the following report and moved its adoption:

MADAME PRESIDENT: As a committee appointed at the joint convention to notify the Honorable Robert D. Ray and the Honorable Arthur A. Neu 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,

GENE GLENN	JAMES I. MIDDLESWART
MILO MERRITT	WILLIAM J. HARGRAVE
W. R. RABEDEAUX	MARY O'HALLORAN

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 Arthur A. Neu.

Governor-elect Robert D. Ray and Lieutenant Governor-elect Arthur A. Neu were escorted to the rostrum by the inaugural committee consisting of Senators Bergman of Osceola, DeKoster of Sioux, Miller of Des Moines, Miller of Marshall, Redmond of Linn and Scott of Cerro Gordo, on the part of the Senate; and Representatives Avenson of Fayette, Connors of Polk, Daggett of Adams, Egenes of Story, Crabb of Crawford and Dunton of Keokuk, on the part of the House.

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

The National Anthem was sung by John DeHaan, Choral Director, Clinton High School, Clinton, accompanied by Robert L. Burns, Associate Professor of Music, Simpson College, Indianola.

The invocation was delivered by the Reverend Mr. Joseph G. Grubbs, First Christian Church, Des Moines.

The oath of office was administered to Lieutenant Governor-elect Arthur A. Neu by Chief Justice C. Edwin Moore of the Supreme Court of Iowa.

President pro tempore Doderer presented Lieutenant Governor Arthur A. Neu.

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 Arthur A. Neu, President of the Senate, presiding, presented Governor Robert D. Ray, who delivered the following inaugural address:

Mr. President, Madame President Pro Tempore, Mr. Speaker, Mr. Chief Justice, Senators and Representatives, State Officials, Distinguished Guests, Ladies and Gentlemen:

Yesterday, our President gave the state of the nation address and started that message by saying that he had bad news. Today as I start this inaugural message, I want to give you some good news because I want to talk about Iowa.

This is a time when the answers to this country's problems do not come easily.

So I want to begin with a question.

Is there any place in this nation, any place in this world right now where people are any better suited, any better equipped, or any better situated to manage their problems than we are here in Iowa?

As grim as some forecast we in Iowa can have good reason for optimism; we can make a case for hope.

—We can be optimistic in the attitudes of our young people, in their questioning of many of the materialistic values of our society and in their sensitivities to inequities and injustices.

—We can be optimistic about the growing numbers of positive examples of the ways in which we are using our technology, and our political will, to produce a better environment.

—And we can be optimistic about the very nature of our Iowans and the evidence in our past that Iowans can and will respond to appeals to higher values and larger concepts of enlightened public interest.

* * *

There is drift in this country today. There is a wedge of distrust between Americans and their government.

And these conditions give Iowans a special responsibility. We know we are in a favored position. But we must do more than simply enjoy it. As a people we must avoid self-indulgence.

The strength of this country—the strength of our federal system is the strength of the states. The future of the United States depends on the capacity of the states to move forward where there is indecision elsewhere . . . the future depends upon the ability of the people in states which are more fortunate to provide leadership.

There is no greater gift Iowa can give this country as it approaches its third century than the gift of hope.

We can do it with our deeds and with a charted direction.

Iowans have forged ahead in the way we make decisions. We are seeing the great value in finding better ways to determine the full consequences of decisions government makes before they're made.

We are moving in Iowa to face up to the energy problems. Instead of just talking about energy research, we have begun. Instead of just talking about encouraging energy-efficient transportation, we are doing something about it.

We are achieving population stability in Iowa to the envy of other political subdivisions around the globe. We are striking a rural-urban balance.

We have in Iowa a capacity for cooperation. Presently there is a political difference between the General Assembly and the Governor. But this can be an opportunity for us instead of an obstacle. For we have a chance now to show people everywhere that Republicans and Democrats can work constructively together for broad interests of our state.

We have a capacity for openness and candor in this state. The American people are fed up with untruth and lies. We will lead them by telling them the truth and entrusting them with it.

As a piece of side advice to those of you who are elected officials: Re-read the speeches you made during the last campaign and take another look at all the promises you might have made. If you can see now that you promised more than you can deliver, then say so. Our people will appreciate the candor a lot more than unkept promises.

* * *

Two days ago I presented to the General Assembly a series of specific legislative recommendations. Next week in another message to the legislature, I will spell out the Governor's budget recommendations.

Those speeches and this one are all a part of the responsibilities of the Governor. But this inaugural speech is particularly a part of the tradition.

So let me say to the newspeople that you can put away your checklists and to the legislators in the audience that you can stop figuring what recommendations the Governor made that you'll want to comment about. I'll give you plenty of specifics in the budget message.

But, I want to use this time to share with you a few observations I have after being Governor of this state for six years and some thoughts I have about the next four.

* * *

First, I see us moving dangerously close to a time when some would have government do everything. More and more frequently people come to my office wanting government to handle their problems. That in itself is all right. We most certainly welcome that. What is distressing is that too

often they have given little if any thought to how they could be handling those problems themselves.

Government cannot feed everyone, clothe everyone, house everyone, nor shield everyone from every economic fact of life. Yet there are some in our society who think it should. Government's primary role is to motivate, not maintain; to regulate, not control.

Second, states have become willing victims of well-intentioned federal programs. In many cases we have become dependent on them and now are seeing the cruelty of the withdrawal of federal funds. By making sacrifices, state government will be able to absorb some of the cutbacks. In other cases, all we'll be able to absorb will be the shock. State government just cannot afford to take over every single federal program.

Third, of all the enterprises we are involved in there is none that has a greater effect on the future than education. And none costs us more in state tax dollars.

Let me give you an example. In 1967, advocates of expanded state aid to education were saying that in order to fairly finance schools at the elementary and secondary level, state government should support them with an amount equivalent to at least half the money raised by the state income tax. In this coming year—less than a decade later—the equivalent of all the revenue generated by the state's income tax will go to finance elementary and secondary schools. And, many will tell you it still isn't enough.

Even as school enrollments decline, educational financing is still crucial. We have to continue to explore ways to strengthen and improve our educational system within our ability to pay for it.

Fourth, as we reflect upon the successes in state government in the past few years we can see most of them have come where we have taken relatively small amounts of money and large amounts of thought and leadership to encourage people to help themselves.

The tuition grant program has kept life in our private colleges while helping thousands of students. A branch rail line project shows more promise for saving railroads than any other undertaking of its kind in this country. A plan to solve fuel oil emergencies became a model for this nation. A work incentive program to help people get off welfare rolls became one of the most successful in the United States.

It's amazing what people can do with a little assistance and a lot of encouragement. That's how government should work.

Fifth, we must learn to say "no." Cause after cause has been presented to me—each one with a price tag on it. We cannot pay for all the government some would have us have. Legislators here today must continuously ask the question: How much government can people afford?

To pay one $10,000 government employee only from sales tax, as an example, the private enterprise economy must generate $330,000 in retail sales at our present three percent rate.

And sixth, consider the modern wisdom in what Iowa Governor Horace Boies said in a speech to the General Assembly in 1892 (82 years ago): "I cannot avoid the conclusion that we legislate too much."

You members of this General Assembly have it within your power to prevent edging any closer to a full-time professionalized legislature.

Iowa must preserve the concept of the citizen legislator for it stems from the right of the electorate to self-government. Direct and personal involve-

ment of people in their government—provided by citizen legislators—must not be replaced by preoccupied professionals responding more to a legislative body than to the constituency from which they spring.

Long legislative sessions limit the number of citizens who can or will take the time to serve in them.

* * *

Those are a few observations. I would like now to give you some thoughts about where we go from here.

First, listen to the remarks of one native Iowan who moved back to her home state after 18 years in California: Said Mrs. Ruth Jones to a newspaper reporter: "I wouldn't leave Iowa now, not even for a vacation. I'd be afraid they might close the borders while I was away and not let me back in."

We're not going to close Iowa's borders, however appealing that might seem sometimes.

But Mrs. Jones makes a point.

We all should be sure what we are talking about when we say: "Iowa—A Place To Grow."

We don't need a big surge in population. We do have to provide opportunities for the people already here.

We need to know growth is more than smokestacks and freeways and shopping centers and big feedlots, as important as some of these things are in modern society.

We need to know that growth can be measured in opportunities for people, in the willingness to be tolerant of other views, of an appreciation for the kind of life we prize so much in Iowa.

We need to understand that kind of growth cannot be mandated by a Legislature or created by a Governor's executive order. But it is attainable if we work for it.

1975 is the 99th year of America's second century. We will be observing a bicentennial in 1976. But even more significant, we will be starting America's Third Century.

Beginnings can be much more exciting than anniversaries. We are approaching the opportune time for all of us to think about the directions this state of ours should take.

We have to start thinking now about Iowa in America's Third Century.

What do we want from our government?

Where is the trend toward more government leading us?

How should we educate our people?

How can we provide for those who need our help?

How can we most wisely use our resources?

How can we maintain the healthy balance of agriculture and industry?

What will be the role of religious and ethical values?

Fifty thousand Iowans began the thought process with the Iowa:2000 project in 1974. We should enlarge and build upon that effort in 1975.

* * *

There appeared very recently in the New York Times these words, written by the late Walter Lippmann.

"What is it that has shaken the nerves of so many? It is the doubt

whether there exists among the people that trust in each other which is the first condition of intelligent leadership. It is not the facts of the crisis which we have to fear. They can be endured and dealt with. It is demoralization alone that is dangerous."

Though it is true that statement appeared recently it is also true that it was written some 40 years ago, in the 1930's. Those were very, very dark times.

Some look ahead and see gloom and darkness today.

But I don't think we have to do that in Iowa.

I say that because we have the ability to live up to our moral capacity.

I say that because we have the brainpower. We have the technology. We have the resources.

I say that because, here in Iowa, we have a confidence in our history, a confidence in the ultimate power of ideas, and most of all, a confidence in ourselves.

I began this speech with a question.

I asked if there were any place in this nation, any place in this world where people are better suited, better equipped or better situated to manage their problems than we are here in Iowa? I think you not only know the answer; you are the answer.

The benediction was offered by Rabbi Albert A. Gordon, D.D., Mount Sinai Temple, Sioux City, and Instructor of Religion, Morningside College, Sioux City.

Speaker Cochran in the chair.

The colors were retired.

Governor Robert D. Ray and Lieutenant Governor Arthur A. Neu were escorted from the rostrum by the committee previously appointed.

Senator Kinley of Polk moved that the reading of the minutes of the joint convention be dispensed with.

The motion prevailed.

Fitzgerald of Webster moved that the joint convention be now dissolved.

The motion prevailed.

In accordance with Senate Concurrent Resolution 7, duly adopted, Senator Kinley moved that the Senate adjourn until 10:00 a.m., Monday, January 20, 1975.

JOURNAL OF THE SENATE

EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JANUARY 20, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Alfred W. Burlingame, pastor of St. Mark's Episcopal Church, Maquoketa, Iowa.

The Journal of Thursday, January 16, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Valin, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the day on request of Senator Lamborn; Senator Taylor for the day on request of Senator Lamborn.

SPECIAL GUEST

President Neu welcomed Iowa's Junior Miss for 1975, Miss Nancy Kelly, Des Moines, Iowa, who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Senator Redmond, 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.**

Senate File 18, by Senator Priebe, a bill for an act relating to the reporting of vehicle accidents.

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

Senate File 19, by Senator Culver, a bill for an act making an appropriation from the general fund of the state to the state conservation commission for the dredging of certain specified lakes.

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

Senate File 20, by Senators Griffin, Norpel and Tieden, a bill for an act relating to the establishment of minimum prices for the retail sale of beer.

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

Senate File 21, by Senators Griffin, Norpel, Tieden and Carr, a bill for an act relating to the location of the Iowa beer and liquor control department.

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

Senate File 22, by Senators Griffin, Gluba, Tieden and Norpel, a bill for an act relating to the hours during which alcoholic beverages and beer may be sold, and to the fees required for the issuance of certain liquor control licenses and beer permits.

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

Senate File 23, by Senator Redmond, a bill for an act relating to the office of Code editor and the publication of the Code of Iowa and the Iowa administrative code.

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

Senate File 24, by Senators Priebe, Scott, Culver, Norpel, Tieden, Bergman, Curtis, Heying, Nolin, Coleman, Rodgers, Hultman, Schwengels, Junkins, Gallagher and Carr, a bill for an act relating to the registration fees for special trucks.

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

Senate File 25, by Senators Norpel, Gallagher, Culver, Rodgers, Tieden, Carr, Scott, Sovern, Nolting, Priebe, Nolin and Merritt, a bill for an act relating to liability insurance to cover the use of public buildings.

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

Senate File 26, by Senators Griffin and Norpel, a bill for an act establishing a maximum civil liability for losses caused by the distribution of beer or intoxicating liquor to a person while the person is intoxicated, or which results in his intoxication.

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

Senate File 27, by Senators Griffin, Norpel, Tieden and Gluba, a bill for an act to repeal the special fifteen percent tax imposed on retail liquor licensees.

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

Senate File 28, by Senators Griffin, Norpel, Tieden and Carr, a bill for an act repealing the prohibition which disallows a person to hold more than one class of beer permit.

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

Senate File 29, by Senators Palmer, Glenn and Kinley, a bill for an act to provide for a lifetime fishing license for resident senior citizens.

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

Senate File 30, by Senators Glenn, Kinley and Palmer, a bill for an act reducing the maximum amount a participant may win or lose in a twenty-four hour period when participating in gambling activities permitted under section seven hundred twenty-six point twelve (726.12) of the Code.

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

Senate File 31, by Senators Glenn, Kinley and Palmer, a bill for an act prohibiting gambling in the form of games of skill, games of chance, bingo games and raffles, and games lawful under section seven hundred twenty-six point twelve (726.12) of the Code at premises for which a liquor control license or retail beer permit has been issued, and providing penalties.

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

APPOINTMENT OF PAGE TO LIEUTENANT GOVERNOR

Lieutenant Governor Neu announced the appointment of his page, Mary Skinner of Carroll County, who appeared on the rostrum and was duly sworn.

POINT OF PERSONAL PRIVILEGE

Senator Curtis rose on a point of personal privilege and made the following remarks:

Mr. President and members of the Senate:

It is known to you that northwestern Iowa has suffered a severe loss during the past ten days as a result of a severe blizzard. It was possible for me to be at home this past weekend and to visit with various law enforcement people and many other people regarding the losses and troubles of all kinds incident to this storm.

Throughout the conversations, the part that the Iowa National Guard played in saving lives and property throughout the entire area was brought out time after time and the praise for the Guard could not seem to be high enough.

It is with this thought in mind that I hope the members of the Senate will give due consideration to the requests of the Iowa National Guard as they may come before us.

SPECIAL AWARD

Senator Shaff rose on a point of personal privilege to announce that the Iowa General Assembly had been presented the Legislative Improvement Award by The Citizens Conference on State Legislatures "to honor the body's legislative reform efforts undertaken to more fully serve and better represent the people of the State of Iowa." President pro tempore Doderer, former President pro tempore Shaff, Speaker of the House Cochran and former Speaker of the House Varley accepted the award January 17, 1975, in Washington, D.C., on behalf of the General Assembly. President pro tempore Doderer and Senator Shaff presented the plaque to the President of the Senate.

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

AFTERNOON SESSION

The Senate reconvened, President 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2 relating to the appointment of a joint subcommittee to determine the additional joint positions needed.

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

House Concurrent Resolution 2 relating to the centennial anniversary of the city of Lisbon, Iowa.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 2
By Patchett

Whereas, the city of Lisbon, Iowa is nearing the centennial anniversary of its incorporation as a city; and

Whereas, the citizens of Lisbon, Iowa are preparing for a centennial celebration to commemorate the one-hundreth anniversary of the city's incorporation; *Now Therefore,*

Be it Resolved by the House of Representatives, the Senate Concurring, That the membership of the Sixty-sixth General Assembly of the State of Iowa extends its heartiest congratulations to the city of Lisbon, Iowa in commemoration of the centennial anniversary of its incorporation; and

Be It Further Resolved, That a copy of this resolution be forwarded to the mayor, the city council, and the citizens

of Lisbon who are in charge of making preparations for the centennial celebration.

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

INTRODUCTION OF BILLS

Senate File 32, by Senators Robinson, Redmond and Sovern, a bill for an act relating to mufflers on motor buses.

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

Senate File 33, by Senator Murray (Crawford and Hines), a bill for an act relating to sanitary disposal bonds.

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

COMMUNICATIONS

The following communication from the Iowa Department of Transportation has been received and placed on file in the office of the President of the Senate:

January 9, 1975

The Honorable Arthur A. Neu
President of the Senate
State Capitol Building
Des Moines, Iowa 50319

Dear Mr. President:

Chapter 1080, Laws of the Sixty-fifth General Assembly, 1974 Session, allows the State Transportation Commission to adopt rules and regulations governing the length of vehicles and combinations of vehicles which may be operated on Iowa's roads.

Therefore, after careful consideration of the facts and testimony presented to us by various groups and individuals, the Transportation Commission has decided to make no changes at this time of the present limitations of Chapter 321, Code 1973, governing the length of vehicles. We expect issues such as this will, however, be considered as part of the multimodal state transportation system during its installation in the coming months.

Very truly yours,
ROBERT R. RIGLER, Chairman

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

THE BOARD OF REGENTS

A copy of the proposed Ten-Year Building Program of the Board of Regents for the three state universities, submitted in accordance with Section 262A.3, Code 1973.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 1 State government

S. F. 18 Transportation

S. F. 19 Appropriations

S. F. 20 State government

S. F. 21 State government

S. F. 22 State government

S. F. 23 Judiciary

S. F. 24 Transportation

S. F. 25 County government

S. F. 26 Judiciary

S. F. 27 Ways and means

S. F. 28 State government

S. F. 29 Natural resources

S. F. 30 Judiciary

S. F. 31 Judiciary

AMENDMENT FILED

S—3036

Amend Senate Resolution 6, amending the Senate Rules governing lobbyists, as follows:

1. Page 4, line 20, by striking the word "*for*" and inserting in lieu thereof the words "*expended directly upon*".

2. Page 5, by striking line 25 and inserting in lieu thereof the following:

"[The report also shall list the amounts for other direct]".

3. Page 6, by striking lines 1 through 22 and inserting in lieu thereof the following:

"[expenses incurred in the performance of lobbying service, and shall include subtotals recorded for the following categories:

a. food and refreshments (such as for the lobbyist, the lobbyist's client or employer, association members, etc.),

b. entertainment (including the cost of maintaining a hospitality room),

c. travel expenses (such as travel to and from Des Moines),
d. lodging expenses away from home,
e. telephone,
f. postage (mailings to senators, association members, etc.),
g. printing and copying,
h. advertising, and
i. other miscellaneous expenses.]"

ROGER J. SHAFF

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 3:45 p.m., until 9:30 a.m., Tuesday, January 21, 1975.

JOURNAL OF THE SENATE

NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, JANUARY 21, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Robert J. LeMont, pastor of the St. Luke Evangelical Lutheran Church, Traer, Iowa.

The Journal of Monday, January 20, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Moes, Waterloo, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the day on request of Senator Lamborn.

DISTINGUISHED VISITOR

President Neu welcomed the Honorable Gene V. Kennedy, former member of the Senate from Dubuque County, who was present in the Senate gallery.

PETITION

The following petition was presented and placed on file:

By Senator Carr, from eighty-two Dubuque County employees, favoring legislation to improve benefits under the Iowa Public Employees Retirement System.

On motion of Senator Van Gilst, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

ADOPTION OF SENATE RESOLUTION 5

Senator Scott asked and received unanimous consent to take up **Senate Resolution 5**, relating to the Senate Code of Ethics, found on pages 39-41, inclusive, of the Senate Journal.

Senator Shaw offered amendment S—3039 and moved its adoption:

S—3039

Amend Senate Resolution 5, filed January 13, 1975, by inserting after the word "at" on page 5, line 18, the word *"commensurate"*.

The Chair called for a non-record roll call.

The ayes were 25; nays 21.

Amendment S—3039 was adopted.

Senator Doderer offered amendment S—3041 by Senators Doderer and Miller of Des Moines:

S—3041

Amend Senate Resolution 5, filed January 13, 1975, by striking lines 13, 14, 15, 16, 17, 18 and 19 on page 5.

Senator Miller of Des Moines moved the adoption of amendment S—3041.

Amendment S—3041 lost.

Senator Scott offered amendment S—3042 and moved its adoption:

S—3042

Amend Senate Resolution 5, page 5, line 17 by striking the word and figure "seven (7)" and inserting in lieu thereof the word and figure "one (1)".

Amendment S—3042 was adopted.

Senator Scott moved the adoption of Senate Resolution 5 as amended.

On the question "Shall the resolution be adopted?" (S.R. 5) the vote was:

Ayes, 45:

Andersen	Gallagher	Hill of Polk	Miller of Des Moines
Bergman	Glenn	Junkins	Miller of Marshall
Briles	Gluba	Kelly	Murray
Carr	Griffin	Kinley	Nolin
Culver	Hansen	Lamborn	Nolting
Curtis	Heying	Merritt	
Doderer	Hill of Jasper		

Norpel	Priebe	Rodgers	Sovern
Nystrom	Rabedeaux	Schwengels	Tieden
Orr	Ramsey	Scott	Van Gilst
Palmer	Redmond	Shaff	Willits
Plymat	Robinson	Shaw	Winkelman

Nays, none.

Absent or not voting, 5:

Burroughs	DeKoster	Hultman	Taylor
Coleman			

The resolution as amended having received a constitutional majority was declared to have been adopted by the Senate and the Senate Code of Ethics of the Sixty-fifth General Assembly as amended by Senate Resolution 5 became the Senate Code of Ethics for the Sixty-sixth General Assembly.

CONSIDERATION OF SENATE RESOLUTION 6

Senator Scott called up **Senate Resolution 6**, relating to the Senate Rules Governing Lobbyists, found on pages 41-46, inclusive, of the Senate Journal.

Senator Shaff offered amendment S—3036:

S—3036

Division S—3036A

Amend Senate Resolution 6, amending the Senate Rules governing lobbyists, as follows:

1. Page 4, line 20, by striking the word *"for"* and inserting in lieu thereof the words *"expended directly upon"*.

Division S—3036B

2. Page 5, by striking line 25 and inserting in lieu thereof the following:

"[The report also shall list the amounts for other direct]".

3. Page 6, by striking lines 1 through 22 and inserting in lieu thereof the following:

"[expenses incurred in the performance of lobbying service, and shall include subtotals recorded for the following categories:

a. food and refreshments (such as for the lobbyist, the lobbyist's client or employer, association members, etc.),

b. entertainment (including the cost of maintaining a hospitality room),

c. travel expenses (such as travel to and from Des Moines),

d. lodging expenses away from home,

e. telephone,

f. postage (mailings to senators, association members, etc.),

g. printing and copying,

h. advertising, and
i. other miscellaneous expenses.]"

The Chair called for a division of the amendment, section 1 to be considered as division S—3036A; sections 2 and 3 to be considered as division S—3036B.

Senator Shaff moved the adoption of division S—3036A of the amendment and requested a record roll call.

On the question "Shall division S—3036A of the amendment be adopted?" (S.R. 6) the vote was:

Ayes, 26:

Andersen	Heying	Miller of Marshall	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Briles	Junkins	Norpel	Shaff
Culver	Kelly	Nystrom	Shaw
Curtis	Lamborn	Plymat	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Griffin			
Hansen			

Nays, 19:

Carr	Kinley	Palmer	Scott
Doderer	Merritt	Priebe	Sovern
Glenn	Murray	Ramsey	Willits
Gluba	Nolting	Redmond	Winkelman
Hill of Polk	Orr	Robinson	

Absent or not voting, 5:

Burroughs	DeKoster	Hultman	Taylor
Coleman			

Division S—3036A of the amendment was adopted.

Senator Shaff moved the adoption of division S—3036B of the amendment and requested a record roll call.

On the question "Shall division S—3036B of the amendment be adopted?" (S.R. 6) the vote was:

Ayes, 24:

Andersen	Hansen	Miller of Marshall	Rabedeaux
Bergman	Heying	Nolin	Schwengels
Briles	Junkins	Norpel	Shaff
Culver	Kelly	Nystrom	Shaw
Curtis	Lamborn	Plymat	Tieden
Gallagher	Miller of Des Moines		Van Gilst
Griffin			

Nays, 21:

Carr	Kinley	Palmer	Rodgers
Doderer	Merritt	Priebe	Scott
Glenn	Murray	Ramsey	Sovern
Gluba	Nolting	Redmond	Willits
Hill of Jasper	Orr	Robinson	Winkelman
Hill of Polk			

Absent or not voting, 5:

Burroughs	DeKoster	Hultman	Taylor
Coleman			

Division S—3036B of the amendment was adopted.

Senator Glenn offered amendment S—3037:

S—3037

Amend Senate Resolution 6, Senate Rules Governing Lobbyists, as follows:

1. Page 4, by striking lines 20 through 24 and inserting in lieu thereof as follows:

"upon each individual senator in the performance of lobbying activity during the period covered.

The report shall list the amount expended directly upon each individual senator, and shall include subtotals".

2. Page 5, by striking lines 14 through 18, and the word "categories." on line 19.

Senator Glenn moved the adoption of amendment S—3037 and requested a record roll call.

On the question "Shall amendment S—3037 be adopted?" (S.R. 6) the vote was:

Ayes, 15:

Carr	Hill of Polk	Palmer	Sovern
Glenn	Kinley	Priebe	Willits
Gluba	Merritt	Ramsey	Winkelman
Hill of Jasper	Orr	Redmond	

Nays, 30:

Andersen	Heying	Murray	Rodgers
Bergman	Junkins	Nolin	Schwengels
Briles	Kelly	Nolting	Scott
Culver	Lamborn	Norpel	Shaff
Curtis	Miller of Des Moines	Nystrom	Shaw
Doderer	Miller of Marshall	Plymat	Tieden
Gallagher		Rabedeaux	Van Gilst
Griffin		Robinson	
Hansen			

Absent or not voting, 5:

Burroughs	DeKoster	Hultman	Taylor
Coleman			

Amendment S—3037 lost.

Senator Shaff offered amendment S—3040 and moved its adoption:

S—3040

Amend Senate Resolution 6, filed January 13, 1975, by striking the word "to" on page 5, line 4, and inserting in lieu thereof the word "for".

Amendment S—3040 was adopted.

Senator Glenn offered amendment S—3038:

S—3038

Amend Senate Resolution 6, Senate Rules Governing Lobbyists, as follows:

Page 6, following line 22, by adding the following:

"The monthly report shall also list the income or fee received by the lobbyist from the individual, company, firm, corporation, union association or other source represented for services rendered during the preceding month. In the event that such income or fee is on a fixed annual or other periodic basis, the amount required to be reported herein shall be pro-rated on a monthly basis."

(Senate Resolution 6 pending.)

SENATE CONCURRENT RESOLUTION 10

By Redmond

Whereas, the city of Lisbon, Iowa is nearing the centennial anniversary of its incorporation as a city; and

Whereas, the citizens of Lisbon, Iowa are preparing for a centennial celebration to commemorate the one-hundredth anniversary of the city's incorporation; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the membership of the Sixty-sixth General Assembly of the State of Iowa extends its heartiest congratulations to the city of Lisbon, Iowa in commemoration of the centennial anniversary of its incorporation; and

Be It Further Resolved, That a copy of this resolution be forwarded to the mayor, the city council, and the citizens of Lisbon who are in charge of making preparations for the centennial celebration.

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

INTRODUCTION OF BILLS

Senate File 34, by Senator Kelly, a bill for an act to prohibit discrimination in education.

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

Senate File 35, by Senator Shaff, a bill for an act authorizing county boards of supervisors to provide ambulance service to all or portions of their counties, and to impose a surcharge on motor vehicle registrations in order to pay for the ambulance service.

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

Senate File 36, by Senator Andersen, a bill for an act establishing area agencies on aging and making an appropriation.

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

Senate File 37, by Senator Griffin, a bill for an act relating to elections for school bond issues.

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

Senate File 38, by Senator Lamborn, a bill for an act relating to the tax rate for nonowned cemetery property.

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

Senate File 39, by Senators Robinson and Curtis, a bill for an act relating to the organization, powers and duties of credit unions.

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3037 to Senate Resolution 6 failed to be adopted on January 21, 1975.

MINNETTE F. DODERER

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 32 Transportation

S. F. 33 Cities

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

THE UNIVERSITY OF IOWA

A copy of the second annual report of the Family Practice Advisory Board, submitted in accordance with Chapter 168, Acts of the 1973 Regular Session of the Sixty-fifth General Assembly.

AMENDMENTS FILED

S—3043
1 Amend Senate Resolution 6, amending the Senate

Rules Governing Lobbyists, page 8, line 20, by inserting after the period the following:

"Elected state officials, except the governor and lieutenant governor, shall not be permitted on the floor of the senate while the senate is in session to encourage the passage, defeat, or modification of legislation."

MINNETTE F. DODERER

S—3044

Amend Senate Resolution 6, amending the Senate Rules governing Lobbyists, page 8, line 20, by inserting after the period the following:

"Elected state officials, except the governor, lieutenant governor, and members of the house of representatives, shall not be permitted on the floor of the senate while the senate is in session to encourage the passage, defeat, or modification of legislation."

MINNETTE F. DODERER

S—3045

Amend the Glenn amendment S—3038 to Senate Resolution 6, Senate Rules Governing Lobbyists by adding after the period on line 12, the following:

"In the event that the lobbyist has responsibilities to his or her employer or employers other than lobbying, he or she shall report a pro rata share of the income or fee received based upon that portion of his or her time spent lobbying in relation to the total time employed."

EARL M. WILLITS

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Wednesday, January 22, 1975.

JOURNAL OF THE SENATE

TENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JANUARY 22, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Honorable Earl M. Willits, member of the Senate from Des Moines, Polk County, Iowa.

The Journal of Tuesday, January 21, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Thomas Altemeier, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the day; Senator Taylor for the day; Senator DeKoster for the day on request of Senator Lamborn.

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 3 relating to a joint convention of the Sixty-sixth General Assembly to be held Friday, January 24, 1975, at 9:30 a.m. and that Governor Robert D. Ray be invited to present his budget message at this joint convention.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 3

By Fitzgerald and Millen

Be It Resolved by the House, the Senate Concurring: That a joint convention of the two houses of the Sixty-sixth General Assembly be held on Friday, January 24, 1975, at 9:30 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.

Read first time and passed on file.

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

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

UNFINISHED BUSINESS

ADOPTION OF SENATE RESOLUTION 6

Senate Resolution 6

The Senate resumed consideration of Senate Resolution 6, relating to the Senate Rules Governing Lobbyists, and amendment S—3038 by Senator Glenn, offered and pending on January 21, 1975:

S—3038

Amend Senate Resolution 6, Senate Rules Governing Lobbyists, as follows:

Page 6, following line 22, by adding the following:

"The monthly report shall also list the income or fee received by the lobbyist from the individual, company, firm, corporation, union association or other source represented for services rendered during the preceding month. In the event that such income or fee is on a fixed annual or other periodic basis, the amount required to be reported herein shall be pro-rated on a monthly basis."

Senator Willits offered amendment S—3045 to amendment S—3038 and moved its adoption:

S—3045

Amend the Glenn amendment S—3038 to Senate Resolution 6, Senate Rules Governing Lobbyists by adding after the period on line 12, the following:

"In the event that the lobbyist has responsibilities to his or her employer or employers other than lobbying, he or she shall report a pro rata share of the income or fee received based upon that portion of his or her time spent lobbying in relation to the total time employed."

Amendment S—3045 to amendment S—3038 was adopted.

Senator Shaw offered amendment S—3047 to amendment S—3038 and moved its adoption:

S—3047

Amend the Glenn amendment S—3038 to Senate Resolution 6 by inserting on line 6 after the word "fee" the words "or any other consideration".

Amendment S—3047 to amendment S—3038 was adopted.

Senator Glenn moved the adoption of amendment S—3038 as amended and requested a record roll call.

On the question "Shall amendment S—3038 as amended be adopted?" (S.R. 6) the vote was:

Ayes, 17:

Carr	Kinley	Palmer	Scott
Doderer	Merritt	Redmond	Sovern
Glenn	Murray	Robinson	Willits
Gluba	Orr	Rodgers	Winkelman
Hill of Jasper			

Nays, 28:

Andersen	Heying	Miller of Marshall	Rabedeaux
Bergman	Hill of Polk	Nolin	Ramsey
Briles	Junkins	Nolting	Schwengels
Culver	Kelly	Norpel	Shaff
DeKoster	Lamborn	Nystrom	Shaw
Gallagher	Miller of Des Moines	Plymat	Tieden
Griffin		Priebe	Van Gilst
Hansen			

Absent or not voting, 5:

Burroughs	Curtis	Hultman	Taylor
Coleman			

Amendment S—3038 as amended lost.

Senator Doderer moved to reconsider the vote by which amendment S—3037 failed to be adopted by the Senate on January 21, 1975.

A record roll call was requested.

On the question "Shall the motion to reconsider amendment S—3037 be adopted?" (S.R. 6) the vote was:

Ayes, 17:

Carr	Gluba	Nolin	Scott
Culver	Hill of Jasper	Orr	Sovern
Doderer	Hill of Polk	Redmond	Willits
Gallagher	Merritt	Robinson	Winkelman
Glenn			

Nays, 27:

Andersen	Kelly	Murray	Ramsey
Bergman	Kinley	Nolting	Rodgers
Briles	Lamborn	Norpel	Schwengels
DeKoster	Miller of	Nystrom	Shaff
Griffin	Des Moines	Palmer	Shaw
Hansen	Miller of	Plymat	Tieden
Heying	Marshall	Rabedeaux	Van Gilst
Junkins			

Absent or not voting, 6:

Burroughs	Curtis	Priebe	Taylor
Coleman	Hultman		

The motion lost.

Senator Van Gilst moved to reconsider the vote by which division S—3036B of the Shaff amendment was adopted by the Senate on January 21, 1975.

A record roll call was requested.

On the question "Shall the motion to reconsider division S—3036B be adopted?" (S.R. 6) the vote was:

Ayes, 24:

Carr	Hill of Jasper	Nolin	Rodgers
Culver	Hill of Polk	Norpel	Scott
Doderer	Junkins	Orr	Sovern
Gallagher	Kinley	Palmer	Van Gilst
Glenn	Merritt	Redmond	Willits
Gluba	Murray	Robinson	Winkelman

Nays, 21:

Andersen	Heying	Miller of	Rabedeaux
Bergman	Kelly	Marshall	Ramsey
Briles	Lamborn	Nolting	Schwengels
DeKoster	Miller of	Nystrom	Shaff
Griffin	Des Moines	Plymat	Shaw
Hansen		Priebe	Tieden

Absent or not voting, 5:

Burroughs	Curtis	Hultman	Taylor
Coleman			

The motion prevailed and division S—3036B of the amendment was taken up for reconsideration.

Senator Scott offered amendment S—3046 to division S—3036B by Senators Van Gilst and Scott:

S—3046

Amend the Shaff amendment S—3036 to Senate Resolution 6, relating to the Senate Rules Governing Lobbyists, as follows:

Amend Division S—3036B by striking lines 6 through 28 and inserting in lieu thereof the following:

2. Page 6, line 2, by striking the words "and shall include subtotals recorded" and inserting the words "[and shall include subtotals recorded]".

3. Page 6, line 3, after the word "categories" insert the words "*however subtotals shall not be reported except as otherwise provided in this rule*".

Senator Van Gilst moved the adoption of amendment S—3046 to division S—3036B.

A record roll call was requested.

On the question "Shall amendment S—3046 to division S—3036B be adopted?" (S.R. 6) the vote was:

Ayes, 31:

Andersen	Hansen	Murray	Rodgers
Carr	Hill of Jasper	Nolin	Scott
Culver	Hill of Polk	Nolting	Shaff
DeKoster	Junkins	Norpel	Shaw
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Marshall	Priebe	Willits
Gluba		Redmond	Winkelman

Nays, 12:

Bergman	Heying	Nystrom	Ramsey
Briles	Kelly	Plymat	Schwengels
Griffin	Lamborn	Rabedeaux	Tieden

Voting present, 1:

Miller of Des Moines

Absent or not voting, 6:

Burroughs	Curtis	Robinson	Taylor
Coleman	Hultman		

Amendment S—3046 to division S—3036B was adopted.

On motion of Senator Shaff, division S—3036B of the amendment as amended was adopted.

Senator Doderer withdrew amendment S—3043 filed by her on January 21, 1975, and found on pages 152 and 153 of the Senate Journal.

Senator Doderer offered amendment S—3044 filed by her and moved its adoption:

S—3044

Amend Senate Resolution 6, amending the Senate Rules governing Lobbyists, page 8, line 20, by inserting after the period the following:

"*Elected state officials, except the governor, lieutenant governor, and members of the house of representatives, shall not be permitted on the*

floor of the senate while the senate is in session to encourage the passage, defeat, or modification of legislation."

Amendment S—3044 was adopted.

Senator Scott moved the adoption of Senate Resolution 6 as amended.

On the question "Shall the resolution as amended be adopted?" (S.R. 6) the vote was:

Ayes, 37:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Norpel	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Culver	Junkins	Orr	Shaff
DeKoster	Kelly	Palmer	Shaw
Doderer	Kinley	Plymat	Sovern
Gallagher	Lamborn	Rabedeaux	Van Gilst
Glenn	Merritt	Redmond	Willits
Gluba	Miller of Marshall	Robinson	Winkelman
Hansen			

Nays, 8:

Briles	Miller of Des Moines	Nolting	Ramsey
Griffin	Nolin	Priebe	Tieden

Absent or not voting, 5:

Burroughs	Curtis	Hultman	Taylor
Coleman			

The resolution having received a constitutional majority was declared to have been adopted by the Senate, and the Rules Governing Lobbyists of the Sixty-fifth General Assembly as amended by Senate Resolution 6 became the Senate Rules Governing Lobbyists of the Sixty-sixth General Assembly.

INTRODUCTION OF BILLS

Senate File 40, by Senator Shaw, a bill for an act relating to fair trade practices.

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

Senate File 41, by Senators Shaw, Hansen and Hultman (Oakley, Danker, Hargrave, Lipsky, Daggett, Harvey, Mennenga, Schroeder and Rinas), a bill for an act relating to termination of parental rights and adoption and providing penalties.

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

Senate File 42, by Senator Andersen, a bill for an act authorizing the withholding of money from assistance payments to aid to

dependent children recipients, to be used to pay certain costs for the recipients.

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

Senate File 43, by Senator Rabedeaux, a bill for an act relating to the theft of copper and brass material and providing penalties.

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

Senate File 44, by Senators Priebe, Coleman, Tieden and Rodgers (Krause, Harper, Brunow, Baker, Bortell, Daggett, Gilloon, Hansen, Hennessey, Horn, Husak, Koogler, McElroy, Middleswart, Pavich, Schroeder, Varley, West and Wulff), a bill for an act relating to the registration of farm trailers.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 34 Judiciary
S. F. 35 Ways and means
S. F. 36 Appropriations
S. F. 37 Education
S. F. 38 Ways and means
S.C.R. 10 Cities
H.C.R. 2 Cities

SUPPLEMENTAL REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Your committee on rules and administration begs leave to submit the name of the following individual for nomination as a permanent officer and employee of the Senate for the Sixty-sixth General Assembly:

Assistant Secretary of the Senate.....David L. Charles, Iowa City

WILLIAM D. PALMER, Chairman

REPORT OF COMMITTEE

Senator Miller of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on county government to which was referred **Senate File 5,** a bill for an act relating to the membership of the board of review, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHARLES P. MILLER, Chairman

Ordered passed on file.

On motion of Senator Kinley, the Senate adjourned at 5:45 p.m., until 9:30 a.m., Thursday, January 23, 1975.

JOURNAL OF THE SENATE

ELEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JANUARY 23, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Father Jack Smith, Director of the Quad City Center for Study of Peace and Nonviolence, Davenport, Iowa.

The Journal of Wednesday, January 22, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stan Haugland, Lake Mills, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the day, Senator Burroughs for the day and Senator Taylor for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

President Neu welcomed the following visitors who were present in the Senate gallery:

Thirty-five fifth grade students from the East Greene Community School, Grand Junction, Iowa, accompanied by Dyanne Fiala and Leone Fritz. Senator Nystrom.

INTRODUCTION OF BILLS

Senate File 45, by Senator Redmond, a bill for an act to allow emergency vehicles to drive to the left of the center of the roadway under certain conditions.

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

Senate File 46, by Senator Redmond, a bill for an act to permit the display of certain political signs, otherwise in violation of chapter 306C of the Code, during specified periods of time before and after the date of an election.

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

ADOPTION OF RESOLUTION

House Concurrent Resolution 3

Senator Kinley asked and received unanimous consent to take up House Concurrent Resolution 3, found on pages 154 and 155 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ELECTION OF ASSISTANT SECRETARY OF THE SENATE

Senator Palmer called up the following report and moved its adoption:

SUPPLEMENTAL REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Your committee on rules and administration begs leave to submit the name of the following individual for nomination as a permanent officer and employee of the Senate for the Sixty-sixth General Assembly:

Assistant Secretary of the Senate ..... David L. Charles, Iowa City

WILLIAM D. PALMER, Chairman

The motion prevailed and the report was adopted.

Senator Palmer moved the election of David L. Charles, Iowa City, Iowa, as Assistant Secretary of the Senate, pursuant to Senate Rule 37.

The motion prevailed, and Mr. Charles appeared in the well of the Senate, was duly sworn and subscribed his name to the oath of office.

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 4 stating that the joint rules of the House and Senate adopted by the 1974 session of the Sixty-fifth General Assembly be adopted as the temporary joint rules of the 1975 session of the Sixty-sixth General Assembly.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 4

By Fitzgerald

Be It Resolved by the House, the Senate Concurring, That the Joint Rules of the House and Senate as adopted by the 1974 session

of the Sixty-fifth General Assembly be adopted as temporary joint rules of the 1975 session of the Sixty-sixth General Assembly.

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

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 1 providing for Ralph R. Brown to be a special consultant to the Senate for the period January 13, 1975, through January 17, 1975, and providing for compensation for this period and also a two week vacation with a rate of pay.

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

House Concurrent Resolution 5 providing for the compensation of the chaplains, officers and employees of the Sixty-sixth General Assembly.

DAVID L. WRAY, Chief Clerk

ADOPTION OF RESOLUTION

House Concurrent Resolution 5

Senator Palmer asked and received unanimous consent to take up for immediate consideration the following resolution:

HOUSE CONCURRENT RESOLUTION 5
By Administration Committee

Whereas, Section two point eleven (2.11) of the Code provides that "The compensation of the chaplains, officers and employees of the general assembly shall be fixed by joint action of the house and senate by resolution at the opening of each session, or as soon thereafter as conveniently can be done."; *Now Therefore, Be It Resolved by the House, the Senate Concurring,* That the compensation of David L. Wray, Chief Clerk of the House, shall be set at the rate of eighteen thousand dollars (18,000), annually for the period commencing January 13, 1975, and ending January 11, 1976; that the compensation of Clark R. Rasmussen, Secretary of the Senate, shall be set at the rate of eighteen thousand dollars (18,000), annually for the period commencing January 6, 1975, and ending January 11, 1976; and that the compensation of David L.

Charles, assistant Secretary of the Senate, shall be set at the rate of sixteen thousand dollars (16,000), annually for the period commencing January 20, 1975 and ending January 11, 1976.

Be It Further Resolved, That the compensation of the other officers and employees of the sixty-sixth general assembly be set, effective January 13, 1975, in accordance with the pay grades and steps established in the following salary schedule.

IOWA GENERAL ASSEMBLY
SALARY SCHEDULE

	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
Grade 6 Annually	4296	4512	4704	4920	5160	5400	5664	5928

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	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
Grade 6 Monthly	358	376	392	410	430	450	472	494
Grade 7 Annually	4512	4704	4920	5160	5400	5664	5928	6192
Monthly	376	392	410	430	450	472	494	516
Grade 8 Annually	4704	4920	5160	5400	5664	5928	6192	6480
Monthly	392	410	430	450	472	494	516	540
Grade 9 Annually	4920	5160	5400	5664	5928	6192	6480	6768
Monthly	410	430	450	472	494	516	540	564
Grade 10 Annually	5160	5400	5664	5928	6192	6480	6768	7080
Monthly	430	450	472	494	516	540	564	590
Grade 11 Annually	5400	5664	5928	6192	6480	6768	7080	7392
Monthly	450	472	494	516	540	564	590	616
Grade 12 Annually	5664	5928	6192	6480	6768	7080	7392	7752
Monthly	472	494	516	540	564	590	616	646
Grade 13 Annually	5928	6192	6480	6768	7080	7392	7752	8112
Monthly	494	516	540	564	590	616	646	676
Grade 14								

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	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
Grade 14 Annually	6192	6480	6768	7080	7392	7752	8112	8496
Monthly	516	540	564	590	616	646	676	708
Grade 15 Annually	6480	6768	7080	7392	7752	8112	8496	8904
Monthly	540	564	590	616	646	676	708	742
Grade 16 Annually	6768	7080	7392	7752	8112	8496	8904	9336
Monthly	564	590	616	646	676	708	742	778
Grade 17 Annually	7080	7392	7752	8112	8496	8904	9336	9768
Monthly	590	616	646	676	708	742	778	814
Grade 18 Annually	7392	7752	8112	8496	8904	9336	9768	10224

Monthly	616	646	676	708	742	778	814	852
Grade 19								
Annually	7752	8112	8496	8904	9336	9768	10224	10728
Monthly	646	676	708	742	778	814	852	894
Grade 20								
Annually	8112	8496	8904	9336	9768	10224	10728	11208
Monthly	676	708	742	778	814	852	894	934
Grade 21								
Annually	8496	8904	9336	9768	10224	10728	11208	11736
Monthly	708	742	778	814	852	894	934	978

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	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
Grade 22								
Annually	8904	9336	9768	10224	10728	11208	11736	12288
Monthly	742	778	814	852	894	934	978	1024
Grade 23								
Annually	9336	9768	10224	10728	11208	11736	12288	12864
Monthly	778	814	852	894	934	978	1024	1072
Grade 24								
Annually	9768	10224	10728	11208	11736	12288	12864	13488
Monthly	814	852	894	934	978	1024	1072	1124
Grade 25								
Annually	10224	10728	11208	11736	12288	12864	13488	14136
Monthly	852	894	934	978	1024	1072	1124	1178
Grade 26								
Annually	10728	11208	11736	12288	12864	13488	14136	14856
Monthly	894	934	978	1024	1072	1124	1178	1238
Grade 27								
Annually	11208	11736	12288	12864	13488	14136	14856	15600
Monthly	934	978	1024	1072	1124	1178	1238	1300
Grade 28								
Annually	11736	12288	12864	13488	14136	14856	15600	16368
Monthly	978	1024	1072	1124	1178	1238	1300	1364
Grade 29								
Annually	12288	12864	13488	14136	14856	15600	16368	17184
Monthly	1024	1072	1124	1178	1238	1300	1364	1432

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	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
Grade 30								
Annually	12864	13488	14136	14856	15600	16368	17184	18048
Monthly	1072	1124	1178	1238	1300	1364	1432	1504

Be It Further Resolved, That in the event the salary schedule for employees of the State of Iowa as promulgated by the merit employment commission pursuant to section 19A.9(2), Code 1973, as amended by Acts of the sixty-fifth general assembly, 1973 session, chapter 12, section 2, and Acts of the sixty-fifth general assembly, 1974 session, chapter 1001, section 2, is revised upward at any time during the sixty-sixth general assembly such revised schedule for grades 6 through 30 shall simultaneously be adopted for the compensation of officers and employees of the sixty-sixth general assembly.

Be It Further Resolved, That the officers and employees of the sixty-sixth general assembly be placed in the following pay grades:

OFFICERS AND EMPLOYEES OF THE HOUSE

Assistant Chief Clerk and Reading Clerk ..... **Grade 28**
Legal Counsel ..... **Grade 30**
Executive Secretary to Speaker ..... **Grade 22**
Research Assistant to Speaker ..... **Grade 24**
Research Assistant to Majority Leader ..... **Grade 24**
Research Assistant to Minority Leader ..... **Grade 24**
Counsel to Majority Caucus ..... **Grade 24**
Counsel or Research Assistant to Minority Caucus ..... **Grade 24**

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Research Assistants ..... Grade 22
Executive Secretary to Chief Clerk ..... Grade 22
Clerk to Chief Clerk ..... Grade 14
Public Information Office Director ..... Grade 23
Clerk to Public Information Office Director ..... Grade 15
Supervisor of Clerks ..... Grade 20
Journal Editor ..... Grade 22
Journal Clerk ..... Grade 16
Assistant to the Legal Counsel ..... Grade 17
Finance Clerk ..... Grade 18
Engrossing Clerk ..... Grade 17
Assistant to the Legal Counsel and Enrolling Clerk ..... Grade 17
Supply Clerk ..... **Grade 12**
Swing Clerk ..... Grade 13
Control Board Operator ..... Grade 10
Clerk to Majority and Minority Floor Leader ..... Grade 15
Clerk to Speaker Pro Tempore ..... Grade 15
Clerk to Committee Chairmen ..... Grade 14
Clerk to Appropriations Subcommittee Chairmen ..... Grade 14
Clerk to Assistant Floor Leaders ..... Grade 14
Clerk to Committee Ranking Majority and Minority Members ..... Grade 13
Floor Clerks ..... Grade 12
Switchboard Operator ..... Grade 13

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Bill Clerk ..... Grade 12
Assistant Bill Clerk ..... Grade 11
File Clerk ..... Grade 8
Postmaster ..... Grade 10
Sergeant-at-Arms ..... Grade 15
Assistant Sergeant-at-Arms ..... Grade 13
Doorkeepers ..... Grade 9
Janitor ..... Grade 8
Porter ..... Grade 8
Cloakroom Attendant ..... Grade 8
Pages ..... Grade 6
Aide to Public Information Office (2 maximum) ..... $2.00/hr.

OFFICERS AND EMPLOYEES OF THE SENATE

Legal Counsel ..... **Grade 30**
Administrative Assistant to Majority Leader ..... **Grade 24**
Administrative Assistant to Minority Leader ..... **Grade 24**
Research Assistant to Majority Leader ..... **Grade 24**
Research Assistant to Minority Leader ..... **Grade 24**
Research Assistants ..... **Grade 22**

Executive Secretary to the Secretary ..... Grade 22
Secretary to the Secretary of Senate ..... Grade 18
Journal Editor ..... Grade 22
Journal Clerk ..... Grade 16
Assistant to the Legal Counsel ..... Grade 17
Finance Clerk ..... Grade 18

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Engrossing Clerk ..... Grade 17
Enrolling Clerk ..... Grade 17
Records and Supply Clerk ..... Grade 16
Special Clerk ..... Grade 14
Control Board Operator ..... Grade 10
Secretary to Majority and Minority Floor Leader ..... Grade 15
Secretary to President Pro Tempore ..... Grade 15
Secretary to Committee Chairmen ..... Grade 14
Secretary to Appropriations Subcommittee Chairmen ..... Grade 14
Secretary to Assistant Floor Leaders ..... Grade 14
Secretary to Committee Ranking Majority and Minority Members ..... Grade 13
Floor Secretaries ..... Grade 12
Switchboard Operator ..... Grade 13
Bill Clerk ..... Grade 12
Assistant Bill Clerk ..... Grade 11
Postmaster ..... Grade 10
Sergeant-at-Arms ..... Grade 15
Assistant Sergeant-at-Arms ..... Grade 13
Chief Doorkeeper ..... Grade 10
Doorkeeper ..... Grade 9
Porter ..... Grade 8
Cloakroom Attendant ..... Grade 8
Pages ..... Grade 6

LEGISLATIVE INDEXING EMPLOYEES

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Supervisor of Legislative Indexing ..... Grade 18
Assistant Supervisor of Legislative Indexing ..... Grade 16
Index Clerk ..... Grade 12
Assistant Index Clerk ..... Grade 11

LEGISLATIVE SERVICE BUREAU EMPLOYEES

Bill Drafter ..... Grade 28
Terminal Operator ..... Grade 17
Senior Bill Clerk ..... Grade 15
Bill Clerk ..... Grade 13
Proofreader ..... Grade 15
Assistant Bill Clerk ..... Grade 10
Xerox Operator ..... Grade 10

LEGISLATIVE FISCAL BUREAU EMPLOYEES

Legislative Fiscal Analyst I ..... Grade 28
Secretary-Stenographer ..... Grade 15

JOINT EMPLOYEES

Mail Carrier ..... Grade 9
Historical Building Clerk ..... Grade 9
Law Library Clerk ..... Grade 9

BUILDING AND GROUNDS EMPLOYEES

Matron ..... Grade 9
Elevator Operator ..... Grade 8

Parking Attendant ..... Grade 9
Night Watchman ..... Grade 7

Be It Further Resolved, That mobility within steps for

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clerks to representatives and secretaries to senators be determined in accordance with the following schedule:

1) Step A ..... During the first legislative session
2) Step B ..... After one legislative session's experience
3) Step C ..... After two legislative sessions' experience
4) Step D ..... After four legislative sessions' experience
5) Step E ..... After six legislative sessions' experience
6) Step F ..... After eight legislative sessions' experience

Be It Further Resolved, That the entrance salary for clerks to representatives and secretaries to senators shall be at Step A in the grade of the position held, and that mobility shall be on the basis of years worked as a clerk to a representative or a secretary to a senator, except that individuals who have worked on the house or senate staff in a pay grade higher than or equal to that assigned the clerk or secretarial position may be given full credit in determining steps for the legislative sessions served in the staff position, and

Be It Further Resolved, That clerks to representatives and secretaries to senators be advanced one additional step if or when the clerk or secretary passes an eighty (80) word-per-minute stenographic examination; and

Be It Further Resolved, That the chairman of the Rules and Administration Committee of the Senate and the Chairman of the Administration Committee in the House each appoint three (3) members to a joint subcommittee on administration to study possible alternative methods of providing secretarial assistants to senators and representatives. This committee shall be instructed to report its findings to the Senate and House on, or before, January 12, 1976; and

Be It Further Resolved, That employees who work on a part-time basis while assisting interim committees shall be compensated at the salary schedule rate for grade 14 at whatever step they would otherwise be entitled to, unless the grade at which they are

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during the session is less than 14, in which case they shall be compensated at that lower grade and appropriate step; and

Be It Further Resolved, That officers and employees of the general assembly (other than clerks to representatives and secretaries to senators) be eligible for mobility within pay steps—at the discretion of the chief clerk of the house and the secretary of the senate, and subject to the approval of the house committee on administration or the senate committee on rules and administration, as the case may be—in accord with the following schedule:

1) Step A ..... Starting step
2) Step B ..... After six calendar months
3) Step C ..... After one calendar year
4) Step D ..... After two calendar years
5) Step E ..... After three calendar years
6) Step F ..... After four calendar years

7) Step G .....After six calendar years
8) Step H .....After eight calendar years

Be It Further Resolved, That the entrance salary, except for lateral moves, for officers and employees of the general assembly (other than clerks to representatives and secretaries to senators) shall be at step A in the grade of the position held. An employee may be hired above the entrance step if possessing outstanding and unusual experience for the position, provided that the entrance is not beyond step C. Employees on the house and senate staffs

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may be considered for one additional step advancement if the individual has at least four legislative sessions of experience as a clerk to a representative or a secretary to a senator, and

Be It Further Resolved, That the chief clerk of the house submit to the house committee on administration and the secretary of the senate submit to the senate committee on rules and administration the names of officers and employees designated full-time and those designated session-only; that the chief clerk and the secretary submit a recommended pay step for each officer and employee; and that each respective committee approve or amend the list of recommended pay steps and publish said list in the journal within five legislative days of the adoption of this concurrent resolution establishing a salary schedule, and that the same procedure shall be executed within five legislative days after the convening of the 1976 regular session of the sixty-sixth general assembly and any special session thereof; and

Be It Further Resolved, That full-time permanent employees of the general assembly shall receive vacation allowances, sick leave, health and accident insurance, life insurance, and disability income insurance as are provided for other full-time permanent state employees. The computations shall be maintained by the finance clerks in each house and coordinated with the state comptroller.

Be It Further Resolved, That the chief clerk of the house and the secretary of the senate are directed to inform all legislative

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employees of the provisions of section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, sub-paragraph two (2) of the Code, which allow them to become members of the Iowa public employees' retirement system upon filing a written request with the employment security commission.

Be It Further Resolved, That the compensation of chaplains officiating at the opening of the daily sessions of the house of representatives and the senate of the sixty-sixth general assembly be fixed at ten (10) dollars for each house of the general assembly, and that mileage for chaplains be fixed at the rate of fifteen (15) cents per mile to and from the State Capitol.

Senator Doderer offered amendment S—3052 and moved its adoption:

S—3052

Amend House Concurrent Resolution 5, as adopted by the House of Representatives on January 23, 1975, and received by the Senate on January 23, 1975, as follows:

1. Insert after line 20 on page 6, *"Clerk to Appropriations Subcommittee Ranking Majority and Minority Members .....Grade 13"*.
2. Insert after line 9 on page 8, *"Secretary to Appropriations Subcommittee Ranking Majority and Minority Members.....Grade 13"*.

Amendment S—3052 lost.

Senator Doderer offered amendment S—3051 by Senators Doderer, Norpel and Griffin:

S—3051

Amend House Concurrent Resolution 5 as adopted by the House of Representatives on January 23, 1975, and received by the Senate on January 23, 1975, by inserting after line 8 on page 10 the following:

"7) Step G .....After nine legislative sessions' experience

8) Step H .....After ten legislative sessions' experience".

Action on amendment S—3051 was temporarily deferred.

Senator Hill of Jasper offered amendment S—3053 by Senators Doderer, Hill of Jasper, Griffin and Norpel:

S—3053

Amend House Concurrent Resolution 5, as adopted by the House of Representatives on January 23, 1975, and received by the Senate on January 23, 1975, as follows:

1. Amend line 6, page 10 to read "4) Step D ..... After [four] *three* legislative sessions' experience"
2. Amend line 7, page 10 to read "5) Step E ..... After [six] *five* legislative sessions' experience"
3. Amend line 8, page 10 to read "6) Step F ..... After [eight] *seven* legislative sessions' experience"
4. After line 8, page 10 insert the words

"7) Step G ..... After nine legislative sessions' experience

8) Step H .....After nine legislative sessions' experience and passing the eighty (80) word-per-minute stenographic examination as provided for in this resolution".

Senator Glenn took the chair at 4:00 p.m.

Senator Doderer moved the adoption of amendment S—3053 and requested a record roll call.

On the question "Shall amendment S—3053 be adopted?" (H.C.R. 5) the vote was:

Ayes, 20:

Briles	Gluba	Nolting	Rodgers
Carr	Griffin	Norpel	Shaw
DeKoster	Heying	Orr	Sovern
Doderer	Hill of Jasper	Redmond	Willits
Gallagher	Kelly	Robinson	Winkelman

Nays, 27:

Andersen	Junkins	Murray	Ramsey
Bergman	Kinley	Nolin	Schwengels
Coleman	Lamborn	Nystrom	Scott
Culver	Merritt	Palmer	Shaff
Curtis	Miller of Des Moines	Plymat	Tieden
Glenn	Miller of Marshall	Priebe	Van Gilst
Hansen		Rabedeaux	
Hill of Polk			

Absent or not voting, 3:

Burroughs	Hultman	Taylor

Amendment S—3053 lost.

The Senate resumed consideration of amendment S—3051 previously deferred.

Senator Doderer moved the adoption of amendment S—3051 and requested a record roll call.

On the question "Shall amendment S—3051 be adopted?" (H.C.R. 5) the vote was:

Ayes, 16:

Briles	Gluba	Nolting	Shaw
Carr	Griffin	Norpel	Sovern
Doderer	Heying	Orr	Willits
Gallagher	Kelly	Redmond	Winkelman

Nays, 30:

Andersen	Junkins	Murray	Robinson
Bergman	Kinley	Nolin	Rodgers
Coleman	Lamborn	Nystrom	Schwengels
Culver	Merritt	Palmer	Scott
Curtis	Miller of Des Moines	Plymat	Shaff
Glenn	Miller of Marshall	Priebe	Tieden
Hansen		Rabedeaux	Van Gilst
Hill of Jasper		Ramsey	
Hill of Polk			

Absent or not voting, 4:

Burroughs	DeKoster	Hultman	Taylor

Amendment S—3051 lost.

Senator Coleman took the chair at 4:47 p.m.

Senator Glenn took the chair at 4:52 p.m.

President Neu took the chair at 5:00 p.m.

Senator Van Gilst moved the adoption of House Concurrent Resolution 5.

The motion prevailed and the resolution was adopted.

INTRODUCTION OF BILLS

Senate File 47, by Senators Gluba, Heying, Culver, Rodgers, Junkins, Merritt, Scott, Carr, Nystrom, Sovern, Nolting, Miller of Des Moines, Redmond, Lamborn, Norpel, Gallagher, Kinley, Orr, Griffin, Andersen, Briles, Murray, Plymat and Palmer (Avenson, Small, Harper, Cusack, Wyckoff, O'Halloran, Wells, Horn, Newhard, Connors, Hargrave, Fitzgerald, Poncy, Higgins, Krause, Byerly, Hines, Dyrland, Miller of Cerro Gordo, Miller of Buchanan, Husak, Patchett, Brunow, Norland, Mennenga, Nielsen of Polk, Rinas, Jesse, Woods, Brandt, Dunton, Hinkhouse, Hutchins, Perkins, Baker, Miller of Calhoun and Griffee), a bill for an act relating to lifetime fishing and hunting licenses for resident senior citizens.

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

Senate File 48, by Senator Norpel (Wells), a bill for an act permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks.

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

Senate File 49, by Senator Norpel, a bill for an act to allow the board of supervisors to call for a public referendum on county zoning.

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

Senate File 50, by Senator Norpel (Wyckoff), a bill for an act relating to office facilities for county conservation boards.

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

Senate File 51, by Senator Norpel, a bill for an act relating to the location of the Iowa beer and liquor control department.

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

Senate File 52, by Senator Norpel, a bill for an act relating to filing requirements for state income tax returns.

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

Senate File 53, by Senators Gluba, Griffin, Norpel, Schwengels and Hansen (Cusack, Wulff, Harper, Fullerton and Junker), a bill for an act to establish the license and qualifications of real estate apprentice salesmen.

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

Senate File 54, by Senators Robinson and Rabedeaux, a bill for an act relating to the establishment and operation of an agency

for the regulation of credit unions, and providing penalties.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 40 Commerce
S. F. 41 Judiciary
S. F. 42 Human resources
S. F. 43 Judiciary
S. F. 44 Ways and means

REPORT OF COMMITTEE

Senator Willits submitted the following report:

MR. PRESIDENT: Your committee on cities to which was referred **Senate File 33**, a bill for an act relating to sanitary disposal bonds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL M. WILLITS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3048

Amend Senate File 5 as follows:

1. Page 1, line 19, by inserting after the period the sentence *"Not more than three members of the board shall be from the same political party."*

2. Page 1, line 29, by inserting after the period the sentence *"No person shall be appointed to the board who is either seventy-five years of age or older or shall be seventy-five years of age before the term for which they are appointed shall expire."*

HILARIUS L. HEYING
JAMES E. BRILES
WARREN E. CURTIS

S—3050

Amend Senate File 5, page 1, line 28, by inserting after the word *"review"* the words *"prior to December 31, 1975,"*.

WARREN E. CURTIS

S—3049

Amend Senate File 31, as follows:

1. Page 1, by striking lines 1 through 35 and inserting in lieu thereof the following:

"Section 1. Section ninety-nine B point two (99B.2), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. **The department shall not issue**

a license to a person for use on premises upon which the activities authorized by the license are prohibited by paragraph a of section two (2) of section one hundred twenty-three point forty-nine (123.49) of the Code.

Sec. 2. Section one hundred twenty-three point forty-nine (123.49), subsection two (2), paragraph a, Code 1975, is amended to read as follows:

a. [Knowingly] *Except as provided in this paragraph, knowingly* permit any gaming, gambling, solicitation for immoral purposes, or immoral or disorderly conduct on the premises covered by the license or permit. This paragraph shall not [apply to games of skill, games of chance, or raffle conducted pursuant to chapter 99B, or to] *prohibit the maintenance or use of* devices lawful under section 99B.10 [or to games lawful under section 726.12]. *Games of skill, games of chance, bingo and raffles conducted in accordance with chapter ninety-nine B (99B) of the Code, and games when lawful under section seven hundred twenty-six point twelve (726.12) of the Code, may take place on premises covered either by a class 'A' or class 'D' liquor control license.*

Sec. 3. Chapter seven hundred twenty-six (726), Code 1975, is amended by adding the following new section:

NEW SECTION. 726.14 PROHIBITED LOCATIONS. It is unlawful to participate in, or to promote, sponsor or knowingly permit a game of skill, game of chance or other activity permitted by section seven hundred twenty-six point twelve (726.12) of the Code when the game or activity occurs in or upon any premises for which there has been issued any liquor control license or retail beer permit other than either a class 'A' or class 'D' liquor control license. A person convicted of violating this section shall be punished as provided in section ninety-nine B point nine (99B.9) of the Code."

2. Amend the title page by striking lines 1 through 6 and inserting in lieu thereof the following:

"An Act prohibiting gambling in the form of games of skill, games of chance, bingo games and raffles, and games lawful under section seven hundred twenty-

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six point twelve (726.12) of the Code at premises covered by any liquor control license or retail beer permit other than a class 'A' or class 'D' liquor control license, and providing penalties."

LEONARD C. ANDERSEN
ELIZABETH O. SHAW

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Friday, January 24, 1975.

JOURNAL OF THE SENATE

TWELFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, JANUARY 24, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Harold Naig, pastor of the St. Matthew's Lutheran Church, Monticello, Iowa.

The Journal of Thursday, January 23, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Rodney Carlson, Ankeny, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the day and Senator Taylor for the day on request of Senator Lamborn.

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 3, 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 3, duly adopted, the joint convention was called to order, President Neu presiding.

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

Senator Kinley 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 the Chair appointed as such committee Senators Hill of Jasper, Nolting and Shaw, on the part of the Senate, and Representatives Hargrave, Small and McElroy, on the part of the House.

The committee waited upon Governor Ray and escorted him to the Speaker's station. President Neu then presented Governor Ray, who delivered the following budget address:

Mr. President, Mr. Speaker, Mr. Chief Justice, Senators and Representatives, State Officials, Distinguished Guests, Ladies and Gentlemen:

First, I want to thank those of you who reacted favorably to the proposals that I made to you in the Condition of the State last week.

Second, some of you expressed interest in specifics. This morning I want to give you specifics.

This is the third in a series of three messages I am charged with presenting to the General Assembly. The first—the Condition of the State—was intended as a perspective on Iowa's position today together with some recommendations for legislative action. The second, the Inaugural Message, was intended to share with you my perspective as I begin the first four-year gubernatorial term since 1858.

Today's message is specific—though even then there is no way I can cover all the information contained in the five thick documents you will receive next week.

Details not covered in the time it takes to deliver these remarks you will find spelled out in the numerous handouts which will be given to you today and the documents that comprise the official "Governor's Budget for 1975-77."

This material will give you some interesting weekend reading.

Further, I want you to know that along with Comptroller Marvin Selden, members of his exceptional staff and those of my own, I look forward to working with you as you digest this material.

* * *

Let me start with the highlights of this budget.

This is a budget that offers special help for cities and towns, provides for improvements in our IPERS, relief for our road program, record financial support for local schools, special education, natural and human resources; more help for elderly Iowans, a means to maintain momentum in our energy efforts and a plan to build a greater equity into the state's income tax, just to mention a few of the highlights.

This is a budget that requires no general tax increase and this is a budget designed so that with wisdom and restraint we can also avoid loading tax increases on people in the two years after this biennium.

It is a budget that tackles some extraordinary problems.

And, this budget, two years from now, ends with a solid $53 million surplus in the state treasury.

* * *

As we developed this budget we made several assumptions and a lot of hard decisions.

First, we were confronted with the highest requests ever brought to an

Iowa governor—and I want you to know that these askings have been slashed by more than $300 million prior to my submitting this budget to you today.

Second, we listened with sympathy to the many pleas from people who look to state government for service, assistance or their livelihoods to let them "keep pace with inflation." We honestly have tried to respond as and when we could. But you should know, as I have concluded, that if it were possible for everyone to keep pace with inflation, inflation would hardly be a problem. *We cannot expect the citizens who pay the taxes and who are punished by inflation too, to sacrifice more so that people in government can escape sacrificing at all.*

Third, federal revenue sharing has been a boon to state and local governments. The present act expires with the January, 1977, payment, one quarter short of getting us through this biennium. Should the program end, the effect on this budget would be minimal; the effect on future state and local budgets could be devastating. We must, through our Congressional delegations and the organizations of the nation's governors, mayors, state legislators and county officers, press for early extension of the federal Revenue Sharing Act.

Fourth, agency requests to me would have swelled state employment by eight percent in the next two years. We have pruned that increase to only one percent. Nearly all of those have come where the state has had to pick up employees formerly paid with federal dollars, requirements imposed by the Federal Labor Standards Act, positions financed by trust funds in regulatory agencies, and because of legislative mandates. One of the supporting documents you will get today is a detailed listing of these positions.

Fifth, in consulting with state agencies, you will find, as we have, the status of federal funds is more confused and insecure than previously. Rather than react by increasing our state budget unrealistically, we have assumed that most of the federal dollars now considered in jeopardy will still be available to us.

However, it is also likely we will be faced with the possible destruction of some more essential programs. Therefore, this budget includes provision for a "federal contingency fund" of $3 million to be available to meet possible cutoffs on a case-by-case basis.

And *sixth,* though Iowa's economic health remains considerably better than that of the nation, the forces at large in the economy make it imperative that we operate with the best possible information. As we prepared this budget, I asked our newly appointed Economic Advisory Committee to help us as we peered into the future. Our state comptroller can tell you that revenue forecasting is a very lonely job. It is reassuring to know that our Economic Advisory Committee is in substantial agreement with the economic predictions that form the basis for the revenue projections in this budget.

* * *

Nevertheless, the estimation of revenues is far from an exact science, and, because of the uncertainties, we have leaned to the conservative side in our projections of state income for the next two years. I suggest you do likewise.

At the end of this last fiscal year the state surplus was $207 million, a figure very familiar to all of you. At the end of this fiscal year, we estimate economic growth will have enlarged that balance to $221 million and that is the starting figure for this new budget.

We project that the first year of the next biennium will flatten out as the current national recession pinches Iowans. A four-percent revenue growth is foreseen which is actually less than the rate of inflation expected in the economy and this will have the effect of a negative growth in so-called constant dollars.

Our advisors believe the 1976-77 fiscal year will be a time of some recovery and revenue projections are somewhat more optimistic as a result.

* * *

Even though the budgets are tight and the restraints upon you by an uncertain economy are real, there is much you can do to improve the condition of our people as you adopt the recommendations of this budget.

It is one thing to call for improvement; it is another matter to show how you can make improvement happen.

This is the fourth biennial budget I have submitted to an Iowa legislature. Like its predecessors, it does more than propose improvement; it spells out the details, ways, means and methods for financing the proposals and ideas I advance to you.

INCOME TAX EQUITY

Ten days ago, in the Condition of the State Message, I told you that another improvement in our tax system is in order and that I would submit to you a specific proposal on how we can build greater equity into our state income tax.

The plan I outline would:

1. *Exempt all those persons who earn less than $5,000 adjusted gross income from having to pay any state income tax at all. This change would benefit some 50,000 low-income Iowans.*

2. *Increase the standard deduction from the present 10 percent/$500 limit to a 15 percent/$750 limit, an increase of 50 percent.* With this change an additional 450,000 Iowans in the low and middle income brackets would experience income tax breaks. This will help offset the automatic tax increase these people experience as inflated earnings trip them into higher brackets.

3. Increase the progressivity of the present tax structure by moving the effective tax rate on higher income tax brackets from the present 7 percent to new rates of 8, 9, 10 and 11 percent.

Only those with gross earnings of $25,000 or more annually will be asked to absorb this adjustment. And, the impact on those in higher income brackets will be eased by their ability to deduct their state taxes on their federal income tax returns.

There are three essential points to remember about this improvement in our tax system:

—This plan improves the fairness and equity of our income tax structure, reducing the taxes paid by a majority of those that pay Iowa income tax.

—Under this plan, Iowans now earning less than $25,000 gross income a year will not be asked to absorb more in taxes.

—This proposal does not raise more state taxes.

* * *

IMPROVEMENT IN IPERS

Last week I told you I would detail a plan to improve the Iowa Public Employees Retirement System, known as IPERS.

IPERS has not stood still since it was created in the early 1950's. Substantial changes were made in the 60's and 70's. Because of growth of the fund and prudent investments and returns, benefits have been increased at every opportunity. IPERS was designed to supplement, not to exist in lieu of federal social security. And unlike social security, IPERS continues to be actuarially sound.

Yet improvements are needed and—I offer the following plan—one within our means, and one which substantially upgrades the state's retirement program in a systematic manner.

1. This plan increases employer contributions from 3½ to 5 percent.
2. Employee contributions will go from 3½ to 4 percent.
3. The ceiling on the salary subject to the contribution will be removed.

With these improvements, the future retirement benefits will be markedly increased.

At the same time, we have found ways to improve benefits for those presently retired.

Only recently, the federal government passed legislation which required that private pensions be sound, employee vesting protected, and funds be available on retirement. We have steadfastly insisted on these principles for IPERS and they must be protected and must continue to be protected.

An IPERS plan which would cost upwards to $60 million per year may also be before you this session. Unmistakably it would mean tax increases. It—the cost—would be equivalent to eight mills of property tax statewide per year, or the equivalent of nearly one additional cent of state sales tax.

While well-intentioned, the price tag is too high.

* * *

TRANSPORTATION FINANCING

Perhaps no other subject you will deal with in this session is more fraught with unknowns than the issue of highway financing.

We saw state fuel tax revenues drop when the energy crisis first hit us, then swing upward again. Now, with new federal actions on energy imminent, we just do not know whether we will see another decline in fuel consumption and our state revenues, or to what extent, or of what duration.

The road construction industry suffers from one of the highest inflation rates anywhere, hamstringing efforts to keep pace.

A reduction in federal highway dollars, coupled with federal impoundments of funds that rightfully belong to Iowa, also contribute to the uncertainty.

Other forces are going to affect how we proceed—slower speed limits, lighter cars, the resurgence of alternatives for moving heavy goods and for transporting people, to name a few.

The answers to these problems will come with an overall approach to our transportation needs, not with bits and pieces reaction.

Iowans have not been miserly in their support of our road system. Though

25th among states in population and in area, we rank 9th nationally in per capita support for highways.

Fortunately, we now have a Department of Transportation charged with the responsibility of analyzing the effects of all this on the way we move our people and our products. We must be aware that in time additional sources of revenue may well have to be found for a viable transportation system in this state.

Some of you recall the battles up here over stopping the diversion of a portion of the sales tax into the road fund. The earmarking was poor public policy and at the time the diversion was stopped, additional revenues from user fees more than replaced those funds.

I repeatedly said during those discussions that while I opposed earmarking, I would not hesitate to finance special transportation needs from sources outside the road fund when special needs arose. Special needs exist today.

Therefore, I recommend an appropriation from our surplus be made directly to the new Department of Transportation for wise allocation in the amount of $20 million—not a panacea, but a reprieve that we believe makes sense.

* * *

EDUCATIONAL FINANCING

You have heard me say that of all the enterprises we are involved in there is none that has created more of an impact and had a greater effect on the future than education—and none costs us more in state tax dollars.

Before you discuss one appropriation bill, you should know that in the next two-year period, under our present school foundation aid program, state government will send to Iowa's elementary and secondary schools nearly eight-tenths of a billion dollars in direct aid.

Put another way, about 40 percent of the entire state budget is already committed for school aid. In just five years, our annual participation in local school support has nearly tripled—from $156 million to $416 million!

In this budget we continue to move toward the goal of a full 80 percent foundation plan and the financing of special education mandated last year.

I urge you, as you consider this school aid appropriation, not to lose sight of the concept of putting school aid dollars where the students are.

Financing local schools, as demanding as it is, is by no means all of the state's involvement in the education of our people.

Today more than one out of every four Iowans is a member of Iowa's learning force. And education not only affects their lives, but touches all of the rest of us.

You are called upon to assure the continued vitality of a wide range of educational opportunities in our state.

This budget provides a 60 percent increase—to $9.6 million each year—for Iowa's tuition grant program, raising the level of tuition grants from a maximum of $1,000 to $1,200 per student. Is it money well spent? I certainly believe so. Today, one Iowan out of every three attending an Iowa private college is doing so with the assistance of a state tuition grant.

What about our area schools? These schools serve over 24,000 full-time students and thousands of others in continuing educational programs of vocational skills and arts and sciences. My requests continue our strong

support for this newest segment of our educational system, with particular emphasis on vocational training.

The influence of our state universities is felt far beyond the communities in which they're located and the lives they touch extend well beyond their enrollments. They give to Iowa a particular vibrancy and growth, often on the cutting edge of change and fresh ideas. This will again be vividly demonstrated in 1976 as we host a World Food Institute on the Ames campus. This budget underscores the importance of higher education, with emphasis on supporting existing faculty, staffs and services.

It is noteworthy that during this biennium several new facilities will open at university campuses—the Industrial Arts and Technology Building at the University of Northern Iowa and the new Veterinary Medicine Building at Iowa State University. These are significant additions to our regents institutions and legislators can take satisfaction in having shown foresight in authorizing them.

One reason for the quality of education in Iowa is its healthy balance. Non-public schools provide a choice and a yardstick. New ground was broken during the last session by offering tangible assistance through transportation to non-public students.

In this budget, we recommend $1.5 million to complete the bus-purchase program and $3 million annually for transportation assistance.

This budget assures that the Iowa Educational Broadcasting Network which has the potential of being a dynamic educational force will truly become a statewide system during the biennium.

I am quite aware there may be critics who would say we have placed too great an emphasis on education in this budget. It is true that over 55 percent of all our recommended appropriations relate to education.

But it is also true, as Plato said, that "the direction in which education starts a man will determine his future life."

The continued well being of our educational efforts in Iowa will determine Iowa life in the years ahead and I urge your support of the educational priorities we have outlined for you.

* * *

ELDERLY TAX RELIEF

Not only do we have a responsibility to our young people, we also have an obligation to those who played a role in bringing Iowa to where we stand today.

Two years ago we established a sweeping new concept to provide property tax breaks for our elderly Iowans. *Details of improvements in that program are included in material that will be given you today. In addition to increased benefits for those already covered by the present program, these improvements will give relief to some 11,000 more elderly citizens.*

* * *

HUMAN RESOURCES

Perhaps there is no area of involvement of state government that does more proportionately to sustain individual people, nor is more misunderstood, than those programs administered or monitored by our human resource agencies, especially the Department of Social Services.

For every "welfare cheater" there are scores of people who desperately want to be able to support themselves—but can't.

This budget funds at increased levels the many worthwhile human assistance programs including aid to dependent children and the service programs such as foster care, day care, homemaker and transportation aids.

Greatly affected by rising costs are the institutions operated by our Department of Social Services, which include facilities for Family and Children, Corrections, and Mental Health. In each area, financial support is provided which includes additional staff where needed to handle increased patient load, particularly the Mental Retardation units at Glenwood and Woodward.

Those who operate and those who require the services of nursing homes will be pleased to find in this budget an increase of 15 percent in the daily maximum reimbursement rate.

Other human resource programs so important to their recipients and to the state continue to thrive in this budget request to you—agencies serving the handicapped and the aged and those working in civil rights, drug abuse and alcoholism.

So important also is the childhood diseases immunization program, formerly financed by the federal government but now withdrawn, that this budget provides for taking over the entire effort. We have also boosted our commitment to the renal disease program.

* * *

MORE AID FOR CITIES AND TOWNS

The League of Iowa Municipalities seeks the authority to impose local option taxes. While I have supported the peoples' right to raise additional revenue on the local level if that be their choice, we have also looked for ways we can directly assist our cities and towns.

Therefore, in addition to federal revenue sharing for cities, our budget provides for an increase in state revenue sharing with municipalities—to help defray expenses—from $5 million annually to $9 million each of the next two years, an increase of 80 percent.

* * *

OTHER PRIORITIES

When I began this morning, I mentioned that I was aware of the comments of some legislators regarding the Governor's proposals. One said he thought the Governor's priorities were acceptable because, as he put it: "they are consistent with my priorities."

While it pleases me to have the support, I also know that in a General Assembly of 150 men and women, there are likely to be 150 different sets of priorities.

As the Governor, it is my duty to set priorities, too, weigh and develop them, for what I believe to be in the best interest of 2.8 million Iowans.

I hope it is often that our priorities can mesh harmoniously.

So that you may have the benefit of additional items of priority in this budget besides those already outlined, I will move rather quickly over a list I believe merits your support as you examine my budget recommendations.

* * *

—If your priority is to ease the *doctor shortage,* then I ask that you support my recommendation for additional aid to our Division of Family Practice at the University of Iowa and the increased funding of the innovative student aid program at the Osteopathic School in our capital city.

* * *

—If *energy* is your priority, then I ask that you support my recommendation for a $3 million appropriation to the Energy Policy Council, an exciting new group that has translated talk of saving railroad service into action while also tackling other energy-related problems. Please support also the funding of a solar heating project on the state capitol complex, a relatively small budget item with enormous implications for the future.

* * *

—If protection of our *environment* and wise use of our *natural resources* are your priorities, I urge your support of our recommendations for the Conservation Commission, including $7 million for acquisition and development of outdoor recreational facilities and open spaces, and for more assistance in soil conservancy—a program that works so very well.

* * *

—If better *law enforcement* is your priority, then you can help by supporting this budget which strengthens the Bureau of Criminal Investigation and Fire Marshal's Office and provides the resources to operate the expanded Law Enforcement Academy.

* * *

—If vitality of our *arts* is your priority, then you will want to support the generous increase in funding which I have recommended for the Iowa Arts Council.

* * *

—If *economic development* is your priority, I ask your support for the Iowa Development Commission's efforts to enlarge world trade potentials for Iowa industry and agriculture.

* * *

—If your priorities—as the legislator said—coincide with those I outlined in the Condition of the State Message, then you'll be pleased to know that this budget anticipates your support of a Task Force for Childhood Development, creation of a land-use planning commission, a state housing authority and other points in that program.

* * *

Some suggested priorities could not be included in this budget, even though they may prove to be of merit. I refer especially to the desire of our National Guard to strengthen its appeal through educational incentives. I am one who firmly subscribes to the civilian soldier concept and I strongly believe in the value of our Iowa National Guard. I will be asking a citizens group to take a hard look at the ways we can best maintain the strength of our Guard and make suggestions on how we can assure its long-range future.

* * *

This Governor's budget also meets our obligations to the people we employ and to the physical plant that houses this government.

This budget provides funds to complete the new state office building and the new agricultural building. There are funds for a needed liquor warehouse, for needed changes to meet OSHA standards, and $6 million in

capitals for Regents Institutions—including a seed lab at Iowa State University.

* * *

The summary of the budget which will be placed in your hands in a few minutes reflects more than a collection of numbers. It is a major statement of priorities. It is an ambitious program of work, a blueprint for state government over the next 24 months and even beyond.

While it is clearly labeled the "Governor's Budget", it is really the work of many people. Someone has calculated that the effort and time which have gone into preparing it for you is the equivalent of well over 35 years of work by an individual person.

It is a biennial budget. And, one of the beauties of annual sessions is that adjustments can be made, if need be, in your second session as we have done so effectively in the past. This budget looks ahead and sets a course for two years, a course that people whose lives are affected by it can know and plan for.

With this procedure we avoid the frustration and uncertainty which characterize the annual budgets of Congress—a federal government run by continuing resolution while people look to it, never quite knowing what they can or what they cannot count on.

* * *

I have spoken in my two previous messages of the importance of bipartisanship as we go about the business of lawmaking. Republicans and Democrats have their differences. But this should not prevent their working together in the best interests of our people.

There is yet another harmonious relationship that will benefit Iowans. And that is a cooperative spirit between the branches of government.

When a bill that has passed the legislature by majorities of both houses reaches my desk, I begin with a desire to approve it, for I know that it is the product of well-meaning people, striving diligently to represent their state.

There are times when I cannot approve a bill and thus our system of checks and balances comes into play. But the great majority of the time I do.

As you begin your deliberations on this budget, I would hope that you would view the recommendations and proposals of the executive branch with the same consideration your work receives in my office.

* * *

I now set before you a document that shows a way to meet needs of our people within our available resources.

I set it before you as a blueprint for educating our people, protecting our environment, feeding and caring for our less fortunate.

I set it before you as a balanced budget, with the strength of prudent planning that extends even beyond this biennium.

I now ask you to analyze it. I now ask you to know it. And most of all, I ask you to support it.

Thank you.

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

Representative Fitzgerald moved that the joint convention be dissolved, which motion prevailed.

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

INTRODUCTION OF BILLS

Senate File 55, by Senator Van Gilst, a bill for an act relating to the establishment of requirements for the sanitary production and processing of milk used for manufacturing purposes.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 39 Commerce
S. F. 45 Transportation
S. F. 46 State government
S. F. 47 Natural resources
S. F. 48 State government
S. F. 49 County government
S. F. 50 County government
S. F. 51 State government
S. F. 52 Ways and means
S. F. 53 Commerce
S. F. 54 State government

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1973, announced the appointment of the following Senators to investigating committees:

As a member of the Iowa State Highway Commission:

Donald K. Gardner, Linn County, Iowa, for the unexpired portion of a term ending June 30, 1975.

Senator Gallagher, Chairman
Senator Redmond
Senator Robinson
Senator Andersen
Senator Curtis

As members of the State Transportation Commission:

Donald K. Gardner, Linn County, Iowa, for the unexpired term ending June 30, 1977.

Senator Gallagher, Chairman
Senator Redmond
Senator Robinson
Senator Andersen
Senator Curtis

Robert R. Rigler, Chickasaw County, Iowa, for a four-year term commencing July 1, 1975 and ending June 30, 1978

Senator Coleman, Chairman
Senator Glenn
Senator Heying
Senator DeKoster
Senator Shaff

L. Stanley Schoelerman, Clay County, Iowa, for a four-year term commencing July 1, 1974 and ending June 30, 1978.

Senator Doderer, Chairman
Senator Culver
Senator Miller of Des Moines
Senator Bergman
Senator Hultman

Stephen Garst, Carroll County, Iowa, for a three-year term commencing July 1, 1974 and ending June 30, 1977.

Senator Hill of Jasper, Chairman
Senator Carr
Senator Nolin
Senator Briles
Senator Kelly

Ann Pellegreno, Story County, Iowa, for a two-year term commencing July 1, 1974 and ending June 30, 1976.

Senator Junkins, Chairman
Senator Gluba
Senator Nolting
Senator Burroughs
Senator Nystrom

William F. McGrath, Monroe County, Iowa, for a two-year term commencing July 1, 1974 and ending June 30, 1976.

Senator Orr, Chairman
Senator Van Gilst
Senator Scott
Senator Miller of Marshall
Senator Ramsey

Allan T. Thoms, Dubuque County, Iowa, for a one-year term commencing July 1, 1974 and ending June 30, 1975.

Senator Palmer, Chairman
Senator Norpel
Senator Priebe
Senator Hill of Polk
Senator Schwengels

As Director of Revenue for the State of Iowa:

Gerald D. Bair, Warren County, Iowa, to serve at the pleasure of the Governor.

Senator Willits, Chairman
Senator Rodgers
Senator Sovern
Senator Plymat
Senator Shaw

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 1
State Government—
Glenn, Chairman
Gluba
Schwengels

Senate File 1
Transportation—
Doderer, Chairman
Nolin
Rabedeaux

Senate File 2
Commerce—
Priebe, Chairman
Briles
Gallagher

Senate File 4
Human Resources—
Palmer, Chairman
Scott
Hill of Polk

Senate File 5
County Government—
Heying, Chairman
Scott
Ramsey

Senate File 6
State Government—
Redmond, Chairman
Coleman
Winkelman

Senate File 7
Transportation—
Miller of Marshall, Chairman
Orr
Norpel

Senate File 8
Agriculture—
Priebe, Chairman
Taylor
Merritt

Senate File 9
State Goverment—
Nolin, Chairman
Coleman
Miller of Marshall

Senate File 10
Cities—
Willits, Chairman
Griffin
Miller of Des Moines

Senate File 11
State Government—
Redmond, Chairman
Coleman
Winkelman

Senate File 12
Agriculture—
Heying, Chairman
Tieden
Van Gilst

Senate File 13
Transportation—
Gallagher, Chairman
Murray
Orr

Senate File 14
Natural Resources—
Norpel, Chairman
Miller of Marshall
Culver

Senate File 15
Natural Resources—
Priebe, Chairman
Winkelman
Hultman

Senate File 16
Natural Resources—
Sovern, Chairman
Bergman
Priebe

Senate File 17
Judiciary—
Miller of Des Moines, Chairman
Carr
Hill of Polk

Senate File 18
Transportation—
Murray, Chairman
Shaff
Doderer

Senate File 20
State Government—
Kinley, Chairman
Glenn
Curtis

Senate File 21
State Government—
Kinley, Chairman
Glenn
Curtis

Senate File 22
State Government—
Kinley, Chairman
Glenn
Curtis

Senate File 23
Judiciary—
Willits, Chairman
Ramsey
Coleman

Senate File 24
Transportation—
Nolin, Chairman
Norpel
Miller of Marshall

Senate File 25
County Government—
Taylor, Chairman
Scott
Robinson

Senate File 26
Judiciary—
DeKoster, Chairman
Hill of Polk
Carr

Senate File 27
Ways and Means—
Junkins, Chairman
Nolting
Schwengels

Senate File 28
State Government—
Kinley, Chairman
Glenn
Curtis

Senate File 30
Judiciary—
Shaw, Chairman
Hill of Polk
Rodgers

Senate File 31
Judiciary—
Willits, Chairman
Kelly
Doderer

Senate File 32
Transportation—
Orr, Chairman
Shaff
Gallagher

Senate File 33
Cities—
Carr, Chairman
Hansen
Nystrom

Senate File 34
Judiciary—
Shaw, Chairman
DeKoster
Willits

Senate File 41
Judiciary—
Ramsey, Chairman
Miller of Des Moines
Rodgers

Senate File 43
Judiciary—
Miller of Des Moines, Chairman
Carr
Doderer

On motion of Senator Kinley, the Senate adjourned at 10:15 a.m., until 10:00 a.m., Monday, January 27, 1975.

JOURNAL OF THE SENATE

FIFTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JANUARY 27, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Robert G. Clay, pastor of the St. Paul African Methodist Episcopal Church, Des Moines, Iowa.

The Journal of Friday, January 24, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Valin, Des Moines, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Amy Glotfelty. Senator Hill of Polk.

INTRODUCTION OF BILLS

Senate File 56, by Senator Norpel, a bill for an act relating to purchase of real estate by political subdivisions of the state.

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

Senate File 57, by Senator Norpel, a bill for an act to make an appropriation from the general fund of the state to the road use tax fund.

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

Senate File 58, by Senator Norpel, a bill for an act relating to the vehicle safety standards and providing a penalty.

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

Senate File 59, by Senator Norpel, a bill for an act relating to

the collection of collector's bottles of alcoholic liquor and providing a penalty.

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

Senate File 60, by Senator Redmond (Wells), a bill for an act relating to the signature of persons with physical disabilities.

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

Senate File 61, by Senator Hultman, a bill for an act to remove a certain species from the list of noxious weeds.

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

Senate File 62, by Senators Hultman and Tieden (Harper, Stromer and Brunow), a bill for an act relating to a sales tax credit.

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

Senate File 63, by Senators Gallagher, Norpel, Miller of Marshall, Nolting, Priebe and Culver, a bill for an act to increase penalties for the unlawful hunting or taking of protected species of wildlife.

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

Senate File 64, by Senators Gallagher, Priebe, Orr, Norpel and Rodgers, a bill for an act relating to the placement of fertilizer storage tanks.

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

SENATE CONCURRENT RESOLUTION 11
By Nystrom

Whereas, proposed highway 520 was previously within the 5 year plan of the state highway commission; and

Whereas, it now appears that highway 520 has been removed from the 5 year plan of the state highway commission; and

Whereas, highway 520 is used by many persons and all types of vehicles for the transportation of people and goods and is a dangerous and overloaded highway; and

Whereas, because of the conditions relating to existing highway 520 there is a critical need for a safe, efficient, and well constructed east-west highway across northern Iowa; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the State Department of Transportation is requested to direct the State Highway Commission to include proposed highway 520 within the next 5 year plan and when the Department of Transportation becomes fully operational it continue its efforts

to construct highway 520 within the earliest possible time; and

Be It Further Resolved, That the Federal Department of Transportation is urged to release impounded funds or to make available funds for highway construction purposes to the State of Iowa; and

Be It Further Resolved, That copies of this resolution be forwarded to the State Department of Transportation, the Federal Department of Transportation, and to each member of the Iowa congressional delegation.

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

WITHDRAWN

Senator Norpel asked and received unanimous consent that **Senate File 51** be **withdrawn** from further consideration of the Senate.

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu 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 56, a bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporation income tax and the franchise tax.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 65, by Senators Gallagher, Nolting, Miller of Des Moines, Robinson, Orr, Gluba, Merritt, Murray, Heying, Norpel, Coleman and Redmond, a bill for an act relating to the award of annual rental charges to a landowner in addition to other damages in eminent domain proceedings by pipeline companies.

Read first time and passed on file.

Senate File 66, by Senator Hill of Jasper, a bill for an act to repeal the authority of the state transportation commission to

establish by rule the maximum lengths on vehicles and combinations of vehicles.

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

Senate File 67, by Senators Shaw and Orr (Bittle), a bill for an act relating to the regulation of the practice of massage, the establishment of a massage technicians examining board, and standards for massage establishments and providing a penalty for violation of the act.

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

Senate File 68, by committee on ways and means, a bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and the franchise tax.

Read first time and placed on calendar.

Senate File 69, by Senator Rodgers, a bill for an act relating to the use of turn signals.

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

Senate File 70, by committee on county government (committee on county government), a bill for an act relating to lights of road machinery.

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

HOUSE MESSAGE CONSIDERED

House File 56, a bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and the franchise tax.

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

CONSIDERATION OF BILLS

Senate File 5

On motion of Senator Curtis, **Senate File 5, a bill for an act** relating to the membership of the board of review, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curtis offered amendment S—3050 filed by him and moved its adoption:

S—3050

Amend Senate File 5, page 1, line 28, by inserting after the word *"review"* the words *"prior to December 31, 1975,"*.

Amendment S—3050 was adopted.

Senator Heying offered amendment S—3048, filed by Senators Heying, Briles and Curtis, and called for a division of the amendment as follows:

S—3048

Division S—3048A

Amend Senate File 5 as follows:

1. Page 1, line 19, by inserting after the period the sentence *"Not more than three members of the board shall be from the same political party."*

Division S—3048B

2. Page 1, line 29, by inserting after the period the sentence *"No person shall be appointed to the board who is either seventy-five years of age or older or shall be seventy-five years of age before the term for which they are appointed shall expire."*

Senator Heying moved the adoption of division S—3048A and requested a record roll call.

On the question "Shall division S—3048A of the amendment be adopted?" (S.F. 5), the vote was:

Ayes, 32:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Culver	Kelly	Nystrom	Shaff
Curtis	Merritt	Orr	Tieden
Doderer	Miller of Des Moines	Plymat	Van Gilst
Gallagher		Priebe	Winkelman
Glenn			

Nays, 14:

Carr	Hill of Polk	Ramsey	Sovern
DeKoster	Junkins	Redmond	Taylor
Gluba	Kinley	Shaw	Willits
Griffin	Palmer		

Absent or not voting, 4:

Coleman	Lamborn	Nolin	Rabedeaux

Division S—3048A of the amendment was adopted.

Senator Heying moved the adoption of division S—3048B of the amendment.

Division S—3048B of the amendment lost.

Senator Heying offered amendment S—3054, moved its adoption and requested a record roll call:

S—3054

Amend Senate File 5 in the title by inserting after the word "membership" on line 1 of the title page, the words "and qualifications".

On the question "Shall amendment S—3054 be adopted?" (S.F. 5) the vote was:

Ayes, 43:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Willits
Gallagher			Winkelman
Glenn			

Nays, 4:

Gluba	Hill of Polk	Redmond	Robinson

Absent or not voting, 3:

Lamborn	Rabedeaux	Van Gilst

Amendment S—3054 was adopted.

Senator Curtis moved that the bill 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. 5) the vote was:

Ayes, 27:

Andersen	Hill of Jasper	Nolin	Shaff
Bergman	Hultman	Nystrom	Shaw
Briles	Kelly	Orr	Taylor
Burroughs	Merritt	Plymat	Tieden
Coleman	Miller of Des Moines	Priebe	Van Gilst
Curtis		Schwengels	Winkelman
Hansen	Miller of Marshall	Scott	
Heying			

Nays, 20:

Carr	Gluba	Murray	Redmond
Culver	Griffin	Nolting	Robinson
DeKoster	Hill of Polk	Norpel	Rodgers
Doderer	Junkins	Palmer	Sovern
Glenn	Kinley	Ramsey	Willits

Absent or not voting, 3:

Gallagher	Lamborn	Rabedeaux

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

Senate File 33

On motion of Senator Murray, Senate File 33, a bill for an act relating to sanitary disposal bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Murray moved that the bill 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. 33) the vote was:

Ayes, 46:

Andersen	Hansen	Nolin	Rodgers
Bergman	Heying	Nolting	Schwengels
Briles	Hill of Polk	Norpel	Scott
Burroughs	Hultman	Nystrom	Shaff
Carr	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Ramsey	Van Gilst
Gallagher	Miller of Marshall	Redmond	Willits
Glenn	Murray	Robinson	Winkelman
Gluba			
Griffin			

Nays, 1:

Hill of Jasper

Absent or not voting, 3:

Coleman	Lamborn	Rabedeaux

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

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

S. F. 55 Agriculture

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Margaret "Peg" Baehr of Spencer, Clay County, Iowa for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under the provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for the regular one-year term beginning July 1, 1974 and ending June 30, 1975,

begs leave to report that it has made investigation and recommends the appointment be confirmed.

IRVIN L. BERGMAN, Chairman
LOUIS P. CULVER
JAMES V. GALLAGHER

On motion of Senator Kinley, the Senate adjourned at 4:25 p.m., until 9:30 a.m., Tuesday, January 28, 1975.

JOURNAL OF THE SENATE

SIXTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, JANUARY 28, 1975

The Senate met in regular session, President Neu presiding.

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

The Journal of Monday, January 27, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Graheck, Oskaloosa, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mrs. Braswell. Senator Hill of Polk.

INTRODUCTION OF BILLS

Senate File 71, by Senator Hansen, a bill for an act relating to claims for reimbursement for property taxes paid and rent constituting property taxes paid by persons sixty-five years of age and older or totally disabled.

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

Senate File 72, by Senator Miller of Marshall (Brockett, West, Small and Branstad), a bill for an act relating to public school employees' sick leave.

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

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 73, by Senator Tieden, a bill for an act relating to the development of a program by the state conservation commission in regard to persons who have moved or constructed dwellings on land owned by the state.

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

Senate File 74, by Senator Briles, a bill for an act relating to the use of tax money for purchase and improvement of schoolhouse sites.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 56 County government
S. F. 57 Appropriations
S. F. 58 Transportation
S. F. 59 State government
S. F. 60 Judiciary
S. F. 61 Agriculture
S. F. 62 Ways and means
S. F. 63 Natural resources
S. F. 64 Agriculture
S. F. 65 Commerce
S. F. 66 Transportation
S. F. 67 State government
S. F. 69 Transportation
S.C.R. 11 Appropriations

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate from the:

STATE DEPARTMENT OF PUBLIC INSTRUCTION

A copy of its legislative report in accordance with Section 257.10(9), Code 1975, and a copy of the report with the approval standards as required under Section 257.25(11), Code 1975.

REPORT BY THE COMMITTEE ON RULES AND ADMINISTRATION

Pursuant to House Concurrent Resolution 5, the committee on rules and administration submits the following names of officers and employees of the Senate and their respective steps:

		Step	
Legal Counsel	Steven Cross	B	Full-time
Administrative Assistant to Majority Leader	Barton D. Rule	D	Full-time
Administrative Assistant to Minority Leader	Ralph M. Kauffman	D	Full-time
Research Assistant to Majority Leader	Mary Warren	A	Session-only
Research Assistant to Minority Leader	Diane Glass	A	Session-only
Research Assistant to President Pro Tem	Norma S. Matthews	A	Session-only
Research Assistant to Assistant Majority Leader	Charles Riekena	A	Session-only
Research Assistant to Assistant Majority Leader	Nicholas Needles	A	Session-only
Research Assistant to Majority Caucus	Robert Brammer	A	Session-only
Research Assistant to Majority Caucus	Martin Brown	A	Session-only
Research Assistant to Minority Caucus	Donald Mason	A	Session-only
Executive Secretary to the Secretary	K. Marie Thayer	F	Full-time
Secretary to the Secretary	Joyce Horner	E	Session-only
Journal Editor	Dorothy F. Nepstad	G	Session-only
Journal Clerk	Suzanne Thomsen	B	Session-only
Assistant to the Legal Counsel	Rosemary P. Andreano	A	Session-only
Finance Clerk	Mary Ann Abbott	G	Full-time
Engrossing Clerk	Elizabeth Ligouri	E	Session-only
Enrolling Clerk	Corliss J. Williams	A	Session-only
Records and Supply Clerk	Cynthia A. Vitous	B	Session-only
Special Clerk	Judy Iseminger	A	Session-only
Control Board Operator	Mary Lynn Neuhaus	B	Session-only
Switchboard Operator	Betty M. Lawler	A	Session-only
Switchboard Operator	Betty Schwengels	C	Session-only
Bill Clerk	Caryll Wilbur	F	Session-only
Assistant Bill Clerk	Chris A. Huss	A	Session-only
Postmaster	Dino Masolini	A	Session-only

		Step	
Sergeant-at-Arms	William C. Sloan	C	Session-only
Assistant Sergeant-at-Arms	Byron Marshall	D	Session-only
Chief Doorkeeper	Leonard A. Borg	C	Session-only
Doorkeeper	Charlotte Brien	A	Session-only
Doorkeeper	George A. Chastain	G	Session-only
Doorkeeper	Richard Dunker	D	Session-only
Doorkeeper	Charles M. McCoun	A	Session-only
Doorkeeper	Ray J. Prosperi	A	Session-only
Doorkeeper	B. W. Rulon	E	Session-only
Doorkeeper Attendant	Gertrude Harris	D	Session-only
Porter	James M. Sullivan	H	Session-only
Senate Page	Loren Boston	A	Session-only
Senate Page	Gretchen Castle	A	Session-only
Senate Page	Diann Graham	A	Session-only
Senate Page	Nancy Hiles	A	Session-only
Senate Page	Janet Martens	A	Session-only
Senate Page	Crystal Meier	A	Session-only
Senate Page	David Miles	A	Session-only
Senate Page	Jon Shaw	A	Session-only
Senate Page	Mary Skinner	A	Session-only
Senate Page	Sean Strub	A	Session-only
Senate Page	Beverly Vonk	A	Session-only
Senate Page	James Wine	A	Session-only

REPORTS OF COMMITTEES

Senator Heying submitted the following report:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 14,** a bill for an act relating to the issuance of trapping licenses to aliens or nonresidents and making provisions of this act retroactive, 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:**

S—3055

Amend Senate File 14 by striking lines 8 through 16 on page 1 and inserting in lieu thereof the following new paragraph:

"*NEW SECTION.* NONRESIDENT TRAPPING LICENSE—RECIPROCITY.

No trapping licenses shall be issued to residents of states who do not sell similar licenses to residents of Iowa."

S—3056

Amend Senate File 14 by inserting the following new section after line 22 on page 1:

"Sec. 4. This Act, being deemed of immediate importance shall take effect and be in force from and after its publication in the Allamakee Journal, a newspaper published in Lansing, Iowa, and in The Bellevue Herald-Leader, a newspaper published in Bellevue, Iowa."

H. L. HEYING, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 44**, a bill for an act relating to the registration of farm trailers, 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:**

S—3057

Amend Senate File 44 as follows:

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

Section 1. Section three hundred twenty-one point one hundred twenty-three (321.123), subsection five (5), Code 1975, is amended to read as follows:

5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractor and the trailer or semitrailer; except that motor trucks registered for six tons or less [pulling trailers, as defined in section 321.1, subsection 9, registered as provided in this section shall not be subject to registration for the gross weight of such trailer] *not used for hire, pulling trailers or semitrailers shall not be subject to registration for the gross weight of such trailer or semitrailer providing the combined gross weight does not exceed fourteen tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code.*

Sec. 2. Any person who has paid registration fees for a motor truck and trailer or semitrailer for the combined gross weight of the motor truck and trailer or semitrailer for the calendar year 1975 in an amount in excess of the registration fees computed on a motor truck and trailer or semitrailer pursuant to section one (1) of this Act may file an application for refund of the full amount of the excess fee with the county treasurer of the county in which the motor truck and trailer or semitrailer are registered. Claims for refund filed under the provisions of this section shall be filed with the county treasurer on forms provided by the department of public safety. Refunds paid under the provisions of this section shall be paid from the reimbursement fund of the department of public safety under subsection two (2) of section three hundred twenty-one point one hundred forty-five (321.145) of the Code.

Sec. 3. The provisions of sections one (1) and two (2) of this Act shall be retroactive to December 1, 1974 for registration fees collected for registration plates issued for the calendar year 1975.

Sec. 4. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Swea City Herald,

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a newspaper published in Swea City, Iowa, and in The Forest City Summit, a newspaper published in Forest City, Iowa.

2. Amend the title, line 1, by striking the words "farm trailers" and inserting in lieu thereof the words "motor trucks and trailers or semitrailers and making the Act retroactive".

NORMAN RODGERS, Chairman

Ordered passed on file.

EXPLANATION OF BRACKETS AND ITALICS IN AMENDMENTS PRINTED IN THE JOURNALS

When bills are drafted to amend existing sections of the Code or session laws, words to be stricken are indicated by a line through such words, and words to be inserted are underlined. Amendments to such bills may also contain strike-throughs and underlines, but when they appear in the Journals, the form is different from the original amendment. Words to be stricken are enclosed in brackets, and underlined words are printed in *italics*.

On motion of Senator Kinley, the Senate adjourned at 3:35 p.m., until 9:30 a.m., Wednesday, January 29, 1975.

JOURNAL OF THE SENATE

SEVENTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JANUARY 29, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Stan Wierson, pastor of the United Methodist Church, Crystal Lake, Iowa.

The Journal of Tuesday, January 28, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Perry Lee Weigel, Van Meter, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-nine students from the Western Hills Elementary School, West Des Moines, Iowa. Senator Hill of Polk.

Twenty-three students from the Enterprise Class of Tyler Elementary School, Cedar Rapids, Iowa, accompanied by their instructor, Judy Chehak. Senator Sovern.

INTRODUCTION OF BILL

Senate File 75, by committee on ways and means (committee on ways and means), a bill for an act relating to the date for notification of changes in valuation of property.

Read first time and placed on calendar.

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Glenn presiding.

INTRODUCTION OF BILLS

Senate File 76, by Senators Plymat, Shaff, Hill of Jasper, Miller of Marshall, Van Gilst, Andersen, Bergman, Rodgers, Priebe, Heying, Robinson, Nystrom, Scott, Taylor, Willits, Schwengels, Gluba and Curtis, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol and the penalties provided therefor; making certain acts illegal and providing a penalty for their commission; and relating to procedures required in the application of the implied consent law.

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

Senate File 77, by committee on county government (committee on county government), a bill for an act relating to county contracts requiring bids.

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

Senate File 78, by committee on county government (committee on county government), a bill for an act relating to claims for the reimbursement for property taxes paid by persons sixty-five years of age and older or totally disabled.

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

Senate File 79, by Senators Norpel, Carr, Gallagher, Tieden, Curtis, Miller of Marshall, Merritt, Culver, Taylor, Miller of Des Moines, Coleman, Scott, Andersen, Heying, Hill of Jasper, Sovern and Nystrom, a bill for an act to allow a veteran to file only once for the military service tax credit.

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

Senate File 80, by Senator Winkelman, a bill for an act relating to the payment of the costs of administering tests to determine if a person is affected by the use of an alcoholic beverage.

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

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

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 71 Ways and means

S. F. 72 Labor and industrial relations

S. F. 73 Natural resources

S. F. 74 Education

REPORT BY THE SENATE COMMITTEE ON RULES AND ADMINISTRATION AND THE HOUSE COMMITTEE ON ADMINISTRATION

Pursuant to House Concurrent Resolution 5, the Senate committee on rules and administration and the House committee on administration submit the following names of the joint employees for the Sixty-sixth General Assembly and their respective steps:

LEGISLATIVE INDEXING

		Step	
Supervisor of Legislative Indexing	Maxine Gunton	H	Full-time
Assistant Supervisor of Legislative Indexing	Juanita Swackhammer	G	Full-time
Index Clerk	Terry Pepper	F	Session-only
Assistant Index Clerk	Thomas L. Thomas	A	Session-only

LEGISLATIVE SERVICE BUREAU

Bill Drafter	Leroy Zeman	D	Full-time
Bill Drafter	Mark Soldat	F	Full-time
Senior Bill Clerk	Lois Carter	E	Session-only
Bill Clerk	Janet Johnson	D	Session-only
Terminal Operator	Christene Juehrs	A	Full-time
Proofreader	Dorothy Bartholomew	B	Session-only
Proofreader	Dorothy Kelly	E	Session-only
Proofreader	Patricia A. Ryan	A	Session-only
Proofreader	Jean L. Shirbroun	A	Session-only
Assistant Bill Clerk	Marcia Cranberg	A	Session-only
Xerox Operator	Lois Johnson	D	Session-only

LEGISLATIVE FISCAL BUREAU

Legislative Fiscal Analyst I	Eric L. Smith	B	Full-time

JOINT EMPLOYEES

Mail Carrier	Francis L. Burns	A	Session-only
Historical Building Clerk	Michael McDonald	A	Session-only
Law Library Clerk	Michael Brien	A	Session-only

BUILDINGS AND GROUNDS

		Step	
Matron	Mary Parker	G	Session-only
Elevator Operator	Evelyn M. Seaney	E	Session-only
Elevator Operator	Agnes Bertogli	D	Session-only
Parking Attendant	John Jorgensen	E	Session-only
Parking Attendant	Raymond Keeney	G	Session-only
Parking Attendant	Frank Miller	F	Session-only
Parking Attendant	Harold Missman	C	Session-only
Parking Attendant	James Webb	F	Session-only
Night Watchman	Alex Moffatt	E	Session-only
Night Watchman	Pirl Stuart	F	Session-only

REPORT OF COMMITTEE

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 40**, a bill for an act relating to fair trade practices, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL L. JUNKINS, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3058

Amend Senate File 14 by striking lines 1 through 5 on page 1.

DALE L. TIEDEN

On motion of Senator Kinley, the Senate adjourned at 4:42 p.m., until 9:30 a.m., Thursday, January 30, 1975.

JOURNAL OF THE SENATE

EIGHTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JANUARY 30, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Edward English, pastor of the West Branch Friends Church, West Branch, Iowa.

The Journal of Wednesday, January 29, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. M. Lee McClenahan, Sigourney, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Donald W. Murray, former member of the Senate from Kossuth County, and the Honorable Pearle P. DeHart, former member of the Senate from Story County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-nine students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mrs. Huggins. Senator Hill of Polk.

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, relating to petition filed by American Beef Packers, Inc. of Omaha, Nebraska, under Chapter XI of the Federal Bankruptcy Act.

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

House Concurrent Resolution 7, urging the Iowa Congressional delegation to secure federal disaster assistance for beef producers affected by the blizzard of January 10, 1975.

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

House File 1, a bill for an act relating to the storage of registered vessels.

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 expert witness fees.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 6

By Committee on Agriculture

Whereas, the production of beef is a significant factor in the economy of Iowa, and

Whereas, any serious disruption in the marketing of beef produced in this state has a direct and far-reaching effect on its economy, and

Whereas, American Beef Packers, Inc., of Omaha, Nebraska, has filed a petition for an arrangement under Chapter XI of the Federal Bankruptcy Act, thereby withholding, delaying or denying an estimated seventeen to twenty-five million dollars in payments currently due Iowa beef producers, thus seriously disrupting marketing of Iowa beef and beef products; *Now Therefore*

Be It Resolved by the House of Representatives, the Senate Concurring:

1. That the Iowa Congressional delegation further investigate the facts and circumstances leading to the filing of the aforesaid petition for arrangement under the Bankruptcy Act.

2. That such investigation should be completed at the earliest feasible date with interim reports as may be appropriate.

3. That the Iowa Congressional delegation be and it hereby is urged to seek amendment of the Federal Packers and Stockyards Act (7 U.S.C. §181 et. seq.) in such a fashion as to insure prompt, full payment by packers to

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all livestock producers for all animals delivered for slaughter.

Be It Further Resolved, That copies of this resolution be forwarded to all members of the Iowa Congressional delegation and to the United States Secretary of Agriculture.

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

HOUSE CONCURRENT RESOLUTION 7
By Committee on Agriculture

Whereas, cattlemen in its West and Northwest counties provide a substantial portion of beef production in Iowa, and

Whereas, any serious disruption in the marketing of Iowa produced beef has a direct and far-reaching effect on the economy of Iowa, and

Whereas, producers in the Western and Northern counties of Iowa suffered heavy losses of livestock as a result of the blizzard of January 10, 1975, and

Whereas, in many instances, this represents a loss to individual producers so serious as to threaten their ability to continue as producers; *Now Therefore*

Be It Resolved by the House of Representatives, the Senate Concurring, That they urge the Iowa Congressional delegation to do everything in their power to secure federal disaster assistance in the form of direct relief, grants or other aid such as nominal interest loans should be made immediately available to producers shown to be victims of such calamity.

Be It Further Resolved, That copies of this resolution be forwarded to all members of the Iowa Congressional delegation and to the United States Secretary of Agriculture.

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

INTRODUCTION OF BILLS

Senate File 81, by Senators Shaff, Lamborn, Andersen, Gluba, Hill of Polk, Redmond, Willits, Plymat and Carr, a bill for an act to establish regulation of lobbyists and to provide a penalty.

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

Senate File 82, by Senators Miller of Marshall, Schwengels, Bergman, Gallagher, Tieden and Merritt, a bill for an act relating to civil damages for unlawfully taking certain protected species of wildlife.

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

Senate File 83, by Senator Winkelman, a bill for an act relating to the maximum limits of tort liability of government agencies.

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

Senate File 84, by Senator Murray, a bill for an act to establish and prescribe the powers and duties of the Iowa research foundation, and making an appropriation for the Iowa research foundation fund.

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

Senate File 85, by committee on judiciary, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

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

HOUSE MESSAGES CONSIDERED

House File 1, a bill for an act relating to the storage of registered vessels.

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

House File 18, a bill for an act relating to expert witness fees.

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

ADOPTION OF CONCURRENT RESOLUTION

Senate Concurrent Resolution 6

Senator Junkins called up Senate Concurrent Resolution 6, relating to the joint rules of the Senate and House, found on pages 48-54, inclusive, of the Senate Journal.

Senator Hill of Polk offered amendment S—3005 filed by him and moved its adoption:

S—3005

Amend Senate Concurrent Resolution 6, filed January 13, 1975, by striking lines 14 and 15 on page 3, and inserting in lieu thereof the following:

"order the bill reprinted on paper of a different color. All adopted amendments shall be distinguishable."

Amendment S—3005 was adopted.

Senator Palmer offered amendment S—3022 filed by him and moved its adoption:

S—3022

Amend Senate Concurrent Resolution 6, filed January 13, 1975, as follows:

1. By striking the words *"and the majority leader of the senate"* in line 6 of page 6.

2. By inserting after the word "committee." in line 7 of page 6 the sentences: *"The majority leader of the senate, the president pro-tempore of the senate and the*

two assistant majority leaders of the senate shall appoint three members to a conference committee. The president of the senate shall appoint two members to a conference committee.".

3. By striking the words *"and the majority leader of the senate"* in lines 14 and 15 of page 7.

4. By inserting after the word "consideration." in line 17 of page 7 the sentence: *"The majority leader of the senate, the president pro-tempore of the senate and the two assistant majority leaders of the senate shall appoint three members and the president of the senate shall appoint two members all of whom shall not have previously served on a conference committee on the bill under consideration."*

Amendment S—3022 was adopted.

Senator Palmer offered amendment S—3032 filed by Senator Doderer and moved its adoption:

S—3032

Amend the Joint Rules of the Senate and House of the Sixty-fifth General Assembly, as contained in Senate Concurrent Resolution 6 as follows:

1. Page 7, line 20, by inserting after the word "enrolled" the words *"in the house of origin under the direction of either the secretary or the chief clerk"*.

2. Page 7, by striking lines 23, 24, and 25, and page 8, by striking line 1, and inserting in lieu thereof the following:

"[When bills are enrolled, they shall be examined by a joint standing committee of two from each house who shall compare the enrollment with the engrossed bills, correct any errors, and report immediately to their respective houses.]"

Amendment S—3032 was adopted.

Senator Palmer offered amendment S—3059 by the committee on rules and administration:

S—3059

Amend Senate Concurrent Resolution 6, amending the Joint Rules of the Senate and House, by adding the following new rule:

NEW RULE: Every bill reported out by the committee on appropriations shall contain a statement of legislative intent or purpose which shall be printed as a part of the bill. Statements of legislative intent or purpose shall be printed in the session laws.

Action on Senate Concurrent Resolution 6 and amendment S—3059 was temporarily deferred.

CONSIDERATION OF BILLS

Senate File 68

On motion of Senator Curtis, Senate File 68, a bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and the franchise tax, was taken up for consideration.

Senator Curtis asked and received unanimous consent that **House File 56** be **substituted** for **Senate File 68.**

House File 56

On motion of Senator Curtis, **House File 56,** a bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and the franchise tax, was taken up for consideration.

Senator Curtis moved that the bill 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. 56) the vote was:

Ayes, 46:

Andersen	Hill of Jasper	Murray	Rodgers
Bergman	Hill of Polk	Nolting	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman
Hansen		Robinson	
Heying			

Nays, none.

Absent or not voting, 4:

Coleman	DeKoster	Griffin	Nolin

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

WITHDRAWN

Senator Curtis asked and received unanimous consent that **Senate File 68** be **withdrawn** from further consideration of the Senate.

Senate File 44

On motion of Senator Priebe, Senate File 44, a bill for an act relating to the registration of farm trailers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Junkins offered amendment S—3057 by the committee on ways and means and moved its adoption:

S—3057

Amend Senate File 44 as follows:

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

Section 1. Section three hundred twenty-one point one hundred twenty-three (321.123), subsection five (5), Code 1975, is amended to read as follows:

5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractor and the trailer or semitrailer; except that motor trucks registered for six tons or less [pulling trailers, as defined in section 321.1, subsection 9, registered as provided in this section shall not be subject to registration for the gross weight of such trailer] *not used for hire, pulling trailers or semitrailers shall not be subject to registration for the gross weight of such trailer or semitrailer providing the combined gross weight does not exceed fourteen tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code.*

Sec. 2. Any person who has paid registration fees for a motor truck and trailer or semitrailer for the combined gross weight of the motor truck and trailer or semitrailer for the calendar year 1975 in an amount in excess of the registration fees computed on a motor truck and trailer or semitrailer pursuant to section one (1) of this Act may file an application for refund of the full amount of the excess fee with the county treasurer of the county in which the motor truck and trailer or semitrailer are registered. Claims for refund filed under the provisions of this section shall be filed with the county treasurer on forms provided by the department of public safety. Refunds paid under the provisions of this section shall be paid from the reimbursement fund of the department of public safety under subsection two (2) of section three hundred twenty-one point one hundred forty-five (321.145) of the Code.

Sec. 3. The provisions of sections one (1) and two (2) of this Act shall be retroactive to December 1, 1974 for registration fees collected for registration plates issued for the calendar year 1975.

Sec. 4. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Swea City Herald,

Page 2

a newspaper published in Swea City, Iowa, and in The Forest City Summit, a newspaper published in Forest City, Iowa.

2. Amend the title, line 1, by striking the words "farm trailers" and inserting in lieu thereof the words "motor trucks and trailers or semitrailers and making the Act retroactive".

Senator Hill of Jasper offered amendment S—3060 to amendment S—3057:

S—3060

Amend the committee on ways and means amendment S—3057, to Senate File 44, line 14, by striking the words "or less" and inserting in lieu thereof the words "[or less]".

Senator Hill of Polk raised the point of order that under Senate Rule 32 a fiscal note should be requested on Senate File 44.

The Chair ruled the point well taken.

Action on Senate File 44 was deferred for the purpose of securing a fiscal note.

Senate Concurrent Resolution 6

The Senate resumed consideration of Senate Concurrent Resolution 6 and amendment S—3059 previously deferred.

Senator Palmer asked and received unanimous consent to withdraw amendment S—3059.

Senator Willits offered amendment S—3061 by Senators Willits, Junkins and Palmer:

S—3061

Amend Senate Concurrent Resolution 6, amending the Joint Rules of the Senate and House, by adding the following new rule:

NEW RULE: Attached to every bill reported out by the committee on appropriations shall be a committee report containing a statement of legislative intent or purpose which shall be printed as the explanation to the bill. Such explanation shall be printed in the session laws. Any amendment to an appropriation bill shall also amend the explanation to reflect the intent of the amendment.

Senator Willits moved the adoption of amendment S—3061 and requested a non-record roll call.

The ayes were 23; nays 22.

Amendment S—3061 was adopted.

Senator Junkins moved the adoption of Senate Concurrent Resolution 6 as amended.

On the question "Shall the resolution as amended be adopted?" (S.C.R. 6) the vote was:

Ayes, 39:

Andersen	Hill of Polk	Nolting	Rodgers
Bergman	Junkins	Norpel	Schwengels
Carr	Kelly	Nystrom	Scott
Coleman	Kinley	Orr	Shaff
Culver	Merritt	Palmer	Sovern
Curtis	Miller of Des Moines	Plymat	Taylor
Gallagher	Miller of Marshall	Priebe	Tieden
Glenn	Murray	Rabedeaux	Van Gilst
Gluba		Redmond	Willits
Heying		Robinson	Winkelman
Hill of Jasper			

Nays, 6:

Burroughs	Hultman	Ramsey	Shaw
Hansen	Lamborn		

Absent or not voting, 5:

Briles	Doderer	Griffin	Nolin
DeKoster			

The resolution as amended and the Joint Rules of the Senate and House contained therein were adopted by the Senate.

INTRODUCTION OF BILLS

Senate File 86, by Senator Hill of Polk, a bill for an act relating to games of skill, games of chance and other gambling activities and providing for revocations of licenses, injunctive relief, and penalties.

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

Senate File 87, by Senators Gluba, Gallagher, Rodgers, Willits and Carr (Brandt, Patchett, Gilloon, Jochum, Dyrland, Lonergan, Middleton, Small, Krause, Koogler, Cusack, O'Halloran, Monroe, Newhard and Middleswart), a bill for an act to repeal the limited property tax exemption for property used to control air or water pollution.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 76 Judiciary

S. F. 79 Ways and means

S. F. 80 Judiciary

SENATE CONCURRENT RESOLUTION 12

By Bergman, DeKoster, C. Miller, E. Miller, Redmond and Robinson

Whereas, Adjutant General Joseph G. May, Lieutenant Colonel Eric P. Berner, the 186th Military Police Company, and the Iowa National Guard did an exceptional job in arranging the inaugural ceremonies of Governor Robert D. Ray and Lieutenant Governor Arthur A. Neu; and

Whereas, this inauguration was enjoyed thoroughly by more Iowans than ever before;

Now, Therefore, Be It Resolved by the Senate the House Concurring: That Adjutant General Joseph G. May, Lieutenant Colonel Eric P. Berner, the 186th Military Police Company, and the Iowa National Guard be commended for providing this outstanding service.

Be It Further Resolved: That a copy of this resolution be forwarded to Adjutant General Joseph G. May, Lieutenant Colonel Eric P. Berner, and the 186th Military Police Company.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 3
State Government
Kinley, Chairman
Coleman
Winkelman

Senate File 19
Appropriations
Hill of Jasper, Chairman
Van Gilst
Winkelman

Senate File 35
Ways and Means
Van Gilst, Chairman
Lamborn
Nolting

Senate File 36
Appropriations
Van Gilst, Chairman
Hill of Jasper
Junkins

Senate File 37
Education
Griffin, Chairman
Carr
Sovern

Senate File 38
Ways and Means
Shaff, Chairman
Junkins
Culver

Senate File 39
Commerce
Rabedeaux, Chairman
Carr
Rodgers

Senate File 40
Commerce
Glenn, Chairman
Rabedeaux
Carr

Senate File 42
Human Resources
Gluba, Chairman
Hill of Polk
Scott

Senate File 44
Ways and Means
Junkins, Chairman
Culver
Curtis

Senate File 45
Transportation
Gallagher, Chairman
Orr
Shaff

Senate File 46
State Government
Doderer, Chairman
Redmond
Nystrom

Senate File 47
Natural Resources
Priebe, Chairman
Miller of Marshall
Culver

Senate File 48
State Government
Kinley, Chairman
Glenn
Curtis

Senate File 49
County Government
Briles, Chairman
Robinson
Heying

Senate File 50
County Government
Gallagher, Chairman
Miller of Des Moines
Hill of Polk

Senate File 53
Commerce
Carr, Chairman
Bergman
Gallagher

Senate File 55
Agriculture
Heying, Chairman
Tieden
Taylor

Senate File 58
Transportation
Miller of Marshall, Chairman
Shaff
Orr

Senate File 60
Judiciary
Ramsey, Chairman
Miller of Des Moines
Doderer

Senate File 63
Natural Resources
Norpel, Chairman
Bergman
Sovern

Senate File 65
Commerce
Rodgers, Chairman
Glenn
Briles

Senate File 69
Transportation
Shaff, Chairman
Rabedeaux
Nolin

Senate Concurrent Resolution 8
Rules and Administration
Junkins, Chairman
Rabedeaux
Van Gilst

REPORT OF COMMITTEE

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 13**, a bill for an act relating to the issuance of special registration plates to owners of vehicles holding amateur radio licenses, begs leave to report it has had the same under consideration and recommends the same **do pass**.

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3062

Amend the committee on ways and means amendment to Senate File 44, by striking lines 9 through 24 and inserting in lieu thereof the following:

"5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractors and the trailer or semitrailer; [except that motor trucks registered for six tons or less pulling trailers, as defined in Section three hundred twenty-one point one (321.1), subsection nine (9), of the Code, registered as provided in this section shall not be subject to registration for the gross weight of such trailer.] *Except that motor trucks registered for six tons or less not used for hire, pulling trailers or semitrailers used by a person engaged in farming to transport commodities produced only by the owner or to transport commodities*

purchased by the owner, for use in his own farming operation shall not be subject to registration for the gross weight of such trailer or semitrailer."

JAMES V. GALLAGHER

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 10:00 a.m., Monday, February 3, 1975.

JOURNAL OF THE SENATE

TWENTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, FEBRUARY 3, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Honorable Hilarius L. Heying, member of the Senate from West Union, Fayette County, Iowa.

The Journal of Thursday, January 30, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. B. Widmer, Iowa City, Iowa.

PETITION

The following petition was presented and placed on file:

By Senator Carr, from forty residents of Dubuque County, favoring legislation to repeal the present Iowa Consumer Credit Code and to enact a more precise, workable law with lower interest rates.

INTRODUCTION OF BILL

Senate File 88, by Senator Gluba, a bill for an act relating to rate refunds by public utilities.

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 43, a bill for an act permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks.

Also: 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 the duties of the counsel of the transportation regulation board.

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

House File 74, a bill for an act to require cities to give notice of annexation to the state department of transportation.

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

House File 81, a bill for an act relating to the payment of transportation expenses for moving household goods for employees of the highway division of the state department of transportation.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 43, a bill for an act permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks.

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

House File 73, a bill for an act relating to the duties of the counsel of the transportation regulation board.

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

House File 74, a bill for an act to require cities to give notice of annexation to the state department of transportation.

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

House File 81, a bill for an act relating to the payment of transportation expenses for moving household goods for employees of the highway division of the state department of transportation.

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

COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Kinley 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 committee be authorized to prepare suitable memorial resolutions.

The motion prevailed and the Chair announced the appointment of Senators Culver, Gluba and Shaw.

CONSIDERATION OF BILLS

Senate File 75

On motion of Senator Schwengels, Senate File 75, a bill for an

act relating to the date for notification of changes in valuation of property, was taken up for consideration.

Senator Schwengels moved that the bill 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. 75) the vote was:

Ayes, 47:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Winkelman
Glenn		Redmond	
Gluba			

Nays, none.

Absent or not voting, 3:

Hill of Jasper	Miller of Des Moines	Willits

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

Senate File 70

On motion of Senator Briles, Senate File 70, a bill for an act relating to lights of road machinery, was taken up for 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. 70) the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 1:
Willits

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

Senate File 14

On motion of Senator Tieden, Senate File 14, a bill for an act relating to the issuance of trapping licenses to aliens or nonresidents and making provisions of this act retroactive, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Tieden offered amendment S—3058 filed by him and moved its adoption:

S—3058
Amend Senate File 14 by striking lines 1 through 5 on page 1.

Amendment S—3058 was adopted.

Senator Tieden offered amendment S—3055 by the committee on natural resources and moved its adoption:

S—3055
Amend Senate File 14 by striking lines 8 through 16 on page 1 and inserting in lieu thereof the following new paragraph:
"*NEW SECTION.* NONRESIDENT TRAPPING LICENSE—RECIPROCITY.
No trapping licenses shall be issued to residents of states who do not sell similar licenses to residents of Iowa."

Amendment S—3055 was adopted.

Senator Tieden offered amendment S—3056 by the committee on natural resources and moved its adoption:

S—3056
Amend Senate File 14 by inserting the following new section after line 22 on page 1:
"Sec. 4. This Act, being deemed of immediate importance shall take effect and be in force from and after its publication in the Allamakee Journal, a newspaper published in Lansing, Iowa, and in The Bellevue Herald-Leader, a newspaper published in Bellevue, Iowa."

Amendment S—3056 was adopted.

Senator Tieden moved that the bill 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. 14) the vote was:

Ayes, 43:

Andersen	Heying	Murray	Schwengels
Bergman	Hill of Jasper	Nolting	Scott
Briles	Hultman	Norpel	Shaff
Burroughs	Junkins	Nystrom	Shaw
Carr	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba	Miller of Marshall	Robinson	Winkelman
Griffin		Rodgers	
Hansen			

Nays, 4:

Coleman	Hill of Polk	Nolin	Redmond

Voting present, 1:

Doderer

Absent or not voting, 2:

Gallagher	Priebe

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

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 89, by Senator Andersen, a bill for an act authorizing cities and counties to impose local taxes, appropriating the proceeds, providing property tax relief, making the 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 90, by Senator Palmer (Nielsen of Polk), a bill for an act to increase the tax levy in certain townships for fire protection.

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

Senate File 91, by Senator Palmer (Nielsen of Polk), a bill for an act to increase the tax levy for township fire protection.

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

Senate File 92, by Senator Robinson (Connors), a bill for an act to amend the occupational safety and health act including the penalty provided by law.

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

Senate File 93, by Senator Taylor, a bill for an act to permit severance of certain land from an established drainage or levee district if it is found that the land receives no material benefit from the district.

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

Senate File 94, by Senator Norpel, a bill for an act relating to special deer hunting licenses.

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

Senate File 95, by Senators Tieden, Hultman and Taylor (Nielsen of Polk and Welden), a bill for an act permitting certain discounts for early payment in consumer credit sales.

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

Senate File 96, by Senator Miller of Marshall (West and Brockett), a bill for an act to change the name of the Iowa soldiers home.

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

Senate File 97, by Senator Kelly (Oakley), a bill for an act relating to expert witness fees.

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

Senate File 98, by Senator Kelly, a bill for an act relating to a state of the judicial department message.

Read first time and **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 passed the following bill in which the concurrence of the House was asked:

Senate File 33, a bill for an act relating to sanitary disposal bonds.

DAVID L. WRAY, Chief Clerk

UNFINISHED BUSINESS

Senate File 44

The Senate resumed consideration of Senate File 44, a bill for an act relating to the registration of farm trailers, amendment S—3057 by the committee on ways and means, and amendment S—3060 to amendment S—3057, offered and pending on January 30, 1975.

Senator Hill of Jasper withdrew amendment S—3060 to amendment S—3057.

Senator Hill of Jasper offered amendment S—3065 to amendment S—3057:

S—3065

Amend the committee on ways and means amendment, S—3057 to Senate File 44 as follows:

1. Page 1, line 14, by striking the words "or less" and inserting in lieu thereof "[or less]".

2. Page 1, line 18, by striking the words "*trailers or semitrailers*" and inserting in lieu thereof the words "***gooseneck or fifth wheel trailers***".

Senator Shaff took the chair at 3:40 p.m.

Senator Hill of Jasper moved the adoption of amendment S—3065 to amendment S—3057 and requested a record roll call.

On the question "Shall amendment S—3065 to amendment S—3057 be adopted?" (S.F. 44) the vote was:

Ayes, 13:

Carr	Gluba	Miller of Des Moines	Robinson
DeKoster	Hill of Jasper	Redmond	Shaw
Dederer	Hill of Polk		Sovern
Glenn	Merritt		

Nays, 37:

Andersen	Heying	Nolting	Rodgers
Bergman	Hultman	Norpel	Schwengels
Briles	Junkins	Nystrom	Scott
Burroughs	Kelly	Orr	Shaff
Coleman	Kinley	Palmer	Taylor
Culver	Lamborn	Plymat	Tieden
Curtis	Miller of Marshall	Priebe	Van Gilst
Gallagher	Murray	Rabedeaux	Willits
Griffin	Nolin	Ramsey	Winkelman
Hansen			

Amendment S—3065 to amendment S—3057 lost.

Senator Gallagher withdrew amendment S—3062 to amendment S—3057 filed by him on January 30, 1975, and found on pages 217 and 218 of the Senate Journal.

Senator Gallagher offered amendment S—3066 to amendment S—3057 and moved its adoption:

S—3066

Amend the committee on ways and means amendment S—3057 to Senate File 44, by striking lines 9 through 24 and inserting in lieu thereof the following:

"5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractors and the trailer or semitrailer; [except that motor trucks registered for six tons or less pulling trailers, as defined in Section three hundred twenty-one point one (321.1), subsection nine (9), of the Code, registered as provided in this section shall not be subject to registration for the gross weight of such trailer.] *except that motor trucks registered for six tons or less not used for hire, pulling trailers or semitrailers used by a person engaged in farming to transport commodities produced by the owner or livestock owned by the owner, shall not be subject to registration for the gross weight of such trailer or semitrailer provided the combined gross weight does not exceed fourteen tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code.*"

A non-record roll call was requested.

The ayes were 18, nays 32.

Amendment S—3066 to amendment S—3057 lost.

Senator Junkins moved the adoption of amendment S—3057.

Amendment S—3057 was adopted.

Senator Priebe moved that the bill 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. 44) the vote was:

Ayes, 45:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hultman	Nolting	Schwengels
Carr	Junkins	Norpel	Scott
Coleman	Kelly	Nystrom	Shaff
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, 4:

Doderer	Hill of Jasper	Hill of Polk	Shaw

Voting present, 1:
Orr

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

CONSIDERATION OF BILLS

Senate File 40

On motion of Senator Shaw, Senate File 40, a bill for an act relating to fair trade practices, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw moved that the bill 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, 49:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Doderer	Lamborn	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Griffin			Winkelman

Nays, none.

Absent or not voting, 1:
Coleman

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 99, by Senator Murray (Crawford), a bill for an act creating a state information and liaison office in Washington, D.C., and making an appropriation.

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

Senate File 100, by committee on county government (committee on county government), a bill for an act relating to the advertisement, letting, and approval of secondary road contracts.

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

Senate File 101, by committee on county government (committee on county government), a bill for an act relating to temporary closing of highways.

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

Senate File 102, by Senator Ramsey, a bill for an act relating to the inspection of boilers.

Read first time and **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 passed the following bill in which the concurrence of the Senate is asked:

House File 16, a bill for an act authorizing counties to provide facilities and services for handicapped persons.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 16, a bill for an act authorizing counties to provide facilities and services for handicapped persons.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 81 Judiciary
S. F. 82 Natural resources
S. F. 83 Judiciary
S. F. 84 State government
S. F. 86 Judiciary
S. F. 87 Ways and means
S.C.R. 12 Rules and administration
H. F. 1 Natural resources
H. F. 18 Judiciary
H.C.R. 6 Agriculture
H.C.R. 7 Agriculture

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate from:

COMMISSION ON THE STATUS OF WOMEN

A copy of the third annual report specifying the accomplishments of the Commission in 1974.

THE CODE EDITOR

A copy of the corrective bill relating to "correcting erroneous, inconsistent and obsolete sections of the Code" pursuant to Section 14.6, Code 1975.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. John D. Thorson of Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Air Quality Commission of the Department of Environmental Quality for the State of Iowa pursuant to Chapter 455B, Section 4, 1973 Code of Iowa, for an unexpired term ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES W. GRIFFIN, SR., Chairman
ROBERT M. CARR
HILARIUS L. HEYING

EXPLANATION OF VOTE

When the vote was taken on Senate File 75, I was present in the chamber, but my vote was not recorded. I would have voted "aye" on the bill.

CHARLES P. MILLER

REPORTS OF COMMITTEES

Senator Miller of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on county government to which was referred **Senate File 49**, a bill for an act to allow the board of supervisors to call for a public referendum on county zoning, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHARLES P. MILLER, Chairman

Ordered passed on file.

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred **Senate File 42**, a bill for an act authorizing the withholding of money from assistance payments to aid to dependent children recipients, to be used to pay certain costs for the recipients, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3064

Amend Senate File 13 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point thirty-four (321.34), unnumbered paragraphs four (4), five (5) and six (6) are repealed."

KARL NOLIN

S—3063

Amend Senate File 65 as follows:

1. Page 1, lines 5 and 6, by striking the words "by a pipeline company as defined in" and inserting in lieu thereof the words "for the taking of agricultural land by a company for a pipeline under".

2. Page 1, line 6, by inserting after the word "Code" the words ", by a company for a telephone line under chapter four hundred eighty-eight (488) of the Code, or by a company for an electric transmission line under chapter four hundred eighty-nine (489) of the Code".

JAMES REDMOND

On motion of Senator Kinley, the Senate adjourned at 5:00 p.m., until 9:30 a.m., Tuesday, February 4, 1975.

JOURNAL OF THE SENATE

TWENTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, FEBRUARY 4, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Richard D. Hogan, pastor of the First Christian Church, Council Bluffs, Iowa.

The Journal of Monday, February 3, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William Seidler, Jamaica, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery.

Fifty students from Clegg Park Elementary School, West Des Moines, Iowa, accompanied by Mrs. Blakely and Mrs. Scott. Senator Hill of Polk.

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 9 relating to a joint convention of the two houses on February 12, 1975, at 1:00 p.m.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 9
By Fitzgerald

Be It Resolved by the House, the Senate Concurring, That a joint convention of the two houses of the Sixty-sixth General Assembly be held in the House chamber on Wednesday, February 12, 1975, at 1:00 p.m.

Be It Further Resolved, That the Honorable William B. Griffee,

a student on the life and works of Abraham Lincoln, be invited to deliver an address in observance of Lincoln's birthday.

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

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu 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 House was asked:

Senate File 75, a bill for an act relating to the date for notification of changes in valuation of property.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 103, by Senator Hill of Jasper, a bill for an act repealing certain provisions relating to the power of the board of regents to issue revenue bonds, providing for the payment of current obligations, and making an appropriation.

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

Senate File 104, by Senators Gluba, Rodgers, Carr, Junkins, Miller of Des Moines, Van Gilst, Andersen, Palmer, Kinley, Gallagher, Sovern, Murray, Willits, Norpel, Robinson, Coleman, Tieden, Rabedeaux, Nystrom, Griffin and Redmond (Junker, Connors, Caffrey, Cusack, Wells, Krause, Readinger, Woods and Egenes), a bill for an act relating to taxation of United States civil service retirement and disability annuities.

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

Senate File 105, by Senators Carr and Norpel, a bill for an act to appropriate from the general fund of the state to the sewage works construction fund for additional twenty-five percent grants.

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

Senate File 106, by Senators Scott, Plymat, Redmond, Sovern, Andersen, Bergman, Hill of Jasper, Miller of Des Moines, Culver, Orr, Van Gilst, Doderer, Rodgers, Heying, Shaw, DeKoster, Miller of Marshall, Murray, Carr, Willits, Kinley, Curtis, Gallagher

and Taylor, a bill for an act prohibiting smoking in certain public areas, and providing a penalty.

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

Senate File 107, by Senator Briles, a bill for an act relating to powers of a board of directors of an insurance company other than life.

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

Senate File 108, by Senators Bergman and Scott, a bill for an act providing that annexation of territory to a municipal corporation which is a part of a sanitary district shall constitute annexation of the same territory to the sanitary district.

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

Senate File 109, by committee on ways and means, a bill for an act to eliminate reporting of nonessential items on abstracts of assessment.

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

Senate File 110, by Senator Miller of Des Moines, a bill for an act relating to the definition of reasonable expenses or deductions which may be allowed by the director of revenue in determining net receipts from the operation of games of skill, games of chance, raffles and bingo games.

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

Senate File 111, by Senator Taylor, a bill for an act prohibiting the importation, distribution, and sale of flammable interior furnishings and providing penalties.

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

Senate File 112, by Senators Murray, Doderer and Hill of Polk, a bill for an act making an appropriation to the department of social services for financial assistance to child care centers.

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

Senate File 113, by Senators Kelly, Hill of Polk and Redmond, a bill for an act to authorize consolidation of counties.

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

Senate File 114, by committee on appropriations, a bill for an act relating to payment by the executive council of court related costs and expenses.

Read first time and placed on calendar.

Senate File 115, by committee on appropriations, a bill for an act to provide for payment of the lieutenant governor's salary and expenses from funds specifically appropriated to the office of the lieutenant governor.

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

Senate File 116, by committee on appropriations, a bill for an act relating to the compensation paid to members of the board of law examiners and temporary examiners appointed by the supreme court.

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

CONSIDERATION OF BILLS

Senate File 13

On motion of Senator Gallagher, Senate File 13, a bill for an act relating to the issuance of special registration plates to owners of vehicles holding amateur radio licenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolin offered amendment S—3064 filed by him and moved its adoption:

S—3064

Amend Senate File 13 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point thirty-four (321.34), unnumbered paragraphs four (4), five (5) and six (6) are repealed."

Amendment S—3064 lost.

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?" (S.F. 13) the vote was:

Ayes, 42:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolting	Schwengels
Burroughs	Heying	Norpel	Scott
Carr	Hill of Jasper	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba		Redmond	

Nays, 6:

Doderer	Lamborn	Robinson	Willits
Hill of Polk	Nolin		

Absent or not voting, 2:

Briles	Miller of Marshall

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

SENATE CONCURRENT RESOLUTION 13

By Hultman

Whereas, Iowa farmers and ranchers have incurred great financial losses because of the recent disastrous snow storm; and

Whereas, American Beefpackers, Incorporated, is not able to meet financial obligations to many farmers and ranchers and such farmers and ranchers are suffering economic losses and may be forced out of business; and

Whereas, the disastrous snow storm coupled with the inability of American Beefpackers, Incorporated, to meet its financial obligations is jeopardizing the economy of the state of Iowa; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Congress and the President of the United States are urged to establish a program for the purpose of making loans to qualified farmers and ranchers who have not been able to collect moneys due to them by American Beefpackers, Incorporated, which program would provide for low interest loans to farmers and ranchers payable in no more than eight years or at such time as American Beefpackers, Incorporated, is able to meet its financial obligations; and

Be It Further Resolved, That copies of this resolution be forwarded to members of the Iowa Congressional delegation and the President of the United States.

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

SENATE CONCURRENT RESOLUTION 14

By Miller of Des Moines

Whereas, the Greater Miami Jaycees and Third Century, U.S.A. (Miami's Official Bicentennial Coordinating Organization) have proposed the establishment by federal law of a national network of youth advisory boards; and

Whereas, the purposes of the boards are to take an active part in governmental affairs at the local, state and national levels, to stimulate interest and participation by young people in civic affairs, to work with existing youth activities and programs to insure well-rounded programs and prevent duplication of effort, to participate in programs to develop leadership and good citizenship among young people and to develop new programs in places that presently have none; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That this comprehensive national network well merits encouragement and establishment by federal law and that the United States Congress should speedily enact legislation to implement the proposal; and

Be It Further Resolved, That the secretary of state transmit copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the chairmen of the committees on Commerce and Labor and Public Welfare of the United States Senate, the chairmen of the committees on Education and Labor and Commerce and Health of the United States House of Representatives and the members of the Iowa Congressional delegation.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 88 Commerce

S. F. 89 Cities

S. F. 90 Ways and means

S. F. 91 Ways and means

S. F. 92 Labor and industrial relations

S. F. 93 Natural resources

S. F. 94 Natural resources

S. F. 95 Commerce

S. F. 96 State government

S. F. 97 Judiciary

S. F. 98 Judiciary

S. F. 99 State government

S. F. 102 Labor and industrial relations

H. F. 16 Human resources

H. F. 43 State government

H. F. 73 Transportation

H. F. 74 Transportation

H. F. 81 Transportation

REPORT OF COMMITTEE

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **Senate File 37**, a bill for an act relating to elections for school bond issues, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOAN ORR, Chairman

Senate File 37 referred to committee on **ways and means** under Senate Rule 38.

AMENDMENTS FILED

S—3068

Amend Senate File 81 as follows:

1. Page 6, line 6, by striking the word "rule" and inserting in lieu thereof the word "section".

2. Page 7, lines 19 and 20, by striking the words "the senate" and inserting in lieu thereof the words "either house of the general assembly".

3. Page 7, line 20, by striking the words "the senate" and inserting in lieu thereof the words "that house".

ROGER J. SHAFF

S—3067

Amend Senate File 105 by striking lines 15 through 19 on page 1 and inserting in lieu thereof the following: "Sec. 3. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Bellevue Herald-Leader, a newspaper published in Bellevue, Iowa, and in the Telegraph Herald, a newspaper published in Dubuque, Iowa."

ROBERT M. CARR

On motion of Senator Kinley, the Senate adjourned at **4:30** p.m., until 9:30 a.m., Wednesday, February 5, 1975.

JOURNAL OF THE SENATE

TWENTY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 5, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Mr. Kenneth Grosch, Assistant to the President of the Iowa Synod, Lutheran Church of America, Des Moines, Iowa.

The Journal of Tuesday, February 4, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Loren Parker, Des Moines, Iowa.

ADOPTION OF RESOLUTION

House Concurrent Resolution 9

Senator Kinley asked and received unanimous consent to take up House Concurrent Resolution 9, found on pages 231 and 232 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Senate File 77

On motion of Senator Robinson, Senate File 77, a bill for an act relating to county contracts requiring bids, was taken up for consideration.

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?" (S.F. 77) the vote was:

Ayes, 43:

Andersen	Coleman	Gluba	Junkins
Bergman	Culver	Griffin	Kelly
Briles	Curtis	Hansen	Kinley
Burroughs	DeKoster	Heying	Lamborn
Carr	Doderer	Hultman	Merritt

Miller of Des Moines	Orr	Robinson	Sovern
Miller of Marshall	Palmer	Rodgers	Taylor
Murray	Plymat	Schwengels	Tieden
Nolin	Rabedeaux	Scott	Van Gilst
Nystrom	Ramsey	Shaff	Willits
	Redmond	Shaw	Winkelman

Nays, 3:

Glenn	Hill of Jasper	Hill of Polk

Absent or not voting, 4:

Gallagher	Nolting	Norpel	Priebe

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

Senate File 78

On motion of Senator Merritt, Senate File 78, a bill for an act relating to claims for the reimbursement for property taxes paid by persons sixty-five years of age and older or totally disabled, was taken up for consideration.

(Senate File 78 pending on recess.)

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President 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 passed the following bill in which the concurrence of the Senate is asked:

House File 90, a bill for an act relating to emergency vehicles.

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

House File 99, a bill for an act relating to temporary closing of highways.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 117, by Senator DeKoster, a bill for an act relating to the tax on gross premiums of insurance companies.

Read first time and passed on file.

Senate File 118, by Senators Hultman, Tieden, Junkins, Heying, Ramsey, Rabedeaux, Lamborn, Coleman, Curtis, Schwengels, Shaff and Hansen, a bill for an act relating to the payment of legislative expenses.

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

Senate File 119, by Senators Gallagher, Norpel, Orr, Robinson, Willits, Carr, Tieden, Gluba and Nolin, a bill for an act relating to hearing procedures by the insurance commissioner.

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

Senate File 120, by Senator Gallagher, a bill for an act relating to property exempt from executions.

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

Senate File 121, by Senator Shaw, a bill for an act relating to compensation of the clerk of the grand jury.

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

Senate File 122, by Senator Andersen, a bill for an act prohibiting gambling in the form of games of skill, games of chance, bingo games and raffles, and games lawful under section seven hundred twenty-six point twelve (726.12) of the Code at premises covered by any liquor control license or retail beer permit other than a class "A" or class "D" liquor control license, and providing penalties.

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

Senate File 123, by committee on commerce, a bill for an act relating to the inclusion of nursing and pharmacy within the definition of profession for purposes of the Iowa professional corporation act.

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

HOUSE MESSAGES CONSIDERED

House File 90, a bill for an act relating to emergency vehicles.

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

House File 99, a bill for an act relating to temporary closing of highways.

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

CONSIDERATION OF BILLS

Senate File 78

The Senate resumed consideration of Senate File 78.

Senator Hill of Polk offered amendment S—3069 by Senators Hill of Polk and Miller of Des Moines and moved its adoption:

S—3069
Amend Senate File 78, page 1, line 20, by inserting after the word "[agent.]" the words *"However, the claimant for reimbursement for property taxes paid may designate on the claim at the time it is filed that the check for reimbursement for property taxes paid be made payable to the claimant and the county treasurer of the county in which the homestead is located."*

A non-record roll call was requested.

The ayes were 29, nays 19.

Amendment S—3069 was adopted.

Senator Merritt moved that the bill 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, 34:

Andersen	Heying	Miller of Marshall	Rabedeaux
Briles	Hill of Polk	Murray	Redmond
Carr	Hultman	Nolin	Robinson
Coleman	Junkins	Nolting	Rodgers
Culver	Kelly	Norpel	Schwengels
Doderer	Kinley	Nystrom	Shaw
Glenn	Merritt	Orr	Sovern
Gluba	Miller of Des Moines	Palmer	Willits
Griffin			
Hansen			

Nays, 15:

Bergman	Gallagher	Priebe	Tieden
Burroughs	Hill of Jasper	Scott	Van Gilst
Curtis	Lamborn	Shaff	Winkelman
DeKoster	Plymat	Taylor	

Absent or not voting, 1:
Ramsey

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

Senate File 42

On motion of Senator Andersen, Senate File 42, a bill for an act

authorizing the withholding of money from assistance payments to aid to dependent children recipients, to be used to pay certain costs for the recipients, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

DEFERRED

Senator Kelly raised the point of order that a fiscal note was required on the bill under Senate Rule 32.

The Chair ruled the point well taken and further action on **Senate File 42** was **deferred** for the purpose of securing a fiscal note.

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **Senate File 85** be made a **special order** of business for **Monday,** February 17, 1975, at 1:30 p.m.

INTRODUCTION OF BILL

Senate File 124, by committee on county government (committee on county government), a bill for an act relating to the transfer of county funds.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 103 Appropriations

S. F. 104 Ways and means

S. F. 105 Appropriations

S. F. 106 Human resources

S. F. 107 Commerce

S. F. 108 Cities

S. F. 110 Ways and means

S. F. 111 Commerce

S. F. 112 Appropriations

S. F. 113 County government

S.C.R. 13 Agriculture

S.C.R. 14 State government

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Neu, in accordance with section 28B.1, Code 1975, announced the appointment of the following Senators to the Interstate Cooperation Commission to fill the unexpired portions of terms beginning May 1, 1973, and ending April 30, 1975: James W. Griffin, Sr., Lowell L. Junkins, John S. Murray, William D. Palmer and W. R. Rabedeaux.

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

GOVERNOR'S SPANISH SPEAKING TASK FORCE

A copy of the proposed study and preliminary findings of the Spanish speaking people of Iowa.

REPORT OF COMMITTEE

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 39**, a bill for an act relating to the organization, powers and duties of credit unions, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL L. JUNKINS, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3070

Amend Senate File 49, page 1, line 6, by inserting after the word "election." the following sentence:

"At such countywide election, the public measure shall only be on the ballot for those precincts lying outside of the corporate limits of any city."

JAMES M. REDMOND

On motion of Senator Kinley, the Senate adjourned at 4:30 p.m., until 9:00 a.m., Thursday, February 6, 1975.

JOURNAL OF THE SENATE

TWENTY-FIFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, FEBRUARY 6, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Monsignor Clarence Farrelly, pastor of the St. Thomas Church, Emmetsburg, Iowa.

The Journal of Wednesday, February 5, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hennessey, Manilla, Iowa.

INTRODUCTION OF BILLS

Senate File 125, by Senator Carr, a bill for an act relating to leaves of absence for persons who are candidates for election to the Iowa general assembly and providing penalties.

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

Senate File 126, by Senators Gluba, Redmond, Willits, Carr, Rodgers, Coleman, Palmer, Doderer, Nolting and Priebe (Higgins, Patchett, Brunow, Howell and Jochum), a bill for an act relating to the citizens' aide.

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

CONSIDERATION OF BILLS

Senate File 114

On motion of Senator Willits, Senate File 114, a bill for an act relating to payment by the executive council of court related costs and expenses, was taken up for consideration.

Senator Willits moved that the bill 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. 114) the vote was:

Ayes, 47:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Rabedeaux	Tieden
Doderer	Merritt	Ramsey	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			Winkelman
Griffin			

Nays, none.

Absent or not voting, 3:

Gluba	Palmer	Priebe

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

Senate File 115

On motion of Senator Willits, Senate File 115, a bill for an act to provide for payment of the lieutenant governor's salary and expenses from funds specifically appropriated to the office of the lieutenant governor, was taken up for consideration.

Senator Willits moved that the bill 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. 115) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Palmer	Shaw

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

Senate File 116

On motion of Senator Willits, Senate File 116, a bill for an act relating to the compensation paid to members of the board of law examiners and temporary examiners appointed by the supreme court, was taken up for consideration.

Senator Willits moved that the bill 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, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, 1:

Hultman

Absent or not voting, 1:

Taylor

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 Lamborn, Senate File 109, a bill for an act to eliminate reporting of nonessential items on abstracts of assessment, was taken up for consideration.

Senator Shaff offered amendment S—3071 by Senators Shaff, Schwengels and Griffin and moved its adoption:

S—3071

Amend Senate File 109 by inserting after the word "revenue" on page 1, line 8 the following:

", *including facts pertaining to the actual value of electric municipal generating and distribution facilities or municipal electric facilities*".

Senator Rabedeaux raised the point of order that amendment S—3071 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3071 out of order.

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 bill pass?" (S.F. 109) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, 1:

Orr

Absent or not voting, 1:

Coleman

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

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President 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 passed the following bill in which the concurrence of the House was asked:

Senate File 109, a bill for an act to eliminate reporting of non-essential items on abstracts of assessment.

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

House File 50, a bill for an act relating to the definition of snow tires.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 127, by Senators Winkelman, Bergman and Van Gilst, a bill for an act to provide for a state land use policy, and to create a department of soil conservation and land use, a state

land use policy commission, county land use policy commissions, and to specify the powers and duties of such agencies.

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

Senate File 128, by Senators Redmond and Gluba, a bill for an act relating to membership on the state transportation commission.

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

Senate File 129, by Senators Doderer and Redmond, a bill for an act relating to the membership of the legislative ethics committees.

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

Senate File 130, by committee on county government, a bill for an act relating to contracts let by county officers.

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

Senate File 131, by Senator Glenn, a bill for an act relating to gifts to officials, employees, members of the general assembly and legislative employees.

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

Senate File 132, by Senators Ramsey, Winkelman, Priebe, Tieden, Heying, Briles, Miller of Marshall, Merritt, Shaw, Hultman, Rodgers, Orr, Scott, Curtis, Bergman, Plymat, Rabedeaux and Junkins, a bill for an act to prohibit hunting within one hundred yards of buildings.

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

Senate File 133, by committee on appropriations, a bill for an act appropriating funds to the service compensation fund and providing a publication clause.

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

Senate File 134, by committee on appropriations, a bill for an act to repeal authorization for the standing appropriation of funds to the auditor of state to audit the department of transportation.

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

Senate File 135, by Senator Gluba, a bill for an act relating to public auction of abandoned vehicles.

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

HOUSE MESSAGE CONSIDERED

House File 50, a bill for an act relating to the definition of snow tires.

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

RETURNED TO COMMITTEE

Senator Miller of Des Moines asked and received unanimous consent that **Senate File 124** be returned to the committee on **county government.**

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Griffin called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. John D. Thorson of Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Air Quality Commission of the Department of Environmental Quality for the State of Iowa pursuant to Chapter 455B, Section 4, 1973 Code of Iowa, for an unexpired term ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES W. GRIFFIN, SR., Chairman
ROBERT M. CARR
HILARIUS L. HEYING

The motion prevailed and the report was adopted.

Senator Willits moved that further action on the confirmation of John D. Thorson be deferred.

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

The Senate resumed session, President Neu presiding.

Senator Willits withdrew his motion to defer action on the confirmation.

Senator Griffin moved the appointment of John D. Thorson as a member of the Air Quality Commission of the Department of Environmental Quality be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	**Carr**	**Curtis**	**Gallagher**
Bergman	**Coleman**	**DeKoster**	**Glenn**
Burroughs	**Culver**	**Doderer**	**Gluba**

Griffin	Merritt	Orr	Scott
Hansen	Miller of Des Moines	Palmer	Shaff
Heying	Miller of Marshall	Plymat	Shaw
Hill of Jasper	Murray	Priebe	Sovern
Hill of Polk	Nolin	Rabedeaux	Taylor
Hultman	Nolting	Ramsey	Tieden
Junkins	Norpel	Redmond	Van Gilst
Kelly	Nystrom	Rodgers	Willits
Kinley		Schwengels	Winkelman
Lamborn			

Nays, none.

Absent or not voting, 2:

Briles	Robinson

President Neu declared the appointment of John D. Thorson as a member of the Air Quality Commission of the Department of Environmental Quality confirmed for the unexpired portion of the term ending June 30, 1976.

REFERRED TO COMMITTEE

Senator Kinley asked and received unanimous consent that **Senate File 42** be referred to the committee on **appropriations** under Senate Rule 38.

Senate File 49

On motion of Senator Norpel, Senate File 49, a bill for an act to allow the board of supervisors to call for a public referendum on county zoning, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond withdrew amendment S—3070 filed by him on February 5, 1975, and found on page 243 of the Senate Journal.

Senator Redmond offered amendment S—3072:

S—3072

Amend Senate File 49, page 1, line 6, by inserting after "election." the following: "At such countywide election, the public measure shall only be on the ballot for those registered electors whose residence lies outside of the corporate limits of any city. For those precincts established pursuant to section forty-nine point six (49.6) of the Code, the election register prepared pursuant to section forty-eight point eight (48.8) of the Code shall indicate those electors who may vote on the public measure provided for in this section."

Senator Doderer offered amendment S—3074 to amendment S—3072:

S—3074

Amend the Redmond amendment S—3072, to Senate File

49 by inserting after the word "city" on line 5, the following sentence: "Any levy, pursuant to section four hundred forty-four point nine (444.9), paragraph three (3), for the cost of the election provided for in this section shall only be assessed against property in precincts in which the public issue appears on the ballot."

Senator Norpel raised the point of order that amendment S—3074 to amendment S—3072 was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Hultman raised the point of order that a fiscal note was required on the bill under Senate Rule 32.

The Chair ruled the point not well taken.

Senator Hill of Polk moved that Senate File 49 be referred to the committee on state government and requested a non-record roll call.

The ayes were 10, nays 37.

The motion lost.

Senator Doderer moved the adoption of amendment S—3074 to amendment S—3072 and requested a non-record roll call.

The ayes were 16, nays 32.

Amendment S—3074 to amendment S—3072 lost.

Senator Redmond moved the adoption of amendment S—3072.

A record roll call was requested.

On the question "Shall amendment S—3072 be adopted?" (S.F. 49) the vote was:

Ayes, 26:

Bergman	Griffin	Miller of Marshall	Robinson
Burroughs	Hill of Jasper	Murray	Scott
Coleman	Hill of Polk	Nolin	Shaff
DeKoster	Hultman	Orr	Shaw
Doderer	Kelly	Priebe	Taylor
Glenn	Lamborn	Redmond	Tieden
Gluba			Winkelman

Nays, 22:

Andersen	Junkins	Norpel	Rodgers
Carr	Kinley	Nystrom	Schwengels
Culver	Merritt	Palmer	Sovern
Curtis	Miller of Des Moines	Plymat	Van Gilst
Hansen	Nolting	Rabedeaux	Willits
Heying		Ramsey	

Absent or not voting, 2:

Briles	**Gallagher**

Amendment S—3072 was adopted.

Senator Norpel moved that the bill 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. 49) the vote was:

Ayes, 22:

Burroughs	**Hultman**	**Miller of Marshall**	**Rodgers**
Coleman	**Junkins**	**Nolin**	**Schwengels**
Culver	**Kinley**	**Norpel**	**Scott**
Glenn	**Lamborn**	**Nystrom**	**Tieden**
Hansen	**Miller of Des Moines**	**Priebe**	**Van Gilst**
Heying			**Winkelman**

Nays, 26:

Andersen	**Griffin**	**Orr**	**Robinson**
Bergman	**Hill of Jasper**	**Palmer**	**Shaff**
Carr	**Hill of Polk**	**Plymat**	**Shaw**
Curtis	**Kelly**	**Rabedeaux**	**Sovern**
DeKoster	**Merritt**	**Ramsey**	**Taylor**
Doderer	**Murray**	**Redmond**	**Willits**
Gluba	**Nolting**		

Absent or not voting, 2:

Briles	**Gallagher**

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

INTRODUCTION OF BILL

Senate File 136, by committee on judiciary, a bill for an act relating to the number of judgeships in judicial election districts.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 117 Ways and means

S. F. 118 State government

S. F. 119 Commerce

S. F. 120 Judiciary

S. F. 121 Judiciary

S. F. 122 Judiciary

H. F. 90 Transportation

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Michael V. Dunn of Keokuk, Lee County, Iowa, for reappointment as a member of the City Development Board under the provisions of Chapter 1088, Section 33, Acts of the Sixty-fourth General Assembly, Second Session, for the regular six-year term beginning July 1, 1974, and ending June 30, 1980, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
WILLARD R. HANSEN
CALVIN O. HULTMAN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Larry E. Crane of Des Moines, Polk County, Iowa, for appointment as Executive Director of the Department of Environmental Quality under the provisions of Section 455B.2, Code 1973, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
HILARIUS L. HEYING
KARL NOLIN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Donald K. Gardner, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa State Highway Commission pursuant to Section 307.2, Code 1973, for an unexpired term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman
LEONARD C. ANDERSEN
WARREN E. CURTIS
JAMES M. REDMOND
CLOYD E. ROBINSON

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Vernon C. Cook of Clinton, Clinton County, Iowa, for appointment as a member of the Public Employment Relations Board under the provisions of Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term beginning July 1, 1974, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ROGER J. SHAFF, Chairman
MINNETTE DODERER
WILLIAM D. PALMER

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert D. Benton of Des Moines, Polk County, Iowa, for reappointment as Superintendent of Public Instruction under the provisions of Section 257.11, Code 1975, for the regular four-year term beginning January 1, 1975, and ending December 31, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
JOAN ORR
CLOYD E. ROBINSON

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 114 passed the Senate on February 6, 1975.

JAMES W. GRIFFIN, SR.

SUBCOMMITTEE ASSIGNMENTS

Senate File 54
State Government
Nolin, Chairman
Coleman
Andersen

Senate File 56
County Government
Gallagher, Chairman
Hill of Polk
Ramsey

Senate File 57
Appropriations
Coleman, Chairman
Bergman
Nolin

Senate File 59
State Government
Kinley, Chairman
Glenn
Curtis

Senate File 61
Agriculture
Merritt, Chairman
Burroughs
Van Gilst

Senate File 62
Ways and Means
Junkins, Chairman
Nolting
Taylor

Senate File 64
Agriculture
Tieden, Chairman
Shaff
Scott

Senate File 67
State Government
Hill of Jasper, Chairman
Miller of Marshall
Nystrom

Senate File 71
Ways and Means
Gluba, Chairman
Hill of Jasper
Burroughs

Senate File 72
Labor and Industrial Relations
Redmond, Chairman
Nolting
Andersen

Senate File 73
Natural Resources
Culver, Chairman
Norpel
Winkelman

Senate File 74
Education
Norpel, Chairman
Shaw
Carr

Senate File 76
Judiciary
Miller of Des Moines Chairman
Redmond
Kelly

Senate File 79
Ways and Means
Culver, Chairman
Junkins
Lamborn

Senate File 80
Judiciary
DeKoster, Chairman
Coleman
Shaw

Senate File 81
Judiciary
Rodgers, Chairman
Ramsey
Redmond

Senate File 82
Natural Resources
Norpel, Chairman
Culver
Winkelman

Senate File 83
Judiciary
Doderer, Chairman
Willits
DeKoster

Senate File 84
State Government
Kinley, Chairman
Coleman
Andersen

Senate File 86
Judiciary
Willits, Chairman
Doderer
Kelly

Senate File 88
Commerce
Gallagher, Chairman
Briles
Glenn

Senate File 89
Cities
Willits, Chairman
Griffin
Nolting

Senate File 92
Labor and Industrial Relations
Rabedeaux, Chairman
Nolting
Merritt

Senate File 93
Natural Resources
Priebe, Chairman
Miller of Marshall
Norpel

Senate File 94
Natural Resources
Priebe, Chairman
Miller of Marshall
Norpel

Senate File 95
Commerce
Curtis, Chairman
Priebe
Rodgers

Senate File 97
Judiciary
Doderer, Chairman
Shaw
Kelly

Senate File 98
Judiciary
Shaw, Chairman
Willits
Hill of Polk

Senate File 108
Cities
Schwengels, Chairman
Nolting
Nystrom

Senate Concurrent Resolution 11
Appropriations
Coleman, Chairman
Norpel
Winkelman

Senate Concurrent Resolution 12
Rules and Administration
Junkins, Chairman
Rabedeaux
Van Gilst

Senate Concurrent Resolution 13
Agriculture
Scott, Chairman
Heying
Shaff

House File 1
Natural Resources
Sovern, Chairman
Hultman
Bergman

House File 16
Human Resources
Gluba, Chairman
Scott
Murray

House File 18
Judiciary
Doderer, Chairman
Shaw
Kelly

House File 73
Transportation
Murray, Chairman
Shaff
Gallagher

House File 74
Transportation
Rabedeaux, Chairman
Nolin
Norpel

House File 81
Transportation
Gallagher, Chairman
Orr
Shaff

House Concurrent Resolution 6
Agriculture
Scott, Chairman
Heying
Shaff

House Concurrent Resolution 7
Agriculture
Scott, Chairman
Heying
Shaff

AMENDMENT FILED

S—3073

Amend Senate File 100 as follows:

1. Page 1, by inserting after line 8 the following section:

"Sec. 2. Section three hundred nine point forty-one (309.41), Code 1975, is amended to read as follows:

309.41 OPTIONAL ADVERTISEMENT AND LETTING.

Contracts not embraced within the provisions of section 309.40 [may] *shall* be *either* advertised and let at a public letting, or [may be] let privately *by submitting the work for bids from at least three contracts and let* at a cost not to exceed the engineer's estimate, or may be built by day labor."

2. Renumber sections in conformance with this amendment.

CLIFTON C. LAMBORN

NOTE: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:22 p.m., until 10:00 a.m., Monday, February 10, 1975.

JOURNAL OF THE SENATE

TWENTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, FEBRUARY 10, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Vern Elder, pastor of the United Methodist Churches of West Grove and Drakesville, Iowa.

The Journal of Thursday, February 6, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. E. Douglas, Belle Plaine, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Doderer for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty students from Hanawalt Elementary School, Des Moines, Iowa, accompanied by Mrs. Renaud and Mrs. Winterberg. Senator Hill of Polk.

Thirty-three students from Trinity Lutheran School, Davenport, Iowa, accompanied by Mrs. Arnold Marloff. Senator Shaw.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kinley from one hundred ninety-three residents of Iowa favoring pari-mutuel betting.

By Senator Tieden from twenty residents of Delaware County opposing legalized abortion.

INTRODUCTION OF BILL

Senate File 137, by Senator Lamborn, a bill for an act relating to payment of expenses to members of the general assembly.

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File 77, a bill for an act relating to county contracts requiring bids.

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

House File 6, a bill for an act relating to political affiliations of highway safety patrol personnel.

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

House File 67, a bill for an act to remove a certain species from the list of noxious weeds.

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

House File 91, a bill for an act relating to fees for posting business signs on specific information panels and advertising permits.

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

House File 105, a bill for an act relating to registration and registration fees for airmen, aeronautics instructors, and aircraft used for the application of herbicides and pesticides.

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

House File 106, a bill for an act relating to assignment of Iowa highway safety patrol personnel by the director of transportation.

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 to modify certain accounting procedures of the office of auditor of state.

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

House Concurrent Resolution 10 urging Congress to establish a program for the purpose of making loans to qualified farmers who have not been able to collect moneys due them by American Beefpackers, Inc.

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

House Concurrent Resolution 11 commending Iowa State University of Science and Technology for its initiative in taking up the challenge of world food problems.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 77

S—3075

Amend Senate File 77 as follows:

Page 1, by striking lines 3, 4 and 5 and inserting in lieu thereof the following:

"332.7 CONTRACTS AND BIDS REQUIRED. [No building shall be erected or repaired when the probable cost thereof will exceed two thousand dollars except under an express] *Construction of or repair of any building in an amount exceeding five thousand dollars shall be only under*".

HOUSE MESSAGES CONSIDERED

House File 6, a bill for an act relating to political affiliations of highway safety patrol personnel.

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

House File 67, a bill for an act to remove certain species from the list of noxious weeds.

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

House File 91, a bill for an act relating to fees for posting business signs of specific information panels and advertising permits.

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

House File 105, a bill for an act relating to registration and registration fees for airmen, aeronautics instructors, and aircraft use for the application of herbicides and pesticides.

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

House File 106, a bill for an act relating to assignment of Iowa highway safety patrol personnel by the director of transportation.

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

House File 114, a bill for an act to modify certain accounting procedures of the office of auditor of state.

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

HOUSE CONCURRENT RESOLUTION 10
By Schroeder

Whereas, Iowa farmers and ranchers have incurred great financial losses because of the recent disastrous snow storm; and

Whereas, American Beefpackers, Incorporated is not able to meet financial obligations to many farmers and ranchers and such farmers and ranchers are suffering economic losses and may be forced out of business; and

Whereas, the disastrous snow storm coupled with the inability of American Beefpackers, Incorporated to meet its financial obligations is jeopardizing the economy of the state of Iowa; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the Congress and the President of the United States are urged to establish a program for the purpose of making loans to qualified farmers and ranchers who have not been able to collect moneys due to them by American Beefpackers, Incorporated, which program would provide for low interest loans to farmers and ranchers payable in no more than eight years or at such time as American Beefpackers, Incorporated is able to meet its financial obligations; and

Be It Further Resolved, That copies of this resolution be forwarded to members of the Iowa Congressional delegation and the President of the United States.

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

HOUSE CONCURRENT RESOLUTION 11
By Committee on Agriculture

Whereas, the production and distribution of food necessary to provide adequate nutrition for an expanding population is one of the gravest problems facing the world, and

Whereas, the Iowa State University of Science and Technology for more than a century has asserted leadership through significant contributions to increased agricultural production and improved food quality and has made its new information and expertise available throughout the world, and

Whereas, the State of Iowa and its highly productive agricultural economy will continue to be vital to the world's food supply, and

Whereas, the Iowa State University of Science and Technology will bring together scientists and scholars from many nations for the World Food Conference of 1976 to share their knowledge and bring new vigor to the search for better methods of food production, distribution and preparation capable of meeting world food demands and nutritional needs, and

Whereas, the American Revolution Bicentennial Administration and the Iowa American Revolution Bicentennial Commission have endorsed the World Food Conference of

1976 as a Bicentennial project of national and international significance, *Therefore,*

Page 2

Be It Resolved, that the Sixty-sixth General Assembly of the State of Iowa commends the Iowa State University of Science and Technology for its initiative in taking up the challenge of world food problems and endorses the World Food Conference of 1976, to be held from June 27 through July 1, 1976, at the Iowa State Center in Ames.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 6, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Gordon E. Mau, New Hampton, Chickasaw County, Iowa, for reappointment as a member of the Chemical Technology Commission of the Department of Environmental Quality pursuant to Section 455B.4, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1974 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Robert C. Yapp, Des Moines, Polk County, Iowa, for reappointment as a member of the Chemical Technology Commission of the Department of Environmental Quality for the State of Iowa pursuant to Section 455B.4, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1974 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of G. Thomas Reilly, Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Social Services Council for the State

of Iowa pursuant to Section 217.2, 1975 Code of Iowa, for an unexpired term ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Gallagher called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Donald K. Gardner, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa State Highway Commission pursuant to Section 307.2, Code 1973, for an unexpired term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman
LEONARD C. ANDERSEN
WARREN E. CURTIS
JAMES M. REDMOND
CLOYD E. ROBINSON

The motion prevailed and the report was adopted.

Senator Gallagher moved the appointment of Donald K. Gardner as a member of the State Highway Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Polk	Nolin	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Ramsey	Van Gilst
Glenn	Miller of Marshall	Redmond	Willits
Gluba		Robinson	Winkelman
Griffin			

Nays, none.

Absent or not voting, 6:

Coleman	Hansen	Nolting	Rabedeaux
Doderer	Hill of Jasper		

President Neu declared the appointment of Donald K. Gardner

as a member of the State Highway Commission confirmed for the unexpired portion of the term ending June 30, 1975.

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 33.

CONSIDERATION OF BILLS

Senate File 100

On motion of Senator Briles, Senate File 100, a bill for an act relating to the advertisement, letting, and approval of secondary road contracts, was taken up for consideration.

Senator Lamborn withdrew amendment S—3073 filed by him on February 6, 1975, and found on page 255 of the Senate Journal.

Senator Lamborn offered amendment S—3076:

S—3076

Amend Senate File 100 as follows:

1. Page 1, by inserting after line 8 the following section:

"Sec. 2. Section three hundred nine point forty-one (309.41), Code 1975, is amended to read as follows:

309.41 OPTIONAL ADVERTISEMENT AND LETTING. Contracts not embraced within the provisions of section 309.40 [may] *shall* be *either* advertised and let at a public letting, or [may be] let privately *by submitting the work for bids from at least three contractors and let* at a cost not to exceed the engineer's estimate."

2. Renumber sections in conformance with this amendment.

DEFERRED

Senator Kinley asked and received unanimous consent that further action on **Senate File 100** be **deferred** and that the bill be placed on the calendar under **unfinished business.**

CONSIDERATION OF BILLS

Senate File 101

On motion of Senator Merritt, Senate File 101, a bill for an act relating to temporary closing of highways, was taken up for consideration.

Senator Merritt asked and received unanimous consent that **House File 99** be **substituted** for **Senate File 101.**

House File 99

On motion of Senator Merritt, House File 99, a bill for an act relating to temporary closing of highways, was taken up for consideration.

Senator Taylor offered amendment S—3077, moved its adoption and requested a non-record roll call:

S—3077
Amend House File 99, page 1, line 10, by inserting after the word "signs" the words "and 'detour' signs".

The ayes were 40, nays 7.

Amendment S—3077 was adopted.

Senator Merritt moved that the bill 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. 99) the vote was:

Ayes, 35:

Andersen	Hill of Polk	Murray	Rodgers
Briles	Hultman	Nolin	Schwengels
Coleman	Junkins	Norpel	Scott
Culver	Kinley	Nystrom	Shaw
Curtis	Merritt	Orr	Sovern
Gallagher	Miller of Des Moines	Plymat	Taylor
Glenn	Miller of Marshall	Ramsey	Van Gilst
Gluba		Redmond	Willits
Heying		Robinson	Winkelman
Hill of Jasper			

Nays, 12:

Bergman	DeKoster	Lamborn	Rabedeaux
Burroughs	Griffin	Palmer	Shaff
Carr	Kelly	Priebe	Tieden

Absent or not voting, 3:

Doderer	Hansen	Nolting

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

WITHDRAWN

Senator Merritt asked and received unanimous consent that **Senate File 101** be **withdrawn** from further consideration of the Senate.

Senate File 39

On motion of Senator Robinson, Senate File 39, a bill for an act relating to the organization, powers and duties of credit

unions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

(Senate File 39 pending on adjournment.)

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President 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 and passed the following bill in which the concurrence of the House was asked:

Senate File 70, a bill for an act relating to road machinery.

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

House File 146, a bill for an act relating to provisions for suspension of the license and registration or nonresident's operating privilege.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 70

S—3080

Amend Senate File 70, as follows:

1. Page 1, after line 4, add the following:

"Sec. 2. Section three hundred twenty-one point three hundred eighty-three (321.383), subsection one (1), Code 1975, is amended to read as follows:

1. The provisions of this chapter with respect to equipment on vehicles shall not apply to implements of husbandry, *road machinery,* bulk spreaders and other fertilizer and chemical equipment defined as special mobile equipment, road machinery, road rollers, or farm tractors except as herein made applicable."

2. Title page, line 1, strike the words "lights of".

INTRODUCTION OF BILLS

Senate File 138, by Senator Shaff, a bill for an act exempting carpentry repairs from the sales and use tax.

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

Senate File 139, by Senator Redmond, a bill for an act creating

a state minimum wage to be paid to any persons employed by another person and providing a penalty.

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

Senate File 140, by Senator Briles (Daggett), a bill for an act relating to granular surface highways and providing for an appropriation.

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

Senate File 141 by Senators Briles and Scott, a bill for an act relating to the remittance of a portion of the cattle and veal calf fund.

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

Senate File 142, by Senator Redmond, a bill for an act relating to the appeal procedures within the department of revenue and from the state board of tax review.

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

Senate File 143, by Senators Murray and Ramsey, a bill for an act permitting community-based correctional programs to provide services for juveniles.

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

Senate File 144, by Senator Gluba, a bill for an act making an appropriation to the state board of regents for the mobile dental unit program.

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

Senate File 145, by Senator Rodgers, a bill for an act relating to antique gambling devices.

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

Senate File 146, by Senator Rodgers, a bill for an act permitting deposits of public funds to be made in savings and loan associations.

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

Senate File 147, by committee on judiciary, a bill for an act amending the duties of the court administrator.

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

Senate File 148, by Senators Bergman, Priebe, Tieden, Scott, Coleman and Nystrom, a bill for an act relating to the establishment of a corn promotion fund to receive assessments made on

the sale of corn, to establish an Iowa corn promotion board, to provide for a referendum among corn producers, and to provide penalties.

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

Senate File 149, by committee on cities (committee on cities and towns), a bill for an act relating to an appropriation from the general fund of the state to sewage works treatment construction fund.

Read first time and referred to committee on **appropriations** (under Senate Rule 38).

Senate File 150, by committee on human resources, a bill for an act relating to the interstate probation and parole compact.

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

HOUSE MESSAGE CONSIDERED

House File 146, a bill for an act relating to provisions for suspension of the license and registration or nonresident's operating privilege.

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

SENATE CONCURRENT RESOLUTION 15

By Hill of Polk and Gluba
(Middleton and Hargrave)

Whereas, February 9th through the 14th is National Black History Week; and

Whereas, the United States and the State of Iowa has been enriched by the combined and unified endeavors of all their people and their varied contributions; and

Whereas, the health and vigor of this nation and the representative form of government have been enhanced by the members of the black race; and

Whereas, the desire to recognize and bring forth the achievements, contributions, enhancements, and development of the black race was highly spirited in the decade past; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the State of Iowa and the appropriate authorities of all private, parochial and public schools observe February 9th through the 14th as National Black History Week and encourage in their selection of educational materials, the continued attention and consideration to the degree to which educational materials fairly include recognition of the accomplishments and contributions of black people throughout history and that the endeavors and goals set in the decades past be the challenge of the seventies and the future.

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

EXPLANATION OF VOTES

MR. PRESIDENT: I was absent from the Senate chamber when the vote was taken on Senate File 77. Had I been present, I would have voted "aye".

FRED W. NOLTING

MR. PRESIDENT: I was absent from the Senate chamber when the vote was taken on House File 99. Had I been present, I would have voted "aye".

FRED W. NOLTING

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 125 Labor and industrial relations

S. F. 126 State government

S. F. 127 Natural resources

S. F. 128 Transportation

S. F. 129 Rules and administration

S. F. 131 Judiciary

S. F. 132 Natural resources

S. F. 135 Transportation

H. F. 50 Transportation

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Donald K. Gardner, Cedar Rapids, Linn County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial unexpired term ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman
LEONARD C. ANDERSEN
WARREN E. CURTIS
JAMES M. REDMOND
CLOYD E. ROBINSON

REPORTS OF COMMITTEES

Senator Nolin submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 61**, a bill for an act to remove a certain species from the list of

noxious weeds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

KARL NOLIN, Chairman

Ordered passed on file.

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 53,** a bill for an act to establish the license and qualifications of real estate apprentice salesmen, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL L. JUNKINS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3078

Amend Senate File 100 as follows:

1. Page 1, by inserting after line 8 the following section:

"Sec. 2. Section three hundred nine point forty-one (309.41), Code 1975, is amended to read as follows:

309.41 OPTIONAL ADVERTISEMENT AND LETTING. Contracts not embraced within the provisions of section 309.40 [may] *shall* be *either* advertised and let at a public letting, or [may be] let privately *by submitting the work for bids from at least three contractors and let* at a cost not to exceed the engineer's estimate[, or may be built by day labor]."

2. Renumber sections in conformance with this amendment.

CLIFTON C. LAMBORN

S—3079

Amend Senate File 124, page 1, by striking lines 3 through 31, inclusive, and inserting in lieu thereof the following:

"24.6 EMERGENCY FUND—LEVY. Each municipality as defined herein, may include in the estimate herein required, an estimate for an emergency fund. Each such municipality shall have power to assess and levy a tax for such emergency fund at a rate not to exceed twenty-seven cents per thousand dollars of assessed value of taxable property of the municipality, provided that no such emergency tax levy shall be made [until such municipality shall have first petitioned the state board to make such levy and received its approval thereof] *unless such levy is authorized by a two-thirds vote of the governing body of the municipality.* Transfers of moneys may be made from the emergency fund to any other fund of the municipality for the

purpose of meeting deficiencies in any such fund arising from any cause, provided, however, that no such transfer shall be made [except upon the written approval of the state board, and then only when such approval is requested] *unless such transfer is authorized* by a two-thirds vote of the governing body of said municipality. [Approval may be granted by the state board upon an application approved by a two-thirds vote of the board of supervisors of a county to use this fund for the purpose of matching funds available to such county from federal programs including, but not limited to, crime control, public health, civil defense, highway safety, juvenile delinquency, narcotics control and pollution.]

PHILIP B. HILL

Note: For explanation of brackets and italics see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 3:35 p.m., until 9:30 a.m., Tuesday, February 11, 1975.

JOURNAL OF THE SENATE

THIRTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, FEBRUARY 11, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Bruce Pilcher, pastor of the Congregational Church, Cresco, Iowa.

The Journal of Monday, February 10, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Sokol, State Center, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty students from Central Junior High School, Ames, Iowa, accompanied by Mrs. Moody, Miss McCord and Mr. Carlson. Senator Murray.

Seventy-five students from Jackson Elementary School, Des Moines, Iowa, accompanied by Mrs. Risewick, Mrs. Couch and Mrs. Hubbard. Senator Kinley.

Sixty students from Central Dallas High School, Minburn, Iowa, accompanied by William Rucker and Charles Garwood. Senator Rodgers.

INTRODUCTION OF BILLS

Senate File 151, by Senators Briles and Miller of Des Moines, a bill for an act relating to the civil defense and emergency planning of this state.

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

Senate File 152, by Senator Kinley (Caffrey), 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.**

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 48, a bill an act relating to lifetime fishing and hunting licenses for resident senior citizens.

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

House File 76, a bill for an act relating to the signature of persons with physical disabilities and providing penalties.

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

House File 127, a bill for an act to revise and repeal obsolete provisions of the railroad laws.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 48, a bill for an act relating to lifetime fishing and hunting licenses for resident senior citizens.

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

House File 76, a bill for an act relating to the signature of persons with physical disabilities and providing penalties.

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

House File 127, a bill for an act to revise and repeal obsolete provisions of the railroad laws.

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

Senator Miller of Des Moines took the chair at 9:38 a.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Shaff called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Vernon C. Cook of Clinton, Clinton County, Iowa, for appointment as a member of the Public Employment Relations Board under the provisions of Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term beginning July 1, 1974, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ROGER J. SHAFF, Chairman
MINNETTE DODERER
WILLIAM D. PALMER

The motion prevailed and the report was adopted.

Senator Shaff moved the appointment of Vernon C. Cook as a member of the Public Employment Relations Board be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Polk	Nolin	Rodgers
Briles	Hultman	Nolting	Schwengels
Burroughs	Junkins	Norpel	Scott
Carr	Kelly	Nystrom	Shaff
Coleman	Kinley	Orr	Shaw
Curtis	Lamborn	Palmer	Sovern
DeKoster	Merritt	Plymat	Taylor
Gallagher	Miller of Des Moines	Priebe	Tieden
Glenn	Miller of Marshall	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Griffin		Redmond	Winkelman
Hansen			

Nays, none.

Absent or not voting, 3:

Culver	Doderer	Hill of Jasper

The Chair declared the appointment of Vernon C. Cook as a member of the Public Employment Relations Board confirmed for the initial term ending June 30, 1976.

Senator Junkins called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Michael V. Dunn of Keokuk, Lee County, Iowa, for reappointment as a member of the City Development Board under the provisions of Chapter 1088, Section 33, Acts of the Sixty-fourth General Assembly, Second Session, for the regular six-year term beginning July 1,

1974, and ending June 30, 1980, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
WILLARD R. HANSEN
CALVIN O. HULTMAN

The motion prevailed and the report was adopted.

Senator Junkins moved the appointment of Michael V. Dunn as a member of the City Development Board be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Gluba	Miller of Marshall	Ramsey	Willits
Griffin		Redmond	Winkelman
Hansen			

Nays, none.

Absent or not voting, 2:

Culver	Doderer

The Chair declared the appointment of Michael V. Dunn as a member of the City Development Board confirmed for the regular six-year term ending June 30, 1980.

CONFIRMATION OF SUPERINTENDENT OF PUBLIC INSTRUCTION

Senator Hill of Polk called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert D. Benton of Des Moines, Polk County, Iowa, for reappointment as Superintendent of Public Instruction under the provisions of Section 257.11, Code 1975, for the regular four-year term beginning January 1, 1975, and ending December 31, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
JOAN ORR
CLOYD E. ROBINSON

The motion prevailed and the report was adopted.

Senator Hill of Polk moved the appointment of Robert D. Benton as Superintendent of Public Instruction be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Doderer	Kelly

The Chair declared the appointment of Robert D. Benton as Superintendent of Public Instruction confirmed for the regular four-year term ending December 31, 1978.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 7, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Joan Jacob, Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Elsie Grant, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of John W. Menne, Ph.D., Cambridge, Story County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Joan McKean, Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Herbert L. Notch, Newton, Jasper County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Vinton Rowley, Ph.D., Iowa City, Johnson County, Iowa, for ap-

pointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Irene Wiemers, Ph.D., Cherokee, Cherokee County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 153, by committee on ways and means, a bill for an act relating to the disposition of seized cigarettes.

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

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 13 relating to observance of February 9th through 14th as National Black History Week.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 13

By Middleton and Hargrave
(Hill of Polk and Gluba)

Whereas, February 9th through the 14th is National Black History Week; and

Whereas, the United States and the State of Iowa has been enriched by the combined and unified endeavors of all their people and their varied contributions; and

Whereas, the health and vigor of this nation and the representative form of government have been enhanced by the members of the black race; and

Whereas, the desire to recognize and bring forth the achievements, contributions, enhancements, and development of the black race was highly spirited in the decade past; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the State of Iowa and the appropriate authorities of all private, parochial and public schools observe February 9th through the 14th as National Black History Week and encourage in their selection of educational materials, the continued attention and consideration to the degree to which educational materials fairly include recognition of the accomplishments and contributions of black people throughout history and that the endeavors and goals set in the decades past be the challenge of the seventies and the future.

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

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

The Senate resumed session, President Neu presiding.

CONSIDERATION OF BILLS

Senate File 133

On motion of Senator Van Gilst, Senate File 133, a bill for an act appropriating funds to the service compensation fund and providing a publication clause, was taken up for consideration.

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?" (S.F. 133) the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, 1:

Hill of Polk

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

Senate File 134

On motion of Senator Willits, Senate File 134, a bill for an act to repeal authorization for the standing appropriation of funds to the auditor of state to audit the department of transportation, was taken up for consideration.

Senator Willits moved that the bill 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. 134) the vote was:

Ayes, 49:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

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.

UNFINISHED BUSINESS

Senate File 100

On motion of Senator Briles, Senate File 100, a bill for an act relating to the advertisement, letting, and approval of secondary road contracts, was taken up for further consideration.

Senator Hill of Jasper offered amendment S—3081 by Senators Hill of Jasper and Lamborn:

S—3081
Amend Senate File 100 as follows:
1. Page 1, by inserting after line 8 the following section:
"Sec. 2. Section three hundred nine point forty-one (309.41), Code 1975, is amended by striking the section and inserting in lieu thereof the following:
309.41 OPTIONAL ADVERTISEMENT AND LETTING.
Contracts not embraced within the provisions of

section 309.40 shall be either advertised and let at a public letting; or, where the cost does not exceed the engineer's estimate, let through informal bid procedure by contacting at least three qualified bidders prior to letting the contract. The informal bids received together with a statement setting forth the reasons for use of the informal procedure and bid acceptance shall be entered in the minutes of the board of supervisors meeting at which such action was taken.

Nothing contained in this section shall be deemed to prohibit the board of supervisors from purchasing material and using county equipment and regularly employed county road personnel on a project within their capability as determined by the county engineer."

2. Renumber sections in conformance with this amendment.

Senator Rabedeaux raised the point of order that amendment S—3081 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3081 in order.

Senator Hill of Jasper moved the adoption of amendment S—3081.

A non-record roll call was requested.

The ayes were 39, nays 10.

Amendment S—3081 was adopted.

Senator Lamborn withdrew amendment S—3076 offered and pending on February 10, 1975, and found on page 263 of the Senate Journal.

Senator Lamborn withdrew amendment S—3078 filed by him on February 10, 1975, and found on page 269 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. 100) the vote was:

Ayes, 48:

Andersen	Doderer	Junkins	Murray
Bergman	Gallagher	Kelly	Nolin
Briles	Glenn	Kinley	Nolting
Burroughs	Griffin	Lamborn	Norpel
Carr	Hansen	Merritt	Nystrom
Coleman	Heying	Miller of Des Moines	Orr
Culver	Hill of Jasper	Miller of Marshall	Palmer
Curtis	Hill of Polk		Plymat
DeKoster	Hultman		Priebe

Rabedeaux	Rodgers	Shaw	Van Gilst
Ramsey	Schwengels	Sovern	Willits
Redmond	Scott	Taylor	Winkelman
Robinson	Shaff		

Nays, 1:
Tieden

Absent or not voting, 1:
Gluba

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

Senate File 39

The Senate resumed consideration of Senate File 39, a bill for an act relating to the organization, powers and duties of credit unions.

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?" (S.F. 39) the vote was:

Ayes, 49:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Burroughs	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Doderer	Lamborn	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Griffin			Winkelman

Nays, none.

Absent or not voting, 1:
Briles

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 137 State government

S. F. 138 Ways and means

S. F. 139 Labor and industrial relations

S. F. 140 Appropriations
S. F. 141 Agriculture
S. F. 142 Judiciary
S. F. 143 Judiciary
S. F. 144 Appropriations
S. F. 145 Judiciary
S. F. 146 Commerce
S. F. 148 Agriculture
S.C.R. 15 Education
H. F. 6 State government
H. F. 91 Transportation
H. F. 105 Transportation
H. F. 106 Transportation
H. F. 114 State government
H. F. 146 Transportation
H.C.R. 10 Agriculture
H.C.R. 11 Agriculture

BILL SENT TO THE GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: I respectfully report that on this 11th day of February, 1975, the following bill has been sent to the Governor for his approval: Senate File 33.

CLARK R. RASMUSSEN, Secretary

EXPLANATION OF VOTES

MR. PRESIDENT: I voted "nay" on the final passage of Senate File 100 because in my estimation the Hill-Lamborn amendment completely nullifies the need for the bill.

DALE L. TIEDEN

MR. PRESIDENT: I was not present in the Senate when the vote was taken on House File 99. Had I been present, I would have voted "aye". I also would have voted "aye" on the appointment of Mr. Donald K. Gardner as a member of the Iowa Highway Commission.

WILLARD R. HANSEN

MR. PRESIDENT: I was absent from the Senate chamber when the vote

was taken on the confirmation of Mr. Michael Dunn. Had I been present, I would have voted "aye".

LOUIS P. CULVER

MR. PRESIDENT: I was absent from the Senate chamber when the vote was taken on the confirmation of Mr. Vernon Cook. Had I been present, I would have voted "aye".

LOUIS P. CULVER

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Edward F. Kolker of Waterloo, Black Hawk County, Iowa, for appointment as a member of the Public Employment Relations Board under the provisions of Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

FRED W. NOLTING, Chairman
LUCAS J. DeKOSTER
WILLIAM P. WINKELMAN

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As a member of the Social Services Council:

G. Thomas Reilly, Council Bluffs, Pottawattamie County, Iowa, for the unexpired portion of a term ending June 30, 1977.

Senator Carr, Chairman
Senator Coleman
Senator Palmer
Senator Griffin
Senator Murray

As members of the Chemical Technology Commission of the Department of Environmental Quality:

Gordon E. Mau, New Hampton, Chickasaw County, Iowa, reappointed as a "farmer" representative, to a regular four-year term commencing July 1, 1974 and ending June 30, 1978.

Senator Hill of Jasper, Chairman
Senator Glenn
Senator Merritt
Senator Hansen
Senator Taylor

Robert C. Yapp, Des Moines, Polk County, Iowa, reappointed as an "agri-

cultural chemicals firm" representative, to a regular four-year term commencing July 1, 1974 and ending June 30, 1978.

Senator Priebe, Chairman
Senator Heying
Senator Redmond
Senator Plymat
Senator Winkelman

REPORTS OF COMMITTEES

Senator Nolin submitted the following reports:

MR. PRESIDENT: Your committee on agriculture to which was referred **House Concurrent Resolution 6,** a resolution urging the Iowa Congressional delegation to investigate the bankruptcy petition filed by American Beef Packers, Incorporated, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the resolution be adopted:**

S—3082

Amend House Concurrent Resolution 6 as follows:
(1) Page 1, line 1, strike the word "beef" and insert in lieu thereof the word "livestock".
(2) Page 1, line 4, strike the word "beef" and insert in lieu thereof the word "livestock".
(3) Page 1, line 11, strike the word "beef" and insert in lieu thereof the word "livestock".
(4) Page 1, line 12, strike the words "beef and beef products", and insert in lieu thereof the words "livestock and livestock products".

KARL NOLIN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **House Concurrent Resolution 7,** a resolution urging the Iowa Congressional delegation to secure federal disaster assistance to Iowa beef producers suffering losses of livestock as a result of blizzard, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the resolution be adopted:**

S—3083

Amend House Concurrent Resolution 7 as follows:
(1) Page 1, line 1, strike the word "cattlemen" and insert in lieu thereof the words "livestock and poultry producers".
(2) Page 1, line 2, strike the word "beef" and insert in lieu thereof the word "meat".
(3) Page 1, line 5, strike the word "beef" and insert in lieu thereof the word "meat".
(4) Page 1, line 8, following the word "livestock" insert, "and poultry".

KARL NOLIN, Chairman

Ordered passed on file.

Senator Robinson submitted the following report:

MR. PRESIDENT: Your committee on labor and industrial relations to which was referred **Senate File 92**, a bill for an act to amend the occupational safety and health act including the penalty provided by law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLOYD ROBINSON, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3085

Amend Senate File 106 as follows:

1. Page 1, by inserting after line 11 the following new section:

"Sec. 2. *NEW SECTION.* SMOKING DEFINED. As used in this Act the word "smoking" means the inhaling, exhaling, possession or control of a lit cigar, little cigar, cigarette, or pipe."

KENNETH D. SCOTT

On motion of Senator Kinley, the Senate adjourned at 5:10 p.m., until 9:30 a.m., Wednesday, February 12, 1975.

JOURNAL OF THE SENATE

THIRTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 12, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend C. Kent Wever, pastor of the Northern Allamakee Parish, a cooperative fellowship of Grace United Methodist Church, New Albin; Mount Hope United Presbyterian Church, Union City Township; and Saint John's United Church of Christ, Union City Township.

The Journal of Tuesday, February 11, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. L. Bendixen, Denison, Iowa.

PETITION

The following petition was presented and placed on file:

By Senator Kinley from sixty-five residents of Cerro Gordo County favoring pari-mutuel betting.

COMMUNICATION

The following communication from the Iowa Commerce Commission was presented:

February 11, 1975

Members of the Senate
Sixty-sixth General Assembly
Senate Chamber
Local
Attention: Lieutenant Governor Arthur A. Neu

Gentlemen:

This is to respectfully submit the name of Don Charles Uthus to the Senate for approval of his reappointment by this Commission to the position of Commerce Counsel under section 475.1, 1975 Code of Iowa.

Mr. Uthus' present appointment, as previously confirmed by the Senate February 4, 1975, began November 1, 1971, and will expire June 30, 1975.

His new appointment will be for the period from July 1, 1975 through June 30, 1979.

Sincerely,
MAURICE VAN NOSTRAND
Chairman

On motion of Senator Kinley, the Senate recessed until 12:55 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu 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.

On motion of Senator Kinley, and in accordance with House Concurrent Resolution 9, 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 House Concurrent Resolution 9, duly adopted, the joint convention was called to order, President Neu presiding.

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

Senator Orr moved that a committee of six, three members from the Senate and three members from the House of Representatives, be appointed to escort the Honorable William B. Griffee, Representative from Chickasaw County, to the Speaker's station to deliver an address in observance of Lincoln's Birthday.

The motion prevailed and the President appointed as such committee Senators Orr, Merritt and Taylor, on the part of the Senate, and Representatives Spencer, Scheelhaase and Poncy, on the part of the House.

The committee waited upon Representative Griffee and escorted him to the Speaker's station. President Neu then presented Representative Griffee who addressed the joint convention as follows:

Mr. President, Mr. Speaker, Distinguished Members of the General Assembly, Ladies and Gentlemen:

It is of the nature of the human family that we draw from certain rituals and traditions the very spirit of meaning which gives our lives substance.

So it is with a nation that it may pause in the midst of the hurry and rush of its life to return for a moment to an event or a man which has come to symbolize something they wish to remember.

Today, February 12, is such a day, when through some mystery of destiny the child of Nancy Hanks and Tom Lincoln, grew from the wilderness boy to the country lawyer with his bag of jokes to the courthouse politician to become the dark horse candidate, the small town lawyer the powerbrokers thought they could control and finally the sad leader of a nation torn by civil war, the statesman, the martyred president.

Today he is remembered and in remembering something deep is kindled in us as to our own destiny and growth as one people, and one nation.

We might wonder for a moment, why it is that such a man as Abraham Lincoln became the symbol for remembrance. An explanation that may be offered is that fact that he was a martyred president and stood in the midst of a troubled time in the life of this nation.

As Alistair Cooke writes in his America, "The overwhelming aspect of his reputation is that he was assassinated and so he was canonized, because a halo descends on all the martyred presidents and on Lincoln most of all."

Having said this, there is still something there, not quite explained, for there have been other martyred presidents, and other leaders in war time who have not penetrated so deeply into the soul of America.

Perhaps that something we have not quite grasped has to do with power and its use by an individual in a democracy at war internally, when brother fought against brother and the young paid the price more dearly than others.

I think it was the special character that evolved out of this interaction which draws us to Lincoln.

Great power is often callously sought and ruthlessly used, and those who deal in it tend to become hardened to suffering and egotistically self-righteous as they take on the mantle of a semi-god in steering the ship of state.

For Abraham Lincoln the exercise of power became an agony of soul which brought personal suffering to which few men are exposed. He was shaken by the Presidency, Richard Hofstadter writes of Lincoln "Back in Springfield, politics had been sort of an exhilarating game, but in the White House politics was power, and power was responsibility."

In the end he stood alone, with agonizing decisions which, as he came to know were the sentence of life and death to men he would never know, but felt as a brother and father to. This deciding of life and death for others was immensely sobering to Lincoln for he had enjoyed politics as a pastime back in the Illinois State Legislature. Now he was confronted with grave responsibility which became a working out of the destiny of a nation and its people through the awful travail of war.

The presidency which he had so arduously sought became ashes in his mouth. He was a sensitive man caught in a whirlwind of death, with diverse counsel urging this way and that, who finally had to rely upon something deep within himself.

When Aeschylus the ancient Greek poet wrote, "In our sleep, pain that cannot forget, falls drop by drop upon the heart and in our own despair, against our will, comes wisdom through the awful grace of God." He was speaking of a man born centuries later, who felt that pain in the marrow of his bones.

The measure of the man's greatness is in Lincoln's response to that wisdom which he came to know drop by drop through four long bloody years of war.

He was moved by the wounded and dying boys as no man in a high position can afford to be moved. Lincoln came to know that for a man of sensitivity and compassion to exercise power in a time of crisis is a grim and agonizing ordeal. Hofstadter says of Lincoln, "As the months passed a deathly weariness settled over him." Once when Noah Brooks suggested that he rest he replied: "I suppose it is good for the body, but the tired part of me is inside and out of reach."

Lincoln was a humbled man, the great prose of the presidential years came from a soul that had been humbled. Lincoln's utter lack of personal malice during these years, his humane detachment, his tragic sense of life, have no parallel in political history.

So it was, that when that small ball of lead, the trajectory of the bullet and the path of a man's life crossed, then as Carl Sandburg wrote, "The pale horse had come. To a deep river, to a far country, to a by and by whence no man returns, had gone the child of Nancy Hanks and Tom Lincoln, the wilderness boy who found far lights and tall rainbows to live by, whose name even before he died had become a legend interwoven with men's struggle for freedom the world over."

He belongs to the ages now, but ever so often as we pause to hear again the familiar words, the meaning is reborn:

. . . Government of the people, by the people, for the people shall not perish from the earth.

. . . I pray that our heavenly Father may assuage the anguish of your bereavement and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

. . . With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

In these turbulent times it is good to have something upon which we can look and still draw hope. To believe that there is still more to be admired in men than to despise.

This Union has been blessed with some men who at perilous times in her history have come forth and taken the helm to steer, and guide us as a people.

And if in the process we come to cherish the memory of that man who held the Union together, at times making the legend more than life-size, well perhaps we could do worse than to choose such a man as embodying the best in a free people. For in the final analysis each of us is better for it. Abraham Lincoln was such a man.

On motion of Representative Fitzgerald, the joint convention was dissolved.

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

On motion of Senator Kinley, the Senate recessed until 4:00 p.m.

The Senate reconvened, President 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 passed the following bill in which the concurrence of the Senate is asked:

House File 69, a bill for an act to change the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto.

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 relating to contracts let by county officers.

Also: 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 relating to the period in which claims for the military service tax exemption and the homestead tax credit may be audited.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 154, by Senators Sovern, Orr and Hansen (Horn, Dunton and Patchett), a bill for an act relating to the employment and duties of public school principals.

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

Senate File 155, by Senator Shaw (Crabb), a bill for an act relating to membership of the state historical board.

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

Senate File 156, by Senators Gallagher and Winkelman (Doyle, Bortell and Clark), a bill for an act relating to maintenance of law enforcement communications with local law enforcement agencies.

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

HOUSE MESSAGES CONSIDERED

House File 69, a bill for an act to change the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto.

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

House File 173, a bill for an act relating to contracts let by county officers.

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

House File 182, a bill for an act relating to the period in which claims for the military service tax exemption and the homestead tax credit may be audited.

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

MOTION TO SUSPEND RULES LOST

Senate Resolution 7

Senator Lamborn asked unanimous consent to take up for immediate consideration the following resolution:

SENATE RESOLUTION 7

By Rabedeaux, Briles and Winkelman

Whereas, the Iowa congressional delegation is scheduled to meet with the Iowa Legislature this Friday, February 14, 1975; and

Whereas, it is imperative that the members of the Iowa Senate express their concerns, and the concerns of their constituents, to the delegation; *Now Therefore,*

Be It Resolved by the Senate, That among their concerns the members of the Senate include the need for a guarantee of adequate fuel for agriculture; the need for accelerated research into energy alternatives; the need for low interest loans to farmers and ranchers unable to collect moneys due from American Beefpackers, Inc.; and the need for tax rebate, credit and reduction measures to stimulate our State's and our Nation's economies.

Be It Further Resolved, That copies of this resolution be presented to the members of the Iowa congressional delegation during their visit.

Objection was raised.

Senator Lamborn moved that Senate Rules 30, 33, 34 and 38 be suspended for the purpose of taking up Senate Resolution 7 for immediate consideration.

On the question "Shall Senate Rules 30, 33, 34 and 38 be suspended for the purpose of taking up Senate Resolution 7?" the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

The motion lost.

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

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILL

Senate File 157, by Senator Heying, a bill for an act to provide a closed season, daily catch limit, possession limit, and minimum length of fish on certain rivers and streams.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 151 State government
S. F. 152 Ways and means
S. R. 7 Agriculture
H. F. 48 Natural resources
H. F. 76 Judiciary
H. F. 127 Transportation
H.C.R. 13 Education

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 12, 1975, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 33—Relating to sanitary disposal bonds.

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As members of the State Board of Psychology Examiners:

Elsie Grant, Des Moines, Polk County, Iowa, as a "public" member, for a term commencing July 1, 1975 and ending June 30, 1977.

Senator Gallagher, Chairman
Senator Junkins
Senator Willits
Senator Kelly
Senator Nystrom

Joan McKean, Cedar Falls, Black Hawk County, Iowa, as a "public" member, for a term commencing July 1, 1975, and ending June 30, 1978.

Senator Van Gilst, Chairman
Senator Culver
Senator Norpel
Senator Hansen
Senator Miller of Marshall

Vinton Rowley, Iowa City, Johnson County, Iowa, as the member "primarily engaged in graduate teaching in psychology", for a term commencing July 1, 1975, and ending June 30, 1978.

Senator Scott, Chairman
Senator Doderer
Senator Nolting
Senator Hill of Polk
Senator Winkelman

Joan Jacob, Cedar Rapids, Linn County, Iowa, as a member "who renders services in psychology", for a term commencing July 1, 1975 and ending June 30, 1976.

Senator Miller of Des Moines, Chairman
Senator Gluba
Senator Robinson
Senator Andersen
Senator Hultman

Herbert L. Notch, Newton, Jasper County, Iowa, as a member "who renders services in psychology", for a term commencing July 1, 1975 and ending June 30, 1978.

Senator Rodgers, Chairman
Senator Hill of Jasper
Senator Merritt
Senator Bergman
Senator Shaw

John W. Menne, Cambridge, Story County, Iowa, as the member "representing areas of applied psychology", for a term commencing July 1, 1975 and ending June 30, 1977.

Senator Nolin, Chairman
Senator Priebe
Senator Sovern
Senator Briles
Senator Murray

Irene Wiemers, Cherokee, Cherokee County, Iowa, as the member "primarily engaged in research psychology", for a term commencing July 1, 1975 and ending June 30, 1978.

Senator Coleman, chairman
Senator Carr
Senator Glenn
Senator Curtis
Senator Rabedeaux

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. L. Stanley Schoelerman of Spencer, Clay County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

MINNETTE DODERER, Chairman
LOUIS P. CULVER
IRVIN L. BERGMAN
CALVIN O. HULTMAN
CHARLES P. MILLER

REPORT OF COMMITTEE

Senator Palmer submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 149**, a bill for an act relating to an appropriation from the general fund of the state to sewage works treatment construction fund, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3086

Amend Senate File 53, page 12, by striking lines 31 and 32.

WILLIAM E. GLUBA

S—3090

Amend Senate File 85, page 56, line 8, by striking the word "simple" and inserting in lieu thereof the word "serious".

JAMES M. REDMOND

S—3089

Amend Senate File 79 as follows:

1. Page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-seven point five (427.5), Code 1975, is amended to read as follows:

427.5 REDUCTION—DISCHARGE OF RECORD—OATH. Any person named in section 427.3, provided he is a resident of and domiciled in the state of Iowa, shall receive a reduction equal to his exemption, to be made from any property owned by such person [and designated by him by proceeding as hereafter provided] *in the county.* In order to be eligible to receive said exemption or reduction the person claiming same shall have had recorded in the office of the county recorder of the county in which he shall claim exemption or reduction, the military certificate of satisfactory service, order transferring to inactive status, reserve, retirement, or order of separation from service, or honorable discharge of the person claiming or through whom is claimed said exemption; in the event said evidence of satisfactory service, separation, retirement, furlough to reserve, inactive status, or honorable discharge is lost he may record in lieu of the same, a certified copy thereof. Said person shall file with the city or county assessor, as the case may be, his claim for exemption or reduction in taxes under oath, which claim shall set out the fact that he is a resident of and domiciled in the state of Iowa, and a person within the terms of section 427.3, and give the volume and page on which the certificate of satisfactory service, order of separation, retirement, furlough to reserve, inactive status, or honorable discharge or certified copy thereof is recorded in the office of the county recorder, [and may include the designation of the property from which he desires said exemption or reduction to be made,] and shall further state that he is the equitable and legal owner of the property [designated therein] *in the county.* The assessor shall tabulate and deliver or file said claims with the county auditor, having his recommendations for allowance or disallowance endorsed thereon. In case the owner of the property is in active service in any of the armed forces of the United States or of this state, including the nurses corps of the state or of the United States, said claim may be executed and delivered or filed by the owner's spouse, parent, child, brother, or sister, or by any person who may

Page 2

represent him under power of attorney. No person may claim a reduction or exemption in more than one

county of the state[, and if no designation is made the exemption shall apply to the homestead, if any].

Sec. 2. Section four hundred twenty-seven point six (427.6), Code 1975, is amended to read as follows:

427.6 ALLOWANCE—CONTINUING EFFECTIVENESS. [Said] *The* claim for exemption, if filed on or before July 1 of any year and allowed by the board of supervisors, shall be effective to secure an exemption [only for the year in which such exemption is filed] *for that year and each succeeding year.* Provided, notwithstanding the filing of the claim on or before July 1 of any year, the claimant shall be the legal or equitable owner of the property [upon which exemption is claimed] *in the county,* on the first day of July of the year in which said exemption is claimed.

Any person whose claim is denied under the provisions of this chapter may appeal from the action of the board of supervisors in the district court of the county in which said claimed military service tax exemption is situated by giving written notice of such appeal to the county auditor of said county within twenty days from the date of mailing of notice of such action by the board of supervisors."

2. Title page, line 2, by striking the word "credit" and inserting in lieu thereof the word "exemption".

RICHARD J. NORPEL, SR.

S—3087

Amend Senate File 105 as follows:

Page 1, line 8, after the word "for" insert the words "fifty or".

ROBERT M. CARR

S—3088

Amend House File 43, page 1, line 9, by inserting after the word "*premises*", the words "*when such premises are used as a baseball playing field*".

RICHARD J. NORPEL, SR.

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Thursday, February 13, 1975.

JOURNAL OF THE SENATE

THIRTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, FEBRUARY 13, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Alex Ayers, pastor of the Riverside Presbyterian Church, Linn Grove, Iowa.

The Journal of Wednesday, February 12, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald J. Ottilie, Oelwein, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable John P. Kibbie, former member of the Senate and House of Representatives from Palo Alto County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty students from Central Junior High School, Ames, Iowa, accompanied by Mr. Carlson, Mrs. Moody and Miss Marine. Senator Murray.

PETITION

The following petition was presented and placed on file:

By Senator Scott from twelve residents of Cerro Gordo County favoring legislation to preserve quality education in all four hundred fifty local school districts in Iowa.

INTRODUCTION OF BILLS

Senate File 158, by Senator Andersen, a bill for an act relating to inheritance tax on property passing to a surviving spouse.

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

Senate File 159, by Senator Gallagher, a bill for an act to prohibit unsolicited loan offers and providing a penalty.

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

Senate File 160, by Senator Gallagher, a bill for an act establishing a consumer review board.

Read first time and **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 concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 6, establishing the joint rules of the Senate and House.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 6

S—3091

Amend Senate Concurrent Resolution 6 as found on page 177 in the February 4, 1975 House Journal as follows:

1. Page 6, by striking lines 10, 11 and 12 and inserting in lieu thereof the following: *"appoint five members to a conference committee.* The papers shall".

2. Page 7, by striking lines 19, 20, 21 and 22 and inserting in lieu thereof the following:

"majority leaders of the senate shall appoint five members all of whom shall not have previously served on a conference committee on the bill under consideration."

3. Page 8, by striking all of Rule 14.

4. Page 10, by striking lines 22, 23, 24 and 25 and inserting in lieu thereof the words *"to the bill.".*

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Hill of Polk called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Larry E. Crane of Des Moines, Polk County, Iowa, for appointment as Executive Director of the Department of Environmental Quality under the provisions of Section 455B.2, Code 1973, to serve at the

pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
HILARIUS L. HEYING
KARL NOLIN

The motion prevailed and the report was adopted.

Senator Hill of Polk moved the appointment of Larry E. Crane as Executive Director of the Department of Environmental Quality be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Shaff
Carr	Hultman	Norpel	Shaw
Coleman	Junkins	Nystrom	Sovern
Culver	Kelly	Orr	Taylor
DeKoster	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			
Griffin			

Nays, 1:

Curtis

Voting present, 2:

Priebe Scott

Absent or not voting, 1:

Schwengels

President Neu declared the appointment of Larry E. Crane as Executive Director of the Department of Environmental Quality confirmed.

Senator Gallagher called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Donald K. Gardner, Cedar Rapids, Linn County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial unexpired term ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman

LEONARD C. ANDERSEN
WARREN E. CURTIS
JAMES M. REDMOND
CLOYD E. ROBINSON

The motion prevailed and the report was adopted.

Senator Gallagher moved the appointment of Donald K. Gardner as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Tieden
Doderer	Lamborn	Priebe	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 1:
Schwengels

President Neu declared the appointment of Donald K. Gardner as a member of the State Transportation Commission confirmed for the unexpired portion of the term ending June 30, 1977.

Senator Nolting called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Edward F. Kolker of Waterloo, Black Hawk County, Iowa, for appointment as a member of the Public Employment Relations Board under the provisions of Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

FRED W. NOLTING, Chairman
LUCAS J. DeKOSTER
WILLIAM P. WINKELMAN

The motion prevailed and the report was adopted.

Senator Nolting moved the appointment of Edward F. Kolker as a member of the Public Employment Relations Board be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Tieden
Doderer	Lamborn	Priebe	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 1:
Schwengels

President Neu declared the appointment of Edward F. Kolker as a member of the Public Employment Relations Board confirmed for the initial four-year term ending June 30, 1978.

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 2, by Senators Murray and Hill of Polk, a joint resolution proposing an amendment to the Constitution of the state of Iowa to lower the age for serving in the general assembly to eighteen years of age.

Read first time and passed on file.

Senate File 161, by Senator Shaw, a bill for an act relating to the registration of vessels.

Read first time and passed on file.

Senate File 162, by Senator Nystrom, a bill for an act relating to holidays for state employees.

Read first time and passed on file.

Senate File 163, by Senator Shaff (Welden), a bill for an act relating to the temporary service of retired supreme court judges.

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

Senate File 164, by Senators Hansen, Carr, Nystrom and Robinson (Norland and West), a bill for an act relating to campaign finance and disclosure and providing penalties for violations.

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

Senate File 165, by committee on appropriations, a bill for an act relating to the report commonly known as the state salary book.

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

Senate 166, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards.

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

Senate File 167, by Senator Griffin, a bill for an act relating to licensing and regulating restaurants and food establishments.

Read first time and **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 passed the following bill in which the concurrence of the Senate is asked:

House File 176, a bill for an act relating to payment of small claims by the department of social services.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 176, a bill for an act relating to payment of small claims by the department of social services.

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

CONSIDERATION OF BILLS

Senate File 153

On motion of Senator Schwengels, Senate File 153, a bill for an act relating to the disposition of seized cigarettes, was taken up for consideration.

Senator Schwengels moved that the bill 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. 153) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Hill of Polk	Palmer

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 Carr, Senate File 123, a bill for an act relating to the inclusion of nursing and pharmacy within the definition of profession for purposes of the Iowa professional corporation act, was taken up for consideration.

Senator Carr moved that the bill 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, 49:

Andersen	DeKoster	Hill of Jasper	Miller of Des Moines
Bergman	Doderer	Hill of Polk	Miller of Marshall
Briles	Gallagher	Hultman	Murray
Burroughs	Glenn	Junkins	Nolin
Carr	Gluba	Kelly	Nolting
Coleman	Griffin	Kinley	Norpel
Culver	Hansen	Lamborn	
Curtis	Heying	Merritt	

Nystrom	Rabedeaux	Schwengels	Tieden
Orr	Ramsey	Scott	Van Gilst
Palmer	Redmond	Shaff	Willits
Plymat	Robinson	Shaw	Winkelman
Priebe	Rodgers	Sovern	

Nays, none.

Absent or not voting, 1:

Taylor

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

Senate File 130

On motion of Senator Miller of Des Moines, Senate File 130, a bill for an act relating to contracts let by county officers, was taken up for consideration.

Senator Miller of Des Moines asked and received unanimous consent that **House File 173** be **substituted** for **Senate File 130.**

House File 173

On motion of Senator Miller of Des Moines, House File 173, a bill for an act relating to contracts let by county officers, was taken up for consideration.

Senator Miller of Des Moines moved that the bill 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. 173) the vote was:

Ayes, 49:

Andersen	Griffin	Miller of	Redmond
Bergman	Hansen	Marshall	Robinson
Briles	Heying	Murray	Rodgers
Burroughs	Hill of Jasper	Nolin	Schwengels
Carr	Hill of Polk	Nolting	Scott
Coleman	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of	Priebe	Van Gilst
Glenn	Des Moines	Rabedeaux	Willits
Gluba		Ramsey	Winkelman

Nays, none.

Absent or not voting, 1:

Kelly

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

WITHDRAWN

Senator Miller of Des Moines asked and received unanimous consent that **Senate File 130** be **withdrawn** from further consideration of the Senate.

REFERRED TO COMMITTEE

Senator Kinley asked and received unanimous consent that **Senate File 136** be **referred** to the committee on **appropriations** under Senate Rule 38.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 53** be **deferred** and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 61

On motion of Senator Hultman, Senate File 61, a bill for an act to remove a certain species from the list of noxious weeds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hultman asked and received unanimous consent that **House File 67** be **substituted** for **Senate File 61.**

House File 67

On motion of Senator Hultman, House File 67, a bill for an act to remove certain species from the list of noxious weeds, was taken up for consideration.

Senator Hultman moved that the bill 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. 67) the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 1:
Kelly

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

WITHDRAWN

Senator Hultman asked and received unanimous consent that **Senate File 61** be **withdrawn** from further consideration of the Senate.

Senate File 92

On motion of Senator Robinson, Senate File 92, a bill for an act to amend the occupational safety and health act including the penalty provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Taylor took the chair at 4:50 p.m.

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?" (S.F. 92) the vote was:

Ayes, 43:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Burroughs	Heying	Nolting	Rodgers
Carr	Hill of Jasper	Norpel	Schwengels
Coleman	Hill of Polk	Nystrom	Scott
Culver	Hultman	Orr	Sovern
Curtis	Junkins	Palmer	Taylor
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Lamborn	Priebe	Willits
Gallagher	Merritt	Rabedeaux	Winkelman
Glenn	Miller of Des Moines		
Gluba			

Nays, 6:

Briles	Ramsey	Shaw	Tieden
Nolin	Shaff		

Absent or not voting, 1:
Kelly

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

ADOPTION OF RESOLUTIONS

House Concurrent Resolution 6

On motion of Senator Scott, the following resolution, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted:

HOUSE CONCURRENT RESOLUTION 6
By Committee on Agriculture

Whereas, the production of beef is a significant factor in the economy of Iowa, and

Whereas, any serious disruption in the marketing of beef produced in this state has a direct and far-reaching effect on its economy, and

Whereas, American Beef Packers, Inc., of Omaha, Nebraska, has filed a petition for an arrangement under Chapter XI of the Federal Bankruptcy Act, thereby withholding, delaying or denying an estimated seventeen to twenty-five million dollars in payments currently due Iowa beef producers, thus seriously disrupting marketing of Iowa beef and beef products; *Now Therefore*

Be It Resolved by the House of Representatives, the Senate Concurring:

1. That the Iowa Congressional delegation further investigate the facts and circumstances leading to the filing of the aforesaid petition for arrangement under the Bankruptcy Act.

2. That such investigation should be completed at the earliest feasible date with interim reports as may be appropriate.

3. That the Iowa Congressional delegation be and it hereby is urged to seek amendment of the Federal Packers and Stockyards Act (7 U.S.C. §181 et. seq.) in such a fashion as to insure prompt, full payment by packers to

Page 2

all livestock producers for all animals delivered for slaughter.

Be It Further Resolved, That copies of this resolution be forwarded to all members of the Iowa Congressional delegation and to the United States Secretary of Agriculture.

President Neu took the chair at 5:00 p.m.

Senator Scott offered amendment S—3082 by the committee on agriculture and moved its adoption:

S—3082

Amend House Concurrent Resolution 6 as follows:

(1) Page 1, line 1, strike the word "beef" and insert in lieu thereof the word "livestock".

(2) Page 1, line 4, strike the word "beef" and insert in lieu thereof the word "livestock".

(3) Page 1, line 11, strike the word "beef" and insert in lieu thereof the word "livestock".

(4) Page 1, line 12, strike the words "beef and beef products", and insert in lieu thereof the words "livestock and livestock products".

Amendment S—3082 was adopted.

Senator Scott moved the adoption of the resolution as amended.

On the question "Shall the resolution as amended be adopted?" (H.C.R. 6) the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Doderer	Kelly

The resolution as amended having received a constitutional majority was declared to have been adopted by the Senate.

House Concurrent Resolution 7

On motion of Senator Scott, the following resolution, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted:

HOUSE CONCURRENT RESOLUTION 7
By Committee on Agriculture

Whereas, cattlemen in its West and Northwest counties provide a substantial portion of beef production in Iowa, and

Whereas, any serious disruption in the marketing of Iowa produced beef has a direct and far-reaching effect on the economy of Iowa, and

Whereas, producers in the Western and Northern counties of Iowa suffered heavy losses of livestock as a result of the blizzard of January 10, 1975, and

Whereas, in many instances, this represents a loss to individual producers so serious as to threaten their ability to continue as producers; *Now Therefore*

Be It Resolved by the House of Representatives, the Senate Concurring, That they urge the Iowa Congressional delegation to do everything in their power to secure federal disaster assistance in the form of direct relief, grants or other aid such as nominal interest loans should be made immediately available to producers shown to be victims of such calamity.

Be It Further Resolved, That copies of this resolution be forwarded to all members of the Iowa Congressional delegation and to the United States Secretary of Agriculture.

Senator Scott offered amendment S—3083 by the committee on agriculture and moved its adoption:

S—3083

Amend House Concurrent Resolution 7 as follows:

(1) Page 1, line 1, strike the word "cattlemen" and insert in lieu thereof the words "livestock and poultry producers".

(2) Page 1, line 2, strike the word "beef" and insert in lieu thereof the word "meat".

(3) Page 1, line 5, strike the word "beef" and insert in lieu thereof the word "meat".

(4) Page 1, line 8, following the word "livestock" insert, "and poultry".

Amendment S—3083 was adopted.

On the question "Shall the resolution as amended be adopted?" (H.C.R. 7) the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba	Miller of Marshall	Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Doderer	Kelly

The resolution, as amended, having received a constitutional majority was declared to have been adopted by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 70

Senator Briles called up for consideration Senate File 70, a bill for an act relating to lights of road machinery, amended by the House as follows:

S—3080
Amend Senate File 70, as follows:
1. Page 1, after line 4, add the following:
"Sec. 2. Section three hundred twenty-one point three hundred eighty-three (321.383), subsection one (1), Code 1975, is amended to read as follows:
1. The provisions of this chapter with respect to equipment on vehicles shall not apply to implements of husbandry, *road machinery*, bulk spreaders and other fertilizer and chemical equipment defined as special mobile equipment, road machinery, road rollers, or farm tractors except as herein made applicable."
2. Title page, line 1, strike the words "lights of".

DEFERRED

Senator Kinley asked and received unanimous consent that further action on **Senate File 70** be **deferred** and that the bill **retain its place on the calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 154 Education

S. F. 155 State government

S. F. 156 Transportation

S. F. 157 Natural resources

H. F. 69 State government

H. F. 182 Ways and means

ANNOUNCEMENT OF INVESTIGATING COMMITTEE FOR COMMERCE COMMISSION APPOINTMENT

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to an investigating committee:

As commerce counsel:

Don Charles Uthus, Des Moines, Polk County, Iowa, reappointed for a term commencing July 1, 1975 and ending June 30, 1979.

Senator Junkins, Chairman
Senator Orr
Senator Van Gilst
Senator Hill of Polk
Senator Shaff

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. John R. Loihl of Park Forest, Illinois, for appointment as a member of the Public Employment Relations Board under the provisions of Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial two-year term beginning July 1, 1974 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
W. R. RABEDEAUX
EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William F. McGrath of Melrose, Monroe County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial two-year term beginning July 1, 1974 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH MILLER
RICHARD R. RAMSEY
KENNETH SCOTT
BASS VAN GILST

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert R. Rigler of New Hampton, Chickasaw County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
LUCAS J. DeKOSTER
GENE GLENN
HILARIUS HEYING
ROGER SHAFF

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Allan T. Thoms, Dubuque, Dubuque County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974 and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM D. PALMER, Chairman
PHILIP B. HILL
RICHARD J. NORPEL, SR.
BERL E. PRIEBE
FORREST V. SCHWENGELS

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate chamber when the votes were taken on the confirmation of the following appointees:

Larry E. Crane, Executive Director of the Department of Environmental Quality;

Donald K. Gardner, member of the State Transportation Commission;

Edward F. Kolker, member of the Public Employment Relations Board.

Had I been present I would have voted "aye" on each appointment.

FORREST V. SCHWENGELS

REPORT OF COMMITTEE

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 2**, a bill for an act to prohibit the underground storage of gas within the corporate limits of a city, 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:**

S—3092

Amend Senate File 2, page 1 as follows:

1. Line 3, by inserting after the word "gas" the words "in a subsurface stratum or formation of the earth".

2. By inserting after line 8 the following new paragraph:

"The provisions of this section shall not apply to the underground storage of gas within the corporate limits of a city under the authority of a permit granted by the Iowa state commerce commission prior to the effective date of this Act nor shall this section be applicable where the corporate limits of a city are extended to include property under which the underground storage of gas has been authorized by permit issued by the commission prior to the annexation."

LOWELL JUNKINS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3093

Amend the House amendment to Senate File 77 by adding the following new paragraphs:

"Erection or repair of any building where the cost does not exceed five thousand dollars shall be either advertised and let at a public letting; or let through informal bid procedure by contacting at least three qualified bidders prior to letting the contract. The informal bids received together with a statement setting forth the reasons for use of the informal procedure and bid acceptance shall be entered in the minutes of the board of supervisors meeting at which such action was taken.

Nothing contained in this section shall be deemed to prohibit the board of supervisors from purchasing material and using county equipment and regularly employed county personnel on a project within their capability as determined by the county engineer."

EUGENE M. HILL
CLIFTON C. LAMBORN

S—3098

Amend Senate File 85 as follows:

1. Page 1, by striking lines 15, 16 and 17.
2. Renumbering the remaining sections in accordance with this amendment.

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3094

Amend Senate File 85 as follows:

1. Page 1, by striking lines 15, 16 and 17.
2. Page 1, by striking lines 22 through 29 and inserting in lieu thereof the following:

"Sec. 105. *NEW SECTION.* INSANITY. No person shall be convicted of any crime if at the time such crime is committed he suffers from such a diseased or deranged condition of the mind so as to render him incapable of knowing the nature and quality of the act he is committing or incapable of distinguishing between right and wrong in relation to that act. Insanity need not exist for any specific length of time before or after the commission of the alleged criminal act."

3. Page 2, line 2, by inserting before the word "Evidence" the following: "All persons are presumed to know the law."
4. By renumbering the sections.

EUGENE M. HILL

S—3095

Amend Senate File 85, page 12, by striking line 19

and inserting in lieu thereof the words "one person agreeing with another person or persons".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3097

Amend Senate File 85, page 18, line 35, by inserting after the word "wife" the words "or a man and wife who are not at the time cohabiting as man and wife".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3099

Amend Senate File 85, page 56, by striking lines 12 through 16 and inserting in lieu thereof the following:

"Section 2601. *NEW SECTION.* BIGAMY. Any person, having a living husband or wife, who marries another, commits bigamy. Any of the following is a defense to the charge of bigamy:".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3100

Amend Senate File 85 as follows:

1. Page 146, strike lines 31 through 35 and insert in lieu thereof the words "DURING DELIBERATIONS. No juror shall be permitted to take notes during the testimony of witnesses. Upon retiring".

2. Page 147, lines 2 and 3, strike the words "any notes of testimony taken in the trial by the jurors,".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3096

Amend Senate File 85, page 217, line 34, by striking the words and figures "two hundred six (206)" and insert in lieu thereof the words and figures "two hundred seven (207)".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

On motion of Senator Kinley, the Senate adjourned at 5:25 p.m., until 9:30 a.m., Friday, February 14, 1975.

JOURNAL OF THE SENATE

THIRTY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, FEBRUARY 14, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Bernard Olson, pastor of the First United Methodist Church, Independence, Iowa.

The Journal of Thursday, February 13, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Subhash Sahai, Des Moines, Iowa.

DISTINGUISHED VISITOR

President Neu welcomed the Honorable Michael T. Blouin, United States Congressman from Iowa's Second Congressional District and former member of the Iowa Senate and House of Representatives from Dubuque County.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Nine students from Garton Elementary School, Des Moines, Iowa, members of Brownie Troop 453, accompanied by Sandi Hackett and Sue Sims. Senator Palmer.

Twenty-five students from Monroe Elementary School, Des Moines, Iowa, accompanied by Mrs. Vance. Senators Willits and Plymat.

INTRODUCTION OF BILL

Senate File 168, by Senators Norpel, Junkins, Carr, Tieden, Hultman, Culver, Miller of Des Moines, Bergman, Andersen, Nolting, Heying, Merritt, Miller of Marshall, Griffin and Scott,

a bill for an act to appropriate moneys from the general fund of the state to the road use tax fund.

Read first time and passed on file.

CONSIDERATION OF BILLS

Senate File 53

On motion of Senator Gluba, Senate File 53, a bill for an act to establish the license and qualifications of real estate apprentice salesmen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Priebe offered amendment S—3103:

S—3103

Amend Senate File 53 as follows:

1. Page 4, line 35, by inserting after the word "salesman" the words *"or apprentice salesman"*.

2. Page 12, by inserting after line 23 the following section and renumbering the remaining sections:

"Sec. ..... Chapter one hundred seventeen (117), Code 1975, is amended by adding the following new section:

NEW SECTION. Notwithstanding the provisions of this chapter which relate to the licensing and activities of brokers, a salesman or apprentice salesman who is licensed under this chapter, or who has passed the required examination and seeks to be licensed under this chapter, who certifies to the commission that he has attempted to obtain employment from at least three licensed persons, copartnerships, associations, or corporations and has been unsuccessful because of conditions existing in the area where the salesman or apprentice salesman resides shall be granted special permission by the commission to operate as a real estate broker under this chapter."

Action on amendment S—3103 was temporarily deferred.

Senator Gluba offered amendment S—3086 filed by him and moved its adoption:

S—3086

Amend Senate File 53, page 12, by striking lines 31 and 32.

Senator Sovern took the chair at 10:10 a.m.

A non-record roll call was requested.

The ayes were 25, nays 20.

Amendment S—3086 was adopted.

The Senate resumed consideration of amendment S—3103.

Senator Taylor offered amendment S—3113 to amendment S—3103, moved its adoption and requested a non-record roll call:

S—3113

Amend the Priebe amendment S—3103 to Senate File 53 in line 20 by striking the word "shall" and inserting in lieu thereof the word "may".

The ayes were 24, nays 22.

Amendment S—3113 to amendment S—3103 was adopted.

Senator Priebe asked and received unanimous consent to withdraw amendment S—3103 as amended.

Action on Senate File 53 was temporarily deferred for the preparation of an amendment.

Senate File 147

On motion of Senator Hill of Polk, Senate File 147, a bill for an act amending the duties of the court administrator, was taken up for consideration.

Senator Hill of Polk moved that the bill 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, 48:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Kelly	Nolin

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

Senate File 53

The Senate resumed consideration of Senate File 53.

Senator Junkins offered amendment S—3116 and moved its adoption:

S—3116

Amend Senate File 53, page 4, line 25, by inserting after the word *"elapsed."* the sentence *"The provisions of this paragraph shall not apply to applicants for a real estate license who have taken an examination prior to the effective date of this Act."*

A non-record roll call was requested.

The ayes were 30, nays 12.

Amendment S—3116 was adopted.

Senator Shaw offered amendment S—3117:

S—3117

Amend Senate File 53, page 12, by inserting after line 23 the following section:

"Sec. ..... Chapter one hundred seventeen (117), Code 1975, is amended by adding the following new section:

NEW SECTION. CONTINUING EDUCATION. In addition to payment of the annual renewal fee, each real estate salesman and real estate broker applying for the renewal of license shall furnish to the commission satisfactory evidence that the salesman or broker has completed not less than ten hours of continuing education approved by the board. The continuing education may include either courses conducted by an institution of higher education or seminars approved by the commission. The commission shall prescribe the subject areas for continuing education.

The commission shall send written notice concerning the continuing education requirement to each person holding a valid license under this chapter.

If any person licensed under this chapter fails to meet the annual educational requirement, the license shall not be renewed. The board shall reinstate the license upon the presentation of satisfactory evidence of completion of the continuing education required under this section and upon payment of the required fees."

Senator Norpel raised the point of order that amendment S—3117 was out of order.

President Neu took the chair at 11:22 a.m.

The Chair ruled the point not well taken and the amendment in order.

Senator Coleman raised the point of order that amendment S—3117 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3117 out of order.

(Senate File 53 pending on adjournment.)

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 2	Judiciary
S. F. 158	Ways and means
S. F. 159	Commerce
S. F. 160	State government
S. F. 161	Natural resources
S. F. 162	State government
S. F. 163	Judiciary
S. F. 164	State government
S. F. 167	Agriculture
H. F. 176	Human resources

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

OFFICE OF THE CITIZENS' AIDE

A report for the period of January 1, 1974, to December 31, 1974, pursuant to Section 601G.18, Code 1975.

SUBCOMMITTEE ASSIGNMENTS

Senate File 37
Ways and Means
Hill of Jasper, Chairman
Kinley
Curtis

Senate File 42
Appropriations
Norpel, Chairman
Winkelman
Nolin

Senate File 52
Ways and Means
Gluba, Chairman
Lamborn
Nolting

Senate File 87
Ways and Means
Van Gilst, Chairman
Nolting
Shaff

Senate File 90
Ways and Means
Culver, Chairman
Van Gilst
Burroughs

Senate File 91
Ways and Means
Culver, Chairman
Van Gilst
Burroughs

Senate File 96
State Government
Coleman, Chairman
Gluba
Andersen

Senate File 99
State Government
Kinley, Chairman
Nolin
Miller of Marshall

Senate File 102
Labor and Industrial Relations
Glenn, Chairman
Kinley
Griffin

Senate File 104
Ways and Means
Junkins, Chairman
Culver
Burroughs

Senate File 105
Appropriations
Gluba, Chairman
DeKoster
Junkins

Senate File 106
Human Resources
Plymat, Chairman
Orr
Kelly

Senate File 107
Commerce
Bergman, Chairman
Rabedeaux
Gallagher

Senate File 110
Ways and Means
Junkins, Chairman
Lamborn
Taylor

Senate File 111
Commerce
Briles, Chairman
Glenn
Rodgers

Senate File 112
Appropriations
DeKoster, Chairman
Willits
Van Gilst

Senate File 117
Ways and Means
Junkins, Chairman
Kinley
Schwengels

Senate File 118
State Government
Kinley, Chairman
Doderer
Schwengels

Senate File 119
Commerce
Briles, Chairman
Priebe
Rodgers

Senate File 120
Judiciary
DeKoster, Chairman
Shaw
Rodgers

Senate File 121
Judiciary
Ramsey, Chairman
Doderer
Kelly

Senate File 122
Judiciary
Willits, Chairman
Kelly
Doderer

Senate File 125
Labor and Industrial Relations
Glenn, Chairman
Robinson
DeKoster

Senate File 126
State Government
Nolin, Chairman
Coleman
Andersen

Senate File 127
Natural Resources
Priebe, Chairman
Norpel
Miller of Marshall

Senate File 129
Rules and Administration
Junkins, Chairman
Kinley
Rabedeaux

Senate File 131
Judiciary
Rodgers, Chairman
Ramsey
Redmond

Senate File 132
Natural Resources
Bergman, Chairman
Hultman
Sovern

Senate File 135
Transportation
Gallagher, Chairman
Orr
Murray

Senate File 142
Judiciary
Shaw, Chairman
Miller of Des Moines
Rodgers

Senate File 143
Judiciary
Carr, Chairman
Doderer
Kelly

Senate File 145
Judiciary
Willits, Chairman
Doderer
Kelly

Senate File 149
Appropriations
Willits, Chairman
Plymat
Doderer

Senate Concurrent Resolution 14
State Government
Glenn, Chairman
Gluba
Winkelman

House File 43
State Government
Kinley, Chairman
Glenn
Curtis

House File 50
Transportation
Miller of Marshall, Chairman
Doderer
Orr

House File 76
Judiciary
Ramsey, Chairman
Miller of Des Moines
Doderer

House File 106
Transportation
Doderer, Chairman
Norpel
Shaff

House File 127
Transportation
Nolin, Chairman
Gallagher
Shaff

House File 90
Transportation
Gallagher, Chairman
Orr
Shaff

REPORTS OF COMMITTEE

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 24**, a bill for an act relating to the registration fees for special trucks, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 73**, a bill for an act relating to the duties of the counsel of the transportation regulation board, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3104

Amend the House amendment S—3080, to Senate File 70, lines 10 and 11, by striking the words "road machinery" and inserting in lieu thereof the words "[road machinery]".

PHILIP B. HILL

S—3120

Amend Senate File 85 as follows:

1. Page 5, line 10, by striking the words "homicide, assault" and inserting in lieu thereof the words "assault, homicide".

2. Page 13, by striking lines 23 through 35 and inserting in lieu thereof the following new sections:

"Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE DEFINED. A person who kills another person with malice aforethought either express or implied commits criminal homicide.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE FIRST DEGREE. A person commits criminal homicide in the first degree when he or she commits criminal

homicide under any of the following circumstances:
1. The person willfully, deliberately, and with premeditation kills another person.
2. The person kills another person while participating in a forcible felony.
3. The person kills another person while escaping or attempting to escape from lawful custody.
Criminal homicide in the first degree is a class A felony.
Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE SECOND DEGREE. A person commits criminal homicide in the second degree when he or she commits criminal homicide which is not criminal homicide in the first degree.
Criminal homicide in the second degree is a class B felony.
Sec. ..... *NEW SECTION.* MANSLAUGHTER. A person who commits manslaughter is guilty of a class C felony."
3. By striking page 14.
4. Page 15 by striking lines 1 through 19.
5. By renumbering the sections and internal references to accord with this amendment.

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3114
Amend Senate File 85 as follows:
1. Pages 13, 14, 15 and 16 by striking all of Division VII of Chapter 1 and inserting in lieu thereof the following:

DIVISION VII
HOMICIDE

Section 701. *NEW SECTION.* HOMICIDE. The unlawful killing of another as specified in sections seven hundred two (702), seven hundred three (703), seven hundred four (704) and seven hundred eight (708) of this Act is homicide.
Sec. 702. *NEW SECTION.* MURDER. Whoever kills any human being with malice aforethought, either express or implied is guilty of murder.
Sec. 703. *NEW SECTION.* FIRST DEGREE MURDER. All murder which is perpetrated by means of poison, or lying in wait, or any other kind of willful, deliberate, and premeditated killing, or which is committed in the perpetration of any forcible felony is murder in the first degree and shall be punished as a capital offense.
Sec. 704. *NEW SECTION.* SECOND DEGREE MURDER. All other murder is murder in the second degree, a class A felony.
Sec. 705. *NEW SECTION.* ASSAULT WITH INTENT TO MURDER. If any person assault another with intent to commit murder, such person shall be guilty of a

class B felony.

Sec. 706. *NEW SECTION.* POISONING FOOD OR DRINK WITH INTENT TO KILL. If any person mingle any poison with any food, drink, or medicine, with intent to kill or injure any human being, or willfully poison any spring, well, cistern, or reservoir of water, such person shall be guilty of a class B felony.

Sec. 707. *NEW SECTION.* ADVISING OR INCITING MURDER. Whoever shall within this state advise, counsel, encourage, advocate, or incite the unlawful killing within or without the state of any human being, although no such killing takes place, shall be guilty of a class C felony.

Sec. 708. *NEW SECTION.* MANSLAUGHTER. Whoever acts so as to kill or cause the death of any person without malice aforethought, but with a willful, wanton or reckless disregard for the safety of persons, or by operation of a motor vehicle while under the influence of alcohol or a controlled substance, or whoever sells, gives away or otherwise furnishes intoxicating liquor or controlled substances contrary to law, and thereby causes the death of another, shall be guilty of manslaughter, a class C felony.

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2. Page 21, line 30, by striking the letter "B" and inserting in lieu thereof the letter "A".

3. Page 216, Chapter 3, Division II, after "FELONIES" in line 1, by inserting the following:

Sec. ..... *NEW SECTION.* CAPITAL OFFENSES. Any person convicted of a capital offense must be put to death by hanging, unless the only victim or victims of first degree murder as specified in division seven (VII), section seven hundred three (703), is or are the murderer's spouse, former spouse, mother, father, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, stepmother, stepfather, stepson, stepdaughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, half brother, half sister, aunt, uncle, niece, nephew, first cousin, employer, employee, business partner, fellow worker or associate, and the offense is committed while under the influence of sudden and violent anger caused by an act or acts of any of said persons, in which event such capital offense shall be punished as a class A felony.

Sec. ..... *NEW SECTION.* TIME OF EXECUTION. When the punishment is fixed as death, the court pronouncing judgment shall fix the day of the execution thereof, which shall not be less than one year after the day on which the judgment is rendered, and not longer than fifteen months, during which time the defendant shall be imprisoned in the penitentiary.

Sec. ..... *NEW SECTION.* RECORD SENT TO GOVERNOR. Immediately after entry of judgment of death, the court rendering the same must transmit by mail to

the governor a copy of the indictment, plea, verdict, judgment, and testimony in the case.

Sec. ..... *NEW SECTION.* COPY OF JUDGMENT AUTHORITY FOR EXECUTION. When a judgment of death is pronounced, a certified copy of the entry thereof in the record book must be furnished to the officer whose duty it is to execute the same, who shall proceed accordingly, and no other warrant or authority is necessary to require or justify the execution.

Sec. ..... *NEW SECTION.* REPRIEVE OR SUSPENSION. The only officers who shall have power to reprieve or suspend the execution of a judgment of death are the governor and, as provided in this chapter, the warden of the penitentiary, except in cases of appeal to the supreme court.

Sec. ..... *NEW SECTION.* INSANITY OR PREGNANCY. When the warden of the penitentiary is satisfied that there are reasonable grounds for believing that a defendant in the warden's charge under sentence of

Page 3

death is insane or pregnant, the warden shall notify the commissioners of hospitalization of the county wherein the penitentiary is located, who shall be sworn by the warden well and truly to inquire into the facts as to the insanity or pregnancy of the defendant, as the case may be, and return a true report of their findings.

Sec. ..... *NEW SECTION.* FINDING OF COMMISSIONERS. The commissioners, after being sworn, shall examine the defendant and hear any evidence that may be presented, and may examine the medical attendants at the penitentiary, if necessary, to ascertain the facts, and make report thereon in writing, signed by not less than a majority of them, finding as to the fact of insanity or pregnancy.

Sec. ..... *NEW SECTION.* EXECUTION SUSPENDED. If the report does not show the defendant to be insane or pregnant, the warden shall not suspend the execution; but if it does, the warden shall suspend the execution, and immediately transmit the report to the governor.

Sec. ..... *NEW SECTION.* EXECUTIVE WARRANT OF EXECUTION. When a judgment of death from any cause has not been executed on the day appointed by the court therefor, the governor, by a warrant under the seal of the state, shall fix the day of execution, which warrant shall be obeyed by the sheriff, and no one but the governor can then suspend its execution.

Sec. ..... *NEW SECTION.* TIME AND MANNER OF EXECUTION. A judgment of death must be executed by the sheriff of the county in which the judgment was rendered, or the deputy sheriff, within the walls of the penitentiary where the defendant is confined, or within a yard or enclosure adjoining thereto, on

the day fixed in the judgment, between sunrise and sunset, by hanging by the neck until dead.

Sec. ..... *NEW SECTION.* WITNESSES TO EXECUTION. The sheriff or the sheriff's deputy must, at least three clear days before executing a judgment of death, notify the judge of the district court who tried the case, or if the judge be not in office, another judge of such court, the county attorney and the clerk of the district court of the county in which the judgment was rendered, the sheriff of the county in which the offense was committed, if other than that in which judgment was rendered, and two physicians and twelve respectable citizens of the state to be selected by the sheriff to be present as witnesses at such execution. The sheriff must also, at the request of the defendant, permit one or more ministers of

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the gospel, named by the sheriff, and any of the defendant's relatives, to attend the execution, and also such magistrates, peace officers, and guards as the sheriff shall deem proper, but no minor, and no person other than those herein authorized, shall be present.

Sec. ..... *NEW SECTION.* CERTIFICATE OF EXECUTION. The sheriff or his deputy executing the judgment of death must prepare and sign with the sheriff's name of office a certificate, setting forth the time and place of the execution, and that judgment was executed upon the defendant according to the foregoing provisions, and cause the certificate to be signed by the public officers, and at least twelve persons, not relations of the defendant, who witnessed the same.

Sec. ..... *NEW SECTION.* CERTIFICATE FILED AND PUBLISHED. The sheriff or his deputy executing such judgment must cause the certificate to be filed in the office of the clerk of the district court of the county in which the judgment was rendered, and cause a copy thereof to be published in one newspaper printed at the capital of the state, and in one newspaper in the county where the judgment was entered.

Sec. ..... *NEW SECTION.* STAY OF EXECUTION OF APPEAL. An appeal from a judgment of death shall stay the infliction of that punishment, but the defendant is to be retained in custody without bail to abide the judgment thereon.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON APPEAL. When an appeal is taken from a judgment of death, the clerk of the district court in which it was rendered shall at once give the defendant or the defendant's attorney a certificate under the seal of the court, certifying that fact, and the sheriff or other officer having the defendant in custody must,

upon the delivery to the sheriff of the certificate, suspend further proceedings on the judgment until final judgment on the appeal is certified to the sheriff by the clerk of the supreme court.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON AFFIRMANCE-ISSUANCE OF WARRANT. When such judgment is affirmed, the supreme court must cause a copy of its judgment to be delivered to the governor, and to the sheriff whose duty it is to execute such judgment, signed by the clerk thereof and under seal of the court, and the governor shall issue a warrant of execution under the seal of the state, and transmit it by messenger or mail to the sheriff whose duty it is to execute the judgment, directing the sheriff, on

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a day and at an hour therein named, not earlier than the day fixed by the district court, to execute such judgment in the manner required by law.

Sec. ..... *NEW SECTION.* EXECUTION OF WARRANT. The sheriff shall execute such warrant in the manner provided in this chapter, and report the sheriff's doings to the governor and the district court whose judgment was appealed from, and make the publication of the sheriff's doings in the manner provided for in this chapter. If from any cause the judgment is not executed on the day named in the warrant, the governor may appoint another, and so on until it is done.

4. Page 216 by striking lines two (2) through twenty (20) and inserting in lieu thereof the following:

Sec. ..... *NEW SECTION.* CLASS A FELONY. Upon conviction of a class A felony, the court shall sentence the defendant to the penitentiary for life. Nothing in this chapter pertaining to deferred judgment or sentence, suspended sentence or probation shall apply to a class A felony, and no person convicted of a class A felony shall be released on parole unless the governor commutes the sentence to a term of years.

Sec. ..... *NEW SECTION.* RECORD REVIEWED. At any time after a person has served fifteen years of a life sentence, the board of parole shall interview the person and interview the person's record. If, in the opinion of the board, the person should be considered for release on parole, the board shall recommend to the governor that the person's sentence be commuted to a term of years. If the person's sentence is so commuted, the person shall be eligible for parole as provided in division six (VI) of this chapter.

5. Page 90, line 34, after the comma insert the words *"unless charged with a capital offense when the proof is evident or the presumption great, and"*.

6. Correct any sections or internal references required by this amendment.

JAMES W. GRIFFIN, SR.
RAY TAYLOR
DALE L. TIEDEN
JAMES E. BRILES
C. JOSEPH COLEMAN
NORMAN RODGERS
CLIFF BURROUGHS
CALVIN O. HULTMAN
W. R. RABEDEAUX
ELIZABETH R. MILLER
IRVIN L. BERGMAN
RICHARD J. NORPEL, SR.
FRED W. NOLTING

S—3110

Amend Senate File 85 as follows:

1. Page 13, by striking lines 32 and 33 and renumbering the remaining subsections to accord with this amendment.

2. Page 15, by striking lines 20 through 32 and inserting in lieu thereof the following new sections:

"Sec. ..... *NEW SECTION.* FETICIDE. Any person who intentionally terminates a human pregnancy after the end of the second trimester of the pregnancy commits feticide. Feticide is a class C felony. This section shall not apply to the termination of a human pregnancy performed by a physician licensed in this state to practice medicine or surgery when in the best clinical judgment of the physician the termination is performed to preserve the life or health of the pregnant person and every medical effort not inconsistent with preserving the life of the pregnant person is made to preserve the life of the fetus.

Sec. ..... *NEW SECTION.* NONCONSENTUAL TERMINATION.

1. A person who terminates a human pregnancy without the consent of the pregnant person during the commission of a felony or assault is guilty of a class B felony.

2. A person who intentionally terminates a pregnancy without the knowledge and consent of the pregnant person is guilty of a class C felony. This subsection shall not apply to a termination performed without the consent or knowledge of the pregnant person by a physician licensed in this state to practice medicine or surgery when circumstances preclude the pregnant person from providing her consent and the termination is performed to preserve the life or health of the pregnant person.

3. A person who by force or intimidation procures the consent of the pregnant person to a termination of a pregnancy is guilty of a class C felony.

Sec. ..... *NEW SECTION.* HOMICIDE OF PREMATURE FETUS ABORTED ALIVE. A person who intentionally kills a premature fetus aborted alive shall be guilty of a class B felony.

Sec. ..... *NEW SECTION.* DUTY TO PRESERVE LIFE OF FETUS ABORTED ALIVE. A person who lawfully performs or induces a termination of a human pregnancy and who fails to exercise the degree of professional care, skill, and diligence available to preserve the life of an aborted fetus showing signs of life shall be guilty of a serious misdemeanor."

3. By renumbering the sections and internal references to accord with this amendment.

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3112

Amend Senate File 85 as follows:

1. Page 21, lines 29 and 30, by striking the words ", or where the purpose of the kidnapping is to hold him for ransom".

2. Page 21, line 30, strike the letter "B" and insert in lieu thereof the letter "A".

3. Page 21, by inserting after line 31 the following new section:

"Sec. 1003. *NEW SECTION.* KIDNAPPING IN THE SECOND DEGREE. Kidnapping where the purpose is to hold the victim for ransom or where the kidnapper is armed with a firearm or displays a dangerous weapon is kidnapping in the second degree. Kidnapping in the second degree is a class B felony."

4. By renumbering the remaining sections in accordance with this amendment.

5. Page 21, line 32, by striking the word "SECOND" and inserting in lieu thereof the word "THIRD".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3121

Amend Senate File 85 as follows:

1. Page 44, line 31, by striking the words "judge, clerk, or canvasser of any election" and inserting in lieu thereof the words "precinct election official".

2. Page 45, line 8, by striking the words "Any person, being a judge or clerk of election," and inserting in lieu thereof the words "A precinct election official".

3. Page 45, by striking lines 19 through 21 and inserting in lieu thereof the following:

"5. Places or permits another election official to place into a ballot box anything other than a ballot as provided in section forty-nine point eighty-five (49.85) of the Code, or who permits any person other than an election official to place anything into a ballot box."

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3115

Amend Senate File 85, page 46, line 33, by striking the words "who, having heard", and inserting in lieu thereof the words "within hearing distance of".

CHARLES P. MILLER

S—3108

Amend Senate File 85, page 56, line 27, by inserting after the word "person" the words ", except a child as defined in this Act,".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3109

Amend Senate File 85, page 104, line 2 by striking the first word "court".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3106

Amend Senate File 85 as follows:

1. Page 118, line 28, by inserting before the word "in" the word "if".

2. Page 118, line 29, by striking the semi-colon (;) and inserting in lieu thereof the words "a joint trial will not result in prejudice to one of the parties."

3. Page 118, line 29, by striking the word "where" and inserting in lieu thereof the word "Where".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3119

Amend Senate File 85 as follows:

1. Page 166, by striking lines 20 through 35 and inserting in lieu thereof the following:

"1. When a person is formally charged with a public offense, if an indictment be not found against him within forty-five days, the court must order the prosecution to be dismissed, unless good cause to the contrary be shown. An accused not admitted to bail and unrepresented by legal counsel shall not be deemed to have waived the privilege of dismissal or be held to make demand or request to enforce a guarantee of speedy trial, and the court on its own motion shall carry out the provisions of this section as to dismissal.

2. If a defendant indicted for a public offense, whose trial has not been postponed upon his application, be not brought to trial within sixty days after the indictment is found, the court must order it to be dismissed, unless good cause to the contrary be shown. An accused not admitted to bail and unrepresented by legal counsel, shall not be deemed to have waived his privilege of dismissal or be held to make demand or request to enforce a

guarantee of speedy trial, and the court on its own motion shall carry out the provisions of this section as to dismissal.

3. If the defendant be not indicted or tried as above provided, and sufficient reason therefor is shown, the court may order the prosecution continued and discharge the defendant from custody on his own undertaking, or on the undertaking of bail for his appearance to answer the charge at the time to which the same is continued, but no continuance under this section shall be extended for more than ninety days beyond the date within which the trial would otherwise be required.

4. If the court direct the prosecution to be dismissed, the defendant, if in custody, must be discharged, or his bail, if any, exonerated, and if money has been deposited instead of bail, it must be refunded to him.

5. The court, upon its own motion or the application of the prosecuting attorney, in the furtherance of justice, may order the dismissal of any pending criminal prosecution, the reasons therefor being stated in the order and entered of record, and no such prosecution shall be discontinued or abandoned in any other manner. Such a dismissal is a bar to another prosecution for the same offense if it is a misdemeanor; but it is not a bar if the offense

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charged be a felony."

2. By striking pages 167 and 168.

3. Page 169, by striking lines 1 through 33.

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3111

Amend Senate File 85, page 193, line 32, by inserting after the word "general" the words "and the clerk of the supreme court".

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3105

Amend Senate File 85, as follows:

1. Page 225, line 31, by striking the word "shall" and inserting in lieu thereof the word "may".

2. Page 225, line 32, by striking the word "shall" and inserting in lieu thereof the word "may".

3. Page 238, line 22, by inserting after the period the following new sentences:

"The magistrate may order the alleged parole violator confined in the county jail or may order the alleged parole violator released on bail under such terms and conditions as the magistrate may require. Admittance to bail is discretionary with

the magistrate and is not a matter of right."

4. Page 238, by inserting after line 22 the following new section:

"Sec. ..... *NEW SECTION.* PLACE OF PROBABLE CAUSE HEARING. The probable cause hearing shall be held in the same county as the alleged parole violator had his or her initial appearance. The clerk of court shall provide a room suitable for the probable cause hearing."

5. Page 238, line 24, by striking the words "the magistrate" and inserting in lieu thereof the words "a liaison officer appointed pursuant to section four hundred six (406) of this chapter."

6. Page 238, line 31, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

7. Page 239, line 1, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

8. Page 239, line 3, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

9. Page 239, line 10, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

10. Page 239, by striking lines 12 through 15.

11. Page 239, line 16, by striking the word "MAGISTRATE" and inserting in lieu thereof the words "LIAISON OFFICER".

12. Page 239, line 19, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

13. Page 239, line 22, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

14. Page 239, lines 24 and 25, by striking the words and figure "one hundred seven (107)" and inserting in lieu thereof the words and figure "one

Page 2

hundred eight (108)".

15. Page 239, line 27, by striking the words and figure "seven hundred six (706) of this chapter" and inserting in lieu thereof the words and figure "eight hundred two (802) of this chapter".

16. Page 239, lines 27 and 28, by striking the words "committing magistrate" and inserting in lieu thereof the words "liaison officer".

17. Page 240, line 6, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

18. Page 240, lines 10 through 12, by striking the words ", to present evidence in his behalf, and to cross examine adverse witnesses,".

19. Page 240, line 26, by striking the word

"magistrate" and inserting in lieu thereof the words "liaison officer".

20. Page 242, line 9, by striking the words "committing magistrate" and inserting in lieu thereof the words "liaison officer".

21. By renumbering the sections and internal references to accord with this amendment.

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3118

Amend Senate File 85 as follows:

1. Page 318, by inserting after line 6 the following:

"Sec. ..... Section two hundred four point four hundred one (204.401), subsection three (3), Code 1975, is amended to read as follows:

3. It is unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this chapter. Any person who violates this subsection is guilty of a *serious* misdemeanor[, and upon conviction shall be punished by imprisonment in the county jail for not to exceed one year, or by a fine of not more than one thousand dollars, or both such imprisonment and fine]. If the controlled substance is marijuana, the [punishment shall be by imprisonment in the county jail for not more than six months or by a fine of not more than one thousand dollars, or by both such fine and imprisonment] *person is guilty of a simple misdemeanor.* All or any part of a sentence imposed pursuant to this section may be suspended and the person placed upon probation upon such terms and conditions as the court may impose including the active participation by such person in a drug treatment, rehabilitation or education program approved by the court."

2. By renumbering the remaining sections to accord with this amendment.

COMMITTEE ON JUDICIARY
GENE W. GLENN, Chairman

S—3101

Amend Senate File 149, page 1, line 21, by striking the words "Times-Democrat" and inserting in lieu thereof the words "Quad-City Times".

ROGER J. SHAFF

S—3102

Amend Senate File 165 as follows:

1. Page 1, line 21, by striking the word *"five"* and inserting in lieu thereof the word *"one"*.

2. Page 1, line 22, by striking the word "*dollars*" and inserting in lieu thereof the word "*dollar*".

EUGENE M. HILL

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 11:40 a.m., until 9:30 a.m., Monday, February 17, 1975.

JOURNAL OF THE SENATE

THIRTY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, FEBRUARY 17, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend R. B. Flentgen, pastor of the Immanuel Lutheran Church, Estherville, Iowa.

The Journal of Friday, February 14, 1975, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Shaw for the day on request of Senator Lamborn; Senator Miller of Des Moines for the day on request of Senator Kinley.

INTRODUCTION OF BILL

Senate File 169, by Senators Doderer and Kelly, a bill for an act relating to the furnishing of discharged inmates of the women's reformatory with clothing, money, and transportation.

Read first time and passed on file.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 70

Senator Briles called up for further consideration Senate File 70, a bill for an act relating to lights of road machinery, and House amendment S—3080, found on page 265 of the Senate Journal, considered and deferred on February 13, 1975.

Senator Hill of Polk offered amendment S—3104 to House amendment S—3080 and moved its adoption:

S—3104
1 Amend the House amendment S—3080, to Senate File 70,
2 lines 10 and 11, by striking the words "road machinery"
3 and inserting in lieu thereof the words "[road machinery]".

Amendment S—3104 was adopted.

Senator Briles moved that the Senate concur in House amendment S—3080 as amended.

The motion prevailed and the Senate concurred in House amendment S—3080 as amended.

Senator Briles 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. 70) the vote was:

Ayes, 35:

Andersen	Glenn	Miller of Marshall	Rodgers
Bergman	Griffin	Murray	Schwengels
Briles	Hill of Jasper	Nolin	Scott
Coleman	Hill of Polk	Nystrom	Shaff
Culver	Hultman	Orr	Sovern
Curtis	Junkins	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Ramsey	Van Gilst
Gallagher	Merritt		Willits

Nays, none.

Absent or not voting, 15:

Burroughs	Heying	Nolting	Redmond
Carr	Kelly	Norpel	Robinson
Gluba	Miller of Des Moines	Palmer	Shaw
Hansen		Rabedeaux	Winkelman

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

CONSIDERATION OF BILLS

Senate File 149

On motion of Senator Willits, Senate File 149, a bill for an act relating to an appropriation from the general fund of the state to sewage works treatment construction fund, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff offered amendment S—3101 filed by him and moved its adoption:

S—3101
Amend Senate File 149, page 1, line 21, by striking the words "Times-Democrat" and inserting in lieu thereof the words "Quad-City Times".

Amendment S—3101 was adopted.

President pro tempore Doderer took the chair at 9:55 a.m.

Senator Willits moved that the bill 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, 40:

Andersen	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Culver	Kinley	Orr	Sovern
Curtis	Lamborn	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Marshall	Priebe	Van Gilst
Gallagher	Murray	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			

Nays, 1:

Griffin

Absent or not voting, 9:

Bergman	Heying	Miller of Des Moines	Robinson
Coleman	Kelly	Rabedeaux	Shaw
Hansen			

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

INTRODUCTION OF BILL

Senate File 170, by Senators Priebe, Nolin, Coleman, Bergman, Winkelman, Tieden, Heying, Scott, Norpel, Curtis, Plymat, Andersen, Nystrom, Taylor, Burroughs, Culver, Gallagher, Robinson, Rodgers, Redmond, Nolting, Sovern, Merritt, Miller of Marshall, Hansen, Carr, Doderer, Lamborn, Kelly, Gluba, Palmer and Kinley (Husak, Krause, Schroeder, Scheelhaase, Hutchins, Baker, Perkins, Wyckoff and Hansen), a bill for an act relating to the disposition of snowmobile registration fees.

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

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President 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 refused to concur in the Senate amendment to House File 99, a bill for an act relating to temporary closing of highways.

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

House Concurrent Resolution 15 urging a study to evaluate the average state program costs per student and to develop an equitable system of weighting.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 15

By Committee on Education

Whereas, the financial needs of education are subject to influences by dynamic needs of society, and

Whereas, the financial requirements for each school district vary with the number of students in each program by grade level, the type of curriculum and student physical and mental differences, and

Whereas, the Iowa department of public instruction does not have cost figures or procedures that accurately reflect the relative costs in Iowa for each program calculated as a per student cost figure, and

Whereas, these figures are necessary before an equitable funding method can be adopted to allocate funds in proportion to the average cost for each program and the number of students in each district in each program category, *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the department of public instruction, in cooperation with and under the direction of the standing committees on education of the house and senate, shall conduct a study to begin as soon as possible and terminate by January 1, 1976, to evaluate the average state program costs per student, to develop an equitable system of weighting and report to the general assembly the findings of the study. The report shall include a weighting index which means the ratios obtained by comparing the costs for different programs to the average cost for an elementary school student in grades one through six.

Be It Further Resolved, That in conducting the study the program cost per student shall be determined by dividing the cost of education for each program by the number of students in the program. The program categories include but are not

limited to:

1. Basic programs:
a. Early childhood programs.
b. Kindergarten.
c. Elementary.
d. Middle school.
e. High school.
2. Special programs:
a. Low income.
b. Non-English speaking.
c. Migrant.
d. Agriculture.
e. Homemaking.
f. Trades and industry.
g. Office and health.
h. Cooperative.
i. Coordinated vocational-academic education.
j. Gifted.
k. Student and population density.

Additional categories may be selected and studied to assist in illustrating the varying financial demands of different school districts.

Be It Further Resolved, That in determining the average program costs per student, exemplary programs conducted by school districts in the state or by similar schools in other states shall be studied, rather than analyzing the average costs of all similar programs in the state.

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

SPECIAL ORDER OF BUSINESS

Senate File 85

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 85.

On motion of Senator Glenn, Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications, was taken up for consideration.

Senator Glenn offered amendment S—3098 filed by the committee on judiciary and moved its adoption:

S—3098

Amend Senate File 85 as follows:

1. Page 1, by striking lines 15, 16 and 17.

2. Renumbering the remaining sections in accordance with this amendment.

Amendment S—3098 was adopted.

Senator Hill of Jasper offered amendment S—3094 filed by him:

Division S—3094B

S—3094

Amend Senate File 85 as follows:

Division S—3094A

1. Page 1, by striking lines 15, 16 and 17.

Division S—3094B (cont'd)

2. Page 1, by striking lines 22 through 29 and inserting in lieu thereof the following:

"Sec. 105. *NEW SECTION.* INSANITY. No person shall be convicted of any crime if at the time such crime is committed he suffers from such a diseased or deranged condition of the mind so as to render him incapable of knowing the nature and quality of the act he is committing or incapable of distinguishing between right and wrong in relation to that act. Insanity need not exist for any specific length of time before or after the commission of the alleged criminal act."

Division S—3094C

3. Page 2, line 2, by inserting before the word "Evidence" the following: "All persons are presumed to know the law."

Division S—3094B (cont'd)

4. By renumbering the sections.

Senator Hill of Jasper called for a division of the amendment, section 1 to be considered as division S—3094A; the remainder of the amendment to be considered as division S—3094B.

Senator Glenn called for a further division of the amendment, section 3 to be considered as division S—3094C.

Senator Hill of Jasper withdrew division S—3094A of the amendment.

Senator Hill of Jasper moved the adoption of division S—3094B of the amendment and requested a record roll call.

On the question "Shall division S—3094B of the amendment be adopted?" (S.F. 85) the vote was:

Ayes, 25:

Andersen	Heying	Nystrom	Scott
Bergman	Hill of Jasper	Priebe	Shaff
Briles	Hultman	Rabedeaux	Taylor
Burroughs	Junkins	Ramsey	Tieden
Coleman	Lamborn	Rodgers	Van Gilst
Curtis	Miller of Marshall	Schwengels	Winkelman
Hansen			

Nays, 23:

Carr	Gluba	Murray	Plymat
Culver	Griffin	Nolin	Redmond
DeKoster	Hill of Polk	Nolting	Robinson
Doderer	Kelly	Norpel	Sovern
Gallagher	Kinley	Orr	Willits
Glenn	Merritt	Palmer	

Absent or not voting, 2:

Miller of Des Moines	Shaw

Division S—3094B of the amendment was adopted.

On motion of Senator Hill of Jasper, division S—3094C of the amendment was adopted.

Senator Orr offered amendment S—3141:

S—3141
Amend Senate File 85 as follows:
1. Page 1, by inserting after line 29 the following new section:
"SEC. ..... *NEW SECTION.* MENTAL DEFICIENCY. No person shall be convicted of any crime if, as a result of mental deficiency, he lacks substantial mental capacity either to appreciate the criminality of his or her conduct or to conform his or her conduct to the law."
2. By renumbering the remaining sections to accord with this amendment.

Senator Doderer asked unanimous consent that action on amendment S—3141 be temporarily deferred.

Objection was raised.

Senator Doderer moved that action on amendment S—3141 be temporarily deferred.

The motion prevailed.

Senator Hill of Jasper offered amendment S—3134:

S—3134
Amend Senate File 85 as follows:
1. Page 3, by striking lines 2 through 8.
2. By renumbering the sections.

Senator Hill of Jasper withdrew amendment S—3134.

Senator Glenn offered amendment S—3095 filed by the committee on judiciary and moved its adoption:

S—3095
Amend Senate File 85, page 12, by striking line 19

and inserting in lieu thereof the words "one person agreeing with another person or persons".

Amendment S—3095 was adopted.

Senator Glenn offered amendment S—3097 filed by the committee on judiciary:

S—3097

Amend Senate File 85, page 18, line 35, by inserting after the word "wife" the words "or a man and wife who are not at the time cohabiting as man and wife".

Action on amendment S—3097 was temporarily deferred.

Senator Griffin offered amendment S—3114 filed by Senators Griffin, et al., and found on pages 322–327, inclusive, of the Senate Journal.

Senator Hill of Polk offered amendment S—3143 to amendment S—3114:

S—3143

Amend amendment S—3114 to Senate File 85 by striking all after line 1 and inserting in lieu thereof:

1. Page 5, line 10, by striking the words "homicide, assault" and inserting in lieu thereof the words "assault, homicide".

2. Page 13, by striking lines 23 through 35 and inserting in lieu thereof the following new sections:

"Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE DEFINED. A person who kills another person with malice aforethought either express or implied commits criminal homicide.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE FIRST DEGREE. A person commits criminal homicide in the first degree when he or she commits criminal homicide under any of the following circumstances:

1. The person willfully, deliberately, and with premeditation kills another person.

2. The person kills another person while participating in a forcible felony.

3. The person kills another person while escaping or attempting to escape from lawful custody.

Criminal homicide in the first degree is a class A felony.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE SECOND DEGREE. A person commits criminal homicide in the second degree when he or she commits criminal homicide which is not criminal homicide in the first degree.

Criminal homicide in the second degree is a class B felony.

Sec. ..... *NEW SECTION.* VOLUNTARY MANSLAUGHTER. A person commits voluntary manslaughter when that person causes the death of another person, under circumstances which would otherwise be criminal homicide, if he or she acts solely as the result of sudden, violent, and irresistable passion resulting from serious provocation sufficient to excite such passion in a person and there is not an interval between the provocation and the killing in which a person of ordinary reason and temperament would regain his or her control and suppress the impulse to kill.

Voluntary manslaughter may be proved as an included offense under an indictment for criminal homicide in the first or second degree.

Voluntary manslaughter is a class C felony.

Sec. ..... *NEW SECTION.* INVOLUNTARY MANSLAUGHTER.

1. A person commits a class D felony when the person unintentionally causes the death of another

Page 2

person by the commission of a public offense other than a forcible felony.

2. A person commits an aggravated misdemeanor when the person unintentionally causes the death of another person by the commission of an act in a manner likely to cause death or serious injury.

Involuntary manslaughter as defined in this section may be proved as an included offense under an indictment for criminal homicide in the first or second degree or voluntary manslaughter."

3. By striking page 14.

4. Page 15 by striking lines 1 through 19.

5. By renumbering the sections and internal references to accord with this amendment.

Senator Griffin raised the point of order that amendment S—3143 to amendment S—3114 was not germane.

The Chair ruled the point not well taken and amendment S—3143 to amendment S—3114 was in order.

Senator Ramsey asked unanimous consent that action on amendment S—3114 be deferred and that judiciary committee amendment S—3120 be taken up for consideration.

Objection was raised.

Senator Glenn asked and received unanimous consent that action be temporarily deferred on amendment S—3114 and all amendments thereto; and committee amendments S—3120 and S—3110 and amendments thereto.

Senator Glenn offered amendment S—3112 filed by the committee on judiciary and moved its adoption:

S—3112

Amend Senate File 85 as follows:

1. Page 21, lines 29 and 30, by striking the words ", or where the purpose of the kidnapping is to hold him for ransom".

2. Page 21, line 30, strike the letter "B" and insert in lieu thereof the letter "A".

3. Page 21, by inserting after line 31 the following new section:

"Sec. 1003. *NEW SECTION.* KIDNAPPING IN THE SECOND DEGREE. Kidnapping where the purpose is to hold the victim for ransom or where the kidnapper is armed with a firearm or displays a dangerous weapon is kidnapping in the second degree. Kidnapping in the second degree is a class B felony."

4. By renumbering the remaining sections in accordance with this amendment.

5. Page 21, line 32, by striking the word "SECOND" and inserting in lieu thereof the word "THIRD".

Amendment S—3112 was adopted.

Senator Glenn offered amendment S—3121 filed by the committee on judiciary and moved its adoption:

S—3121

Amend Senate File 85 as follows:

1. Page 44, line 31, by striking the words "judge, clerk, or canvasser of any election" and inserting in lieu thereof the words "precinct election official".

2. Page 45, line 8, by striking the words "Any person, being a judge or clerk of election," and inserting in lieu thereof the words "A precinct election official".

3. Page 45, by striking lines 19 through 21 and inserting in lieu thereof the following:

"5. Places or permits another election official to place into a ballot box anything other than a ballot as provided in section forty-nine point eighty-five (49.85) of the Code, or who permits any person other than an election official to place anything into a ballot box."

Amendment S—3121 was adopted.

Senator Hultman offered amendment S—3127 by Senators Hultman, Tieden and Rabedeaux and moved its adoption:

S—3127

Amend Senate File 85, page 18 as follows:

1. By striking lines 7 and 8.

2. By renumbering the remaining paragraphs.

A non-record roll call was requested.

The ayes were 16, nays 31.

Amendment S—3127 lost.

Senator Redmond offered amendment S—3090 filed by him and moved its adoption:

S—3090
Amend Senate File 85, page 56, line 8, by striking the word "simple" and inserting in lieu thereof the word "serious".

Amendment S—3090 was adopted.

Senator Glenn offered amendment S—3108 filed by the committee on judiciary and moved its adoption:

S—3108
Amend Senate File 85, page 56, line 27, by inserting after the word "person" the words ", except a child as defined in this Act,".

Amendment S—3108 was adopted.

Senator Glenn offered amendment S—3099 filed by the committee on judiciary and moved its adoption:

S—3099
Amend Senate File 85, page 56, by striking lines 12 through 16 and inserting in lieu thereof the following:
"Section 2601. *NEW SECTION.* BIGAMY. Any person, having a living husband or wife, who marries another, commits bigamy. Any of the following is a defense to the charge of bigamy:".

Amendment S—3099 was adopted.

Senator Glenn offered amendment S—3109 filed by the committee on judiciary and moved its adoption:

S—3109
Amend Senate File 85, page 104, line 2 by striking the first word "court".

Amendment S—3109 was adopted.

Senator Glenn offered amendment S—3106 filed by the committee on judiciary and moved its adoption:

S—3106
Amend Senate File 85 as follows:
1. Page 118, line 28, by inserting before the word "in" the word "if".
2. Page 118, line 29, by striking the semi-colon (;) and inserting in lieu thereof the words "a joint trial will not result in prejudice to one of the parties."

3. Page 118, line 29, by striking word "where" and inserting in lieu thereof the word "Where".

Action on amendment S—3106 was temporarily deferred.

(Senate File 85 pending on adjournment.)

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3112 to Senate File 85 was adopted by the Senate on February 17, 1975.

PHILIP B. HILL

INTRODUCTION OF BILLS

Senate File 171, by Senators Rodgers, Scott, Priebe, Coleman, Briles, Culver, Gallagher, Tieden, Burroughs, Merritt, Norpel, Carr, Redmond, Kinley, Gluba, Glenn, Nolting, Palmer, Orr, Miller of Des Moines, Rabedeaux, Sovern and Willits, a bill for an act relating to farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain corporations, requiring reports, authorizing farming by certain corporations, providing civil procedures and remedies for enforcement of the provisions of the Act, and providing penalties for violation of the Act.

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

Senate File 172, by Senator Doderer, a bill for an act relating to establishment of a trust to pay child support out of the assets of an estate.

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

Senate File 173, by Senator Scott, a bill for an act relating to emergency light sources for public buildings.

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

Senate File 174, by committee on ways and means, a bill for an act relating to the definitions of cigarette and package of cigarettes.

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

Senate File 175, by Senators Heying and Taylor, a bill for an act relating to the duties of public utilities when acquiring easements.

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

Senate File 176, by Senators Heying and Taylor, a bill for an act granting the owner of land acquired where eminent domain is available the option to repurchase the land not used for the project.

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

SENATE CONCURRENT RESOLUTION 16
By Andersen

Whereas, There is growing concern in the United States over the rapidly rising cost of medical malpractice insurance and the decision of some companies to leave this field entirely, or to cease writing such insurance in particular areas of the nation; and

Whereas, Various alternative solutions have been proposed to meet this situation, and the merits of each of these possible solutions should be evaluated; and

Whereas, Members of various other professions either have experienced or may in the future begin to experience difficulty in purchasing appropriate insurance against liability which may arise in the practice of their respective professions; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Legislative Council is urged to arrange for a study of the availability, cost and terms of professional liability insurance to be conducted during the 1975 interim by an appropriate legislative body.

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

SENATE CONCURRENT RESOLUTION 17
By Rodgers

Whereas, widespread public criticism of existing probate laws has developed, based upon unreasonable time and expense required for settling estates, while a steady increase in the work load of the courts seems to demand simplification of some traditional procedures; and

Whereas, great diversity in probate procedures in the various states makes the settlement of estates by traditional methods too complex and cumbersome for today's mobile population; and

Whereas, members of the legal profession are concerned that popular devices for avoiding probate may cause costly future legal difficulties for their clients; and

Whereas, the Uniform Probate Code was approved in 1969 by the National Conference of Commissioners on Uniform State Laws and the American Bar Association, has been adopted by the states of Idaho, Alaska, North Dakota, Arizona, Colorado, South Dakota, Montana, and Nebraska and laws similar to the Uniform Probate Code have been adopted in the states of Wisconsin, Minnesota, Maryland, and Oregon and the Uniform

Probate Code has received study and approval by legislative and professional groups in a number of other states; and

Whereas, consideration of the Uniform Probate Code by the Iowa General Assembly requires intensive study, comparison with present Iowa probate law, and careful and time-consuming drafting; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council establish a study committee for the purpose of studying the Uniform Probate Code in comparison with present Iowa probate laws, and considering the desirability of adopting the Uniform Probate Code in Iowa;

Page 2

and

Be It Further Resolved, That the study committee shall consist of legislators representing both the Senate and the House of Representatives, and representing both political parties, as well as knowledgeable citizens if deemed appropriate; and

Be It Further Resolved, That the study committee make periodic reports to the legislative council and submit a final report, including necessary bill drafts to implement its recommendations to the legislative council. Copies of the report accepted by the legislative council shall be submitted to the Second Session of the Sixty-sixth General Assembly meeting in 1976.

Read first time and passed on file.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

February 13, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Jack H. Bedell, Spirit Lake, Dickinson County, Iowa, for reappointment as a member of the Iowa Board of Parole pursuant to Section 247.1, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Jean Braley, Shenandoah, Page County, Iowa, for appointment to

the State Judicial Nominating Commission pursuant to Section 46.1, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Miss Nancy S. Brown, Waterloo, Black Hawk County, Iowa, for appointment to the State Judicial Nominating Commission pursuant to Section 46.1, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Carol Johnson, Ottumwa, Wapello County, Iowa, for appointment as a member of the State Judicial Nominating Commission pursuant to Section 46.1, 1975 Code of Iowa, for the six-year term ending June 30, 1979.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Donald S. Willis, Des Moines, Polk County, Iowa, for appointment to the State Judicial Nominating Commission pursuant to Section 46.1 1975 Code of Iowa, for the six-year term ending June 30, 1979.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Allan T. Thoms, Dubuque, Dubuque County, Iowa, for reappointment to the State Transportation Commission pursuant to Section 307.3, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1975 and ending June 30, 1979.

Sincerely,
ROBERT D. RAY
Governor

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

S. F. 168 Appropriations

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 14, 1975, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 56—Relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and the franchise tax.

REAPPOINTMENTS BY PRESIDENT OF THE SENATE TO STATUTORY COMMISSIONS AND COUNCILS

President Neu announced the reappointment of the following Senators to Commissions and Councils:

American Revolution Bicentennial Commission, in accordance with Chapter 1286.1(5), Acts of the Sixty-third General Assembly, Norman G. Rodgers and Forrest V. Schwengels to serve at the pleasure of the President of the Senate.

Capitol Planning Commission, in accordance with Section 18A.2, Code 1975, Warren E. Curtis to fill the unexpired portion of a term ending April 30, 1977, and William N. Plymat to fill the unexpired portion of a term ending April 30, 1975.

Child Abuse Information Council, in accordance with Section 235A.24, Code 1975, Minnette F. Doderer and E. Kevin Kelly to serve at the pleasure of the President of the Senate.

Commission on the Aging, in accordance with Section 249B.2, Code 1975, Leonard C. Andersen to fill the unexpired portion of a term ending June 30, 1977.

Education Commission of the States, in accordance with Section 272B.2, Code 1975, Minnette F. Doderer to fill the unexpired portion of a term ending June 30, 1975, and Elizabeth Shaw to fill the unexpired portion of a term ending June 30, 1977.

Energy Policy Council, in accordance with Section 93.6, Code 1975, James V. Gallagher and Calvin O. Hultman to serve at the pleasure of the President of the Senate.

Higher Education Facilities Commission, in accordance with Section 261.1(4), Code 1975, John N. Nystrom to fill the unexpired portion of a term ending June 30, 1975.

IPERS Advisory Council, in accordance with Section 97B.8, Code 1975, James W. Griffin, Sr., to serve at the pleasure of the President of the Senate.

Law Enforcement Academy Council, in accordance with Section 80B.6(9), Code 1975, Richard R. Ramsey to fill the unexpired portion of a term ending August 14, 1978.

Medical Assistance Council, in accordance with Section 249A.4(8), Code 1975, C. Joseph Coleman to fill the unexpired portion of a term ending June 30, 1975.

Police Communications Review Committee, in accordance with Chapter 104.5, Acts of the Sixty-fifth General Assembly, James V. Gallagher and William P. Winkelman to serve at the pleasure of the President of the Senate.

State Records Commission, in accordance with Section 304.3(6), Code 1975, Warren E. Curtis to serve at the pleasure of the Legislative Council.

EXPLANATION OF VOTES

MR. PRESIDENT: Because of inclement weather, I was unable to arrive in the Senate chambers until after the vote was taken on Senate File 70 and Senate File 149. Had I been in attendance, I would have voted "aye" on both of these bills.

HILARIUS L. HEYING

MR. PRESIDENT: Because of inclement weather, a heavy snow storm in eastern Iowa, I was unable to arrive in the Senate chambers until 10:30 a.m. Had I been in attendance, I would have voted "aye" on Senate File 70 and Senate File 149.

W. R. RABEDEAUX

REPORT OF COMMITTEE

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **Senate File 74**, a bill for an act relating to the use of tax money for purchase and improvement of schoolhouse sites, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOAN ORR, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3126

Amend Senate File 73 as follows:

1. Page 1, line 4, by striking the words "a third party" and inserting in lieu thereof the words "the Chicago, Milwaukee, St. Paul, and Pacific Railroad Company".

2. Page 1, line 5, after the word "located" insert the words "was abandoned and".

3. Page 1, line 8, after the word "such" insert the word "undeveloped".

4. Page 1, line 9, after the word "land" insert the words "which is presently not in a park, preserve, forest, or other maintained area".

DALE L. TIEDEN

S—3130

Amend Senate File 85, page 11, line 18, by striking

the words "some force" and insert in lieu thereof the words "an unwitting person and which is".

GENE W. GLENN

S—3140

Amend Senate File 85, page 18, by striking lines 9, 10 and 11.

LOWELL JUNKINS
W. R. RABEDEAUX
CALVIN HULTMAN

S—3144

Amend Senate File 85, page 18, line 35, by striking the words "man and wife" and inserting in lieu thereof "husband and wife, or between a husband and wife who are not at the time cohabiting as husband and wife,".

JOHN S. MURRAY
MINNETTE F. DODERER

S—3133

Amend Senate File 85, page 19, by striking lines 21 through 25, and inserting in lieu thereof the following:

"A person commits sexual assault in the second degree under any of the following circumstances:

1. In the course of such act, he or she displays in a threatening manner a deadly weapon or uses or threatens to use force creating a substantial risk of death or serious injury to any other person.

2. The other participant is a child.

3. The other participant is under 16 and the actor is a member of the same household as the other participant and they are related by blood or affinity to the fourth degree.

4. The actor is aided or abetted by one or other persons, and the sex act is committed by force and against the will of the other."

JAMES M. REDMOND

S—3131

Amend Senate File 85, page 21, by inserting after line 9, the following new section:

"Sec. 909. *NEW SECTION.* COST OF MEDICAL EXAMINATION IN CRIMES OF SEXUAL ASSAULT. The cost of a medical examination for the purpose of gathering evidence and the cost of treatment for the purpose of preventing venereal disease shall be borne by the county in which the crime was committed."

JAMES M. REDMOND

S—3135

Amend Senate File 85, page 27, line 10, by adding after the word "him." the following new sentence:

"Failure by a bailee or lessee of personal property to return the property within 72 hours after a time specified in a written agreement of lease or bailment shall be evidence of misappropriation."

LUCAS J. DeKOSTER

S—3148

Amend Senate File 85 as follows:

1. Page 28, line 17, by inserting after the word, "battle" the words "or the theft of a motor vehicle of a value exceeding five thousand dollars,".

2. Page 28, line 23, by striking the words ", irrespective of value" and inserting in lieu thereof the words "of a value less than five thousand dollars".

LEONARD C. ANDERSEN

S—3137

Amend Senate File 85, page 36, line 13, by striking the word "aggravated" and inserting in lieu thereof the word "simple".

EUGENE M. HILL

S—3149

Amend Senate File 85 as follows:

1. Page 85, by striking lines 3 through 6, and inserting in lieu thereof the following:

"The officer may use reasonable force to enter a structure or vehicle to execute a search warrant without notice of his authority and purpose:

1. In the case of vacated or abandoned structures or vehicles.

2. If the issuing magistrate has asserted a direction in the warrant that the officer executing it shall not be required to give such notice. The magistrate may so direct only upon proof under oath that there is probable cause to believe that the property sought may be easily and quickly destroyed, or that danger to the life or limb of the officer may result, if such notice were to be given. A search warrant containing such a direction may only be obtained from a district court judge or district associate judge."

2. Page 105, line 23, by striking the words "With the consent of the defendant and".

3. Page 105, by striking lines 24 through 29, and inserting in lieu thereof the following:

"Upon a showing of good cause, the time limits specified in this paragraph may be extended by the magistrate."

4. Page 109, by striking line 10 and inserting in lieu thereof the following:

"juror, if the grounds for challenge which are alleged in the motion of the defendant have not previously been determined pursuant to a challenge asserted by the defendant pursuant to paragraph a or paragraph b of this subsection."

5. Page 112, by striking line 26, and inserting in lieu thereof the following:

"be again submitted. Nothing in this paragraph shall be deemed to prohibit the filing of an information pursuant to Rule five (5) of the Iowa Rules of Criminal Procedure after the grand jury refuses to find an indictment."

6. Page 112, by inserting after line 29, the following:

"The grand jury shall meet regularly at times specified by order of the chief judge. In addition to those times, the grand jury shall meet at the request of the county attorney, and the grand jury shall meet at any other time upon the direction of the foreman."

7. Page 122, line 33, by inserting a period following the word "agreement" and by striking the

Page 2

words "or another disposition more favorable".

8. Page 122, by striking line 34.

9. Page 128, line 11, by inserting after the words "The court may for" the word "good".

10. Page 128, line 22, by inserting after the words "The court may for" the word "good".

11. Page 130, line 20, by inserting after the word "trial" the words "because that witness might be unavailable at the time of trial".

12. Page 133, line 13, by striking the word "shall" and inserting in lieu thereof the following:

"may, upon a showing that special circumstances exist which require disclosure in order for the defendant to receive a fair trial,".

13. Page 134, by inserting after line 4 the following:

"(4) If disclosure is ordered pursuant to subparagraphs one (1) or two (2) of this paragraph, the court also shall order that the defendant disclose to the attorney for the government any similar information, documents or statements in the possession of the defendant, and that the defendant submit upon the request of the government the names of all witnesses and the substance of their proposed testimony which the defendant expects to present at trial."

14. Page 134, line 8, by inserting before the word "subject" the word "to".

15. Page 134, line 27, by striking the word "may" and insert the word "shall".

16. Page 135, line 2, by striking the word "may" and insert the word "shall".

17. Page 138, line 5, by striking the words "the issuance by".

18. Page 138, line 12, by striking the words "A witness".

19. Page 138, by striking lines 13 through 15.

20. Page 138, line 21, by inserting after the word "trial." the following:

"The court must order that conference if requested by any party."

21. Page 138, by inserting after line 35 the following:

"4. AVOIDANCE OF SURPRISE OF THE PARTIES. At the pretrial conference the defendant or the

defendant's attorney shall submit in written form the following information:

a. The names, addresses and the substance of testimony of all witnesses other than the defendant that the defendant expects to call at the trial.

b. Any written documents, recordings, photographs,

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or tangible objects which are within the possession, custody or control of the defendant, and which the defendant expects to submit as evidence at trial."

22. Page 139, line 4, by inserting after the word "writing" the words "and unless the state consents to that waiver".

23. Page 145, line 16, by striking the word "strictly" and inserting in lieu thereof the word "generally".

24. Page 147, by inserting after line 12 the following:

"The court, upon the request of a party or upon its own motion, shall instruct the jury that a verdict of guilty of an included offense constitutes a verdict of not guilty of the offense charged."

25. Page 164, line 7, by inserting after the word "within" the words "a time specified by the court but not exceeding".

26. Page 165, by inserting after line 10 the following:

"c. The court, upon good cause shown, may waive the presence of the defendant at any proceedings other than the trial."

27. Page 165, by inserting after line 29 the following:

"d. The magistrate or judge may cause the courtroom to be cleared of all persons, or any portion thereof, except the parties to the proceeding and their attorneys, when in the opinion of the magistrate or judge it is necessary, in order to preserve the integrity or order of the proceedings."

28. Page 348, by inserting after line 23 the following:

"Sec. ..... Chapter three hundred thirty-seven (337), Code 1975, is amended by adding the following new section:

NEW SECTION. Any sheriff taking possession of property of any kind, including money, but excluding condemnation funds, shall maintain record of that property in a separate book kept for that purpose. The sheriff shall maintain as part of the record, the following information:

1. The date the sheriff acquired possession of that property.

2. The name of the person from whom the sheriff took possession of the property.

3. A detailed description of that property.

4. A detailed description of any disposition of that property, whether pursuant to court order or otherwise.

Page 4

The sheriff shall be held strictly accountable for all property in the sheriff's possession, and in any action brought pursuant to chapter six hundred thirteen A (613A) of the Code to recover property or to recover damages for the loss of property which is required by this section to be accounted for by the sheriff, section six hundred thirteen A point five (613A.5) of the Code shall not apply: Provided that the action may not be maintained unless commenced within two years after the date the claim arose.

The sheriff shall maintain reasonable procedures and facilities for protecting property against loss or damage. For purposes of this section a sheriff acquires possession of property when the sheriff or any deputy or employee acquires possession while in the performance of official duties.

This section shall not apply to property other than that obtained pursuant to execution, confiscation, warrant, investigation, or other seizure while in the performance of official duties."

RICHARD R. RAMSEY

S—3129

Amend Senate File 85 as follows:

1. Page 127, by striking lines 30 and 31 and inserting in lieu thereof the following:

"to establish such alibi. In the event that a defendant shall file such notice the attorney for the government shall file and serve upon the defendant the names and addresses of the witnesses the government proposes to offer in rebuttal to discredit the defendant's alibi. Such service shall be completed not less than five days after receipt of defendant's witness list, or within such other time as the court may direct. If either party shall fail to abide by the time periods heretofore described, the proponent".

2. Page 127, line 34 by striking the words "the defendant" and inserting in lieu thereof the words, "either party".

3. Page 128, by striking lines 2 and 3 and inserting in lieu thereof the following:

"to establish or rebut the defendant's alibi. This rule shall not limit the right of the defendant".

GENE W. GLENN

S—3132

Amend Senate File 85, page 147, by inserting on line 14 after the word "deliberation." the following new sentence:

"No instruction shall be given which would allow the

jury to view the evidence in a case of sexual assault in a manner different than any other criminal cases."

JAMES M. REDMOND

S—3142

Amend Senate File 85, page 153, line 30, by inserting after the word "thereof." the following sentence:

"It shall not be a requirement of this section that corroboration be necessary to obtain a conviction where the solicited person is a law enforcement agent, employee, official, or person working on behalf of a law enforcement agency within the scope of his employment."

CALVIN O. HULTMAN

S—3122

Amend Senate File 85 as follows:

1. Page 213, line 20, by adding after the word "made." the following:

"If the offense is not a felony, the court may, in its discretion, order that a presentence investigation be made whenever the maximum period of confinement which may be imposed is in excess of thirty days."

2. Page 227, by inserting after line 17, the following new paragraph:

"When a person is released on parole, the chief parole officer shall notify the sheriff in the county and the chief of police of any cities in the county where the person released on parole is to reside of the release of that person, and the terms and conditions of the person's parole."

3. Page 225, by inserting after line 18 the following new paragraph:

"A person aiding in or attempting an escape, or a person escaping from custody, while committed to the custody of the director of the division of adult corrections shall not be eligible for parole, and shall serve the maximum sentence which may be imposed for the offense for which the person was committed."

4. Page 238, line 4, by inserting after the word "officer" the words "or any peace officer".

RICHARD R. RAMSEY
WILLIAM P. WINKELMAN

S—3138

Amend Senate File 85 as follows:

1. Page 216, lines 11 and 12, by striking the words "unless the governor commutes the sentence to a term of years".

2. Page 218, line 15, by inserting after the word "for" the words "not less than fifteen years and".

3. Page 218, line 17, by inserting after the word "for" the words "not less than ten years and".

4. Page 218, line 20, by inserting after the word "for" the words "not less than five years and".

EUGENE M. HILL

S—3136

Amend Senate File 85 as follows:

1. Page 220, line 8, by striking the word "five" and inserting in lieu thereof the word "two".

2. Page 220, line 14, by striking the words "thirty days" and inserting in lieu thereof the words "six months".

3. Page 220, line 14, by striking the word "one" and inserting in lieu thereof the word "five".

EUGENE M. HILL

S—3145

Amend Senate File 85 as follows:

1. Page 227, lines 8 and 9, by striking the words "At the discretion of the board, provisions may be made for the temporary maintenance of such person."

2. Page 227, by inserting after line 9 the following sentences:

"No person shall be released on parole until the board of parole shall have satisfactory evidence that arrangements have been made for his employment or maintenance. The chief parole officer may render assistance to prisoners about to be paroled in procuring employment and the necessary expense incident thereto shall be paid as other expenses of the chief parole officer are paid."

RAY TAYLOR

S—3150

Amend the committee on judiciary amendment S—3119 to Senate File 85 as follows:

1. Page 1, line 12, by striking the word "trial" and inserting in lieu thereof the word "indictment".

2. Page 1, by striking lines 15 through 36 and inserting in lieu thereof the following:

"2. If a defendant indicted for a public offense is not admitted to bail and not represented by legal counsel, whose trial has not been postponed on his own application, he must be brought to trial within ninety days after indictment is found and the court must order the indictment to be dismissed unless good cause to the contrary be shown.

3. A defendant indicted for a public offense who is not in jail or who is represented by legal counsel must be brought to trial within ninety days after a written demand for speedy trial is served on the prosecuting attorney, and the court must order the indictment dismissed unless good cause to the contrary is shown."

3. Page 1, after line 36 add the following:
"4. All criminal cases must be brought to trial within one year after the defendant's initial arraignment unless an extension is granted by the court, upon a showing of good cause."
4. Page 1, line 37, strike the number "4" and insert the number "5".
5. Page 1, line 42, by striking the number "5" and inserting the number "6".

RICHARD R. RAMSEY
ROGER J. SHAFF
ROBERT CARR
WILLIAM E. GLUBA

S—3128

Amend amendment S—3120, to page 5 of Senate File 85 as follows:
1. Page 1, by striking lines 30 through 32 and inserting in lieu thereof the following:
Sec. ..... *NEW SECTION.* VOLUNTARY MANSLAUGHTER.
A person commits voluntary manslaughter when that person causes the death of another person, under circumstances which would otherwise be criminal homicide, if he or she acts solely as the result of sudden, violent, and irresistible passion resulting from serious provocation sufficient to excite such passion in a person and there is not an interval between the provocation and the killing in which a person of ordinary reason and temperament would regain his or her control and suppress the impulse to kill.
Voluntary manslaughter may be proved as an included offense under an indictment for criminal homicide in the first or second degree.
Voluntary manslaughter is a class C felony.
Sec. ..... *NEW SECTION.* INVOLUNTARY MANSLAUGHTER.
1. A person commits a class D felony when the person unintentionally causes the death of another person by the commission of a public offense other than a forcible felony.
2. A person commits an aggravated misdemeanor when the person unintentionally causes the death of another person by the commission of an act in a manner likely to cause death or serious injury.
Involuntary manslaughter as defined in this section may be proved as an included offense under an indictment for criminal homicide in the first or second degree or voluntary manslaughter."
2. By renumbering the remaining section to accord with this amendment.

GENE W. GLENN

S—3123

Amend amendment S—3110 to Senate File 85, page 13, as follows:
1. Line 38, by striking the words "premature fetus" and inserting in lieu thereof the word "person".

2. Line 45, by striking the word "fetus" and inserting in lieu thereof the word "person".

PHILIP B. HILL

S—3147

Amend the judiciary committee amendment S—3110, to page 13 of Senate File 85 by striking lines 36 through 39 and inserting in lieu thereof the following:

Sec. ..... *NEW SECTION.* HOMICIDE OF FETUS ABORTED ALIVE. A person who intentionally kills a fetus aborted alive after the twentieth week of pregnancy shall be guilty of a class B felony.

E. KEVIN KELLY

S—3146

Amend the judiciary committee amendment S—3110, to page 13 of Senate File 85 by striking lines 40 through 46 and inserting in lieu thereof the following:

Sec. ..... *NEW SECTION.* DUTY TO PRESERVE THE LIFE OF A FETUS. After the twentieth week of pregnancy, a person who participates in the performance or inducement of a termination of a human pregnancy and who fails to exercise that degree of professional skill, care and diligence available to preserve the life and health of a fetus showing significant, sustainable vital signs shall be guilty of a class C felony.

E. KEVIN KELLY

S—3124

Amend the Griffin, et al., amendment, S—3114, to page 13 of Senate File 85 as follows:

1. Page 2, line 6, by inserting after the word "person" the words ", except a person under eighteen years of age,".

2. Page 2, line 21, by inserting after the word "felony." the sentence "If a person under the age of eighteen is convicted of a capital offense, the offense shall be punished as a class A felony."

WILLIAM N. PLYMAT
WILLIAM E. GLUBA
EARL M. WILLITS

S—3125

Amend the Griffin, et al., amendment, S—3114, to page 13 of Senate File 85 as follows:

1. Page 4, line 2, by striking the word ", and" and inserting in lieu thereof a period ".".

2. Page 4, by striking lines 3, 4, 5 and 6.

3. Page 4, by striking the following section after line 6:

"Sec..... *NEW SECTION.* EXECUTION SHALL BE PUBLIC.

All executions performed in this state shall be open to the public. The secretary of state shall cause to be published, in at least one newspaper of general circulation in this state, thirty days prior to the date of the execution, the date, time, and location of the execution.

All executions performed in this state shall be televised by the educational television network in this state, and the educational television network shall make videotapes of the execution. Videotapes of executions shall be made available, at reasonable cost, to any commercial television station, school, church, organization, fraternity, or other groups in this state for showing to its viewers, students, or members. Commercial television stations in this state may cover executions performed in this state."

WILLIAM N. PLYMAT
WILLIAM E. GLUBA

S—3139

Amend the Griffin, et al., amendment, S—3114 to page 13 of Senate File 85, page 5, lines 23 and 24, by striking the words "unless the governor commutes the sentence to a term of years".

EUGENE M. HILL

On motion of Senator Kinley, the Senate adjourned at 5:35 p.m., until 9:30 a.m., Tuesday, February 18, 1975.

JOURNAL OF THE SENATE

THIRTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, FEBRUARY 18, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Stanley L. Carlson, pastor of the Central Lutheran Church, Des Moines, Iowa.

The Journal of Monday, February 17, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Tom Viner, Leon, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the day on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy students from the McCombs Junior High School, Des Moines, Iowa, accompanied by Carol Brown and Mr. Campbell. Senator Kinley.

Thirty students from Peoria Christian School, Pella, Iowa, accompanied by Robert De Jager. Senator Hill of Jasper.

Sixty-five students from Callanan Junior High School, Des Moines, Iowa, accompanied by instructors Wilkison, Downard and Reid. Senator Hill of Polk.

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 14, a bill for an act relating to the issuance of trapping licenses to aliens or nonresidents and making provisions of this act retroactive.

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

Senate File 78, a bill for an act relating to claims for the reimbursement for property taxes paid by persons sixty-five years of age and older or totally disabled.

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

Senate File 92, a bill for an act to amend the occupational safety and health act including the penalty provided by law.

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

House File 54, a bill for an act changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts and for filling certain nonpartisan offices at the general election.

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

House File 59, a bill for an act exempting certain military personnel from obtaining a hunting or fishing license.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 54, a bill for an act changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts and for filling certain nonpartisan offices at the general election.

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

House File 59, a bill for an act exempting certain military personnel from obtaining a hunting or fishing license.

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

CONSIDERATION OF BILLS

Senate File 150

On motion of Senator Kelly, Senate File 150, a bill for an act relating to the interstate probation and parole compact, was taken up for consideration.

Senator Kelly moved that the bill 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. 150) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman

Nays, none.

Absent or not voting, 3:

Gallagher	Miller of Des Moines
Griffin	

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

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Priebe called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. John R. Loihl of Park Forest, Illinois, for appointment as a member of the Public Employment Relations Board under the provisions of Chapter 1095, Section 5, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial two-year term beginning July 1, 1974 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
W. R. RABEDEAUX
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Priebe moved the appointment of John R. Loihl as a member of the Public Employment Relations Board be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Glenn	Merritt	Rabedeaux	Van Gilst
Gluba	Miller of Marshall	Ramsey	Willits
Griffin		Redmond	Winkelman

Nays, none.

Absent or not voting, 3:

Coleman	Miller of Des Moines
Gallagher	

President Neu declared the appointment of John R. Loihl as a member of the Public Employment Relations Board confirmed for the initial two-year term ending June 30, 1976.

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu 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 House was asked:

Senate File 40, a bill for an act relating to fair trade practices.

DAVID L. WRAY, Chief Clerk

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

Senator Glenn offered amendment S—3129 filed by him and moved its adoption:

S—3129
Amend Senate File 85 as follows:
1. Page 127, by striking lines 30 and 31 and inserting in lieu thereof the following:
"to establish such alibi. In the event that a defendant shall file such notice the attorney for the government shall file and serve upon the defendant the names and addresses of the witnesses the government proposes to offer in rebuttal to discredit the defendant's alibi. Such service shall be completed not less than five days after receipt of defendant's witness list, or within such other time as the court may direct. If either party shall fail to abide by the time periods heretofore described, the proponent".
2. Page 127, line 34 by striking the words "the defendant" and inserting in lieu thereof the words, "either party".
3. Page 128, by striking lines 2 and 3 and inserting in lieu thereof the following:
"to establish or rebut the defendant's alibi. This rule shall not limit the right of the defendant".

Amendment S—3129 was adopted.

Senator Glenn offered amendment S—3100 filed by the committee on judiciary, moved its adoption and requested a non-record roll call:

S—3100
Amend Senate File 85 as follows:
1. Page 146, strike lines 31 through 35 and insert in lieu thereof the words "DURING DELIBERATIONS. No juror shall be permitted to take notes during the testimony of witnesses. Upon retiring".
2. Page 147, lines 2 and 3, strike the words "any notes of testimony taken in the trial by the jurors,".

The ayes were 28, nays 15.

Amendment S—3100 was adopted.

Senator Hultman offered amendment S—3142 filed by him, moved its adoption and requested a non-record roll call:

S—3142
Amend Senate File 85, page 153, line 30, by inserting after the word "thereof." the following sentence:
"It shall not be a requirement of this section that corroboration be necessary to obtain a con-

viction where the solicited person is a law enforcement agent, employee, official, or person working on behalf of a law enforcement agency within the scope of his employment."

The ayes were 11, nays 32.

Amendment S—3142 lost.

Senator Glenn offered amendment S—3119 filed by the committee on judiciary:

S—3119

Amend Senate File 85 as follows:

1. Page 166, by striking lines 20 through 35 and inserting in lieu thereof the following:

"1. When a person is formally charged with a public offense, if an indictment be not found against him within forty-five days, the court must order the prosecution to be dismissed, unless good cause to the contrary be shown. An accused not admitted to bail and unrepresented by legal counsel shall not be deemed to have waived the privilege of dismissal or be held to make demand or request to enforce a guarantee of speedy trial, and the court on its own motion shall carry out the provisions of this section as to dismissal.

2. If a defendant indicted for a public offense, whose trial has not been postponed upon his application, be not brought to trial within sixty days after the indictment is found, the court must order it to be dismissed, unless good cause to the contrary be shown. An accused not admitted to bail and unrepresented by legal counsel, shall not be deemed to have waived his privilege of dismissal or be held to make demand or request to enforce a guarantee of speedy trial, and the court on its own motion shall carry out the provisions of this section as to dismissal.

3. If the defendant be not indicted or tried as above provided, and sufficient reason therefor is shown, the court may order the prosecution continued and discharge the defendant from custody on his own undertaking, or on the undertaking of bail for his appearance to answer the charge at the time to which the same is continued, but no continuance under this section shall be extended for more than ninety days beyond the date within which the trial would otherwise be required.

4. If the court direct the prosecution to be dismissed, the defendant, if in custody, must be discharged, or his bail, if any, exonerated, and if money has been deposited instead of bail, it must be refunded to him.

5. The court, upon its own motion or the

application of the prosecuting attorney, in the furtherance of justice, may order the dismissal of any pending criminal prosecution, the reasons therefor being stated in the order and entered of record, and no such prosecution shall be discontinued or abandoned in any other manner. Such a dismissal is a bar to another prosecution for the same offense if it is a misdemeanor; but it is not a bar if the offense

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charged be a felony."

2. By striking pages 167 and 168.

3. Page 169, by striking lines 1 through 33.

Senator Ramsey offered amendment S—3150 to amendment S—3119 filed by Senators Ramsey, et al., and called for a division of the amendment, as follows:

S—3150

Division S—3150A

Amend the committee on judiciary amendment S—3119 to Senate File 85 as follows:

1. Page 1, line 12, by striking the word "trial" and inserting in lieu thereof the word "indictment".

Division S—3150B

2. Page 1, by striking lines 15 through 36 and inserting in lieu thereof the following:

"2. If a defendant indicted for a public offense is not admitted to bail and not represented by legal counsel, whose trial has not been postponed on his own application, he must be brought to trial within ninety days after indictment is found and the court must order the indictment to be dismissed unless good cause to the contrary be shown.

3. A defendant indicted for a public offense who is not in jail or who is represented by legal counsel must be brought to trial within ninety days after a written demand for speedy trial is served on the prosecuting attorney, and the court must order the indictment dismissed unless good cause to the contrary is shown."

Division S—3150C

3. Page 1, after line 36 add the following:

"4. All criminal cases must be brought to trial within one year after the defendant's initial arraignment unless an extension is granted by the court, upon a showing of good cause."

Division S—3150D

4. Page 1, line 37, strike the number "4" and insert the number "5".

5. Page 1, line 42, by striking the number "5" and inserting the number "6".

On motion of Senator Ramsey, division S—3150A of the amendment to amendment S—3119 was adopted.

Senator Ramsey moved the adoption of division S—3150B of the amendment to amendment S—3119.

A record roll call was requested.

On the question "Shall division S—3150B to amendment S—3119 be adopted?" (S.F. 85) the vote was:

Ayes, 25:

Bergman	Hill of Jasper	Norpel	Schwengels
Burroughs	Hultman	Palmer	Scott
Carr	Junkins	Priebe	Shaff
Culver	Kinley	Rabedeaux	Taylor
Curtis	Lamborn	Ramsey	Tieden
Gluba	Miller of Marshall	Rodgers	Winkelman
Griffin			

Nays, 21:

Andersen	Hill of Polk	Nolting	Robinson
Coleman	Kelly	Nystrom	Shaw
DeKoster	Merritt	Orr	Sovern
Doderer	Murray	Plymat	Van Gilst
Gallagher	Nolin	Redmond	Willits
Glenn			

Absent or not voting, 4:

Briles	Hansen	Heying	Miller of Des Moines

Division S—3150B of the amendment to amendment S—3119 was adopted.

On motion of Senator Ramsey, division S—3150C of the amendment to amendment S—3119 was adopted.

On motion of Senator Ramsey, division S—3150D of the amendment to amendment S—3119 was adopted.

On motion of Senator Glenn, amendment S—3119 as amended was adopted.

Senator Glenn offered amendment S—3111 filed by the committee on judiciary and moved its adoption:

S—3111

Amend Senate File 85, page 193, line 32, by inserting after the word "general" the words "and the clerk of the supreme court".

Amendment S—3111 was adopted.

Senator Ramsey offered amendment S—3122 filed by Senators Ramsey and Winkelman and called for a division of the amendment as follows:

S—3122

Division S—3122A

Amend Senate File 85 as follows:

1. Page 213, line 20, by adding after the word "made." the following:

"If the offense is not a felony, the court may, in its discretion, order that a presentence investigation be made whenever the maximum period of confinement which may be imposed is in excess of thirty days."

Division S—3122B

2. Page 227, by inserting after line 17, the following new paragraph:

"When a person is released on parole, the chief parole officer shall notify the sheriff in the county and the chief of police of any cities in the county where the person released on parole is to reside of the release of that person, and the terms and conditions of the person's parole."

Division S—3122C

3. Page 225, by inserting after line 18 the following new paragraph:

"A person aiding in or attempting an escape, or a person escaping from custody, while committed to the custody of the director of the division of adult corrections shall not be eligible for parole, and shall serve the maximum sentence which may be imposed for the offense for which the person was committed."

Division S—3122D

4. Page 238, line 4, by inserting after the word "officer" the words "or any peace officer".

On motion of Senator Ramsey, division S—3122A of the amendment was adopted.

On motion of Senator Ramsey, division S—3122B of the amendment was adopted.

Senator Ramsey moved the adoption of division S—3122C of the amendment.

A record roll call was requested.

On the question "Shall division S—3122C of the amendment be adopted?" (S.F. 85) the vote was:

Ayes, 15:

Bergman	Curtis	Miller of Marshall	Ramsey
Briles	Gallagher	Nolting	Schwengels
Burroughs	Hill of Jasper	Rabedeaux	Tieden
Coleman	Hultman		Winkelman

Nays, 32:

Andersen	Hansen	Nolin	Robinson
Carr	Hill of Polk	Norpel	Rodgers
Culver	Junkins	Nystrom	Scott
DeKoster	Kelly	Orr	Shaff
Doderer	Kinley	Palmer	Shaw
Glenn	Lamborn	Plymat	Sovern
Gluba	Merritt	Priebe	Van Gilst
Griffin	Murray	Redmond	Willits

Absent or not voting, 3:

Heying	Miller of Des Moines	Taylor

Division S—3122C of the amendment lost.

Senator Ramsey moved the adoption of division S—3122D of the amendment.

Division S—3122D of the amendment lost.

Senator Hill of Jasper offered amendment S—3138 filed by him:

S—3138

Division S—3138A

Amend Senate File 85 as follows:

1. Page 216, lines 11 and 12, by striking the words "unless the governor commutes the sentence to a term of years".

Division S—3138B

2. Page 218, line 15, by inserting after the word "for" the words "not less than fifteen years and".

3. Page 218, line 17, by inserting after the word "for" the words "not less than ten years and".

4. Page 218, line 20, by inserting after the word "for" the words "not less than five years and".

Senator Willits called for a division of the amendment, section 1 to be considered as division S—3138A; sections 2, 3 and 4 to be considered as division S—3138B.

Senator Hill of Jasper withdrew division S—3138A of the amendment.

Senator Hill of Jasper moved the adoption of division S—3138B of the amendment.

A non-record roll call was requested.

The ayes were 8, nays 37.

Division S—3138B of the amendment lost.

Senator Glenn offered amendment S—3105 filed by the committee on judiciary and moved its adoption:

S—3105

Amend Senate File 85, as follows:

1. Page 225, line 31, by striking the word "shall" and inserting in lieu thereof the word "may".

2. Page 225, line 32, by striking the word "shall" and inserting in lieu thereof the word "may".

3. Page 238, line 22, by inserting after the period the following new sentences:

"The magistrate may order the alleged parole violator confined in the county jail or may order the alleged parole violator released on bail under such terms and conditions as the magistrate may require. Admittance to bail is discretionary with the magistrate and is not a matter of right."

4. Page 238, by inserting after line 22 the following new section:

"Sec. ..... *NEW SECTION.* PLACE OF PROBABLE CAUSE HEARING. The probable cause hearing shall be held in the same county as the alleged parole violator had his or her initial appearance. The clerk of court shall provide a room suitable for the probable cause hearing."

5. Page 238, line 24, by striking the words "the magistrate" and inserting in lieu thereof the words "a liaison officer appointed pursuant to section four hundred six (406) of this chapter."

6. Page 238, line 31, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

7. Page 239, line 1, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

8. Page 239, line 3, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

9. Page 239, line 10, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

10. Page 239, by striking lines 12 through 15.

11. Page 239, line 16, by striking the word "MAGISTRATE" and inserting in lieu thereof the words "LIAISON OFFICER".

12. Page 239, line 19, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

13. Page 239, line 22, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

14. Page 239, lines 24 and 25, by striking the words and figure "one hundred seven (107)" and inserting in lieu thereof the words and figure "one

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hundred eight (108)".

15. Page 239, line 27, by striking the words and

figure "seven hundred six (706) of this chapter" and inserting in lieu thereof the words and figure "eight hundred two (802) of this chapter".

16. Page 239, lines 27 and 28, by striking the words "committing magistrate" and inserting in lieu thereof the words "liaison officer".

17. Page 240, line 6, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

18. Page 240, lines 10 through 12, by striking the words ", to present evidence in his behalf, and to cross examine adverse witnesses,".

19. Page 240, line 26, by striking the word "magistrate" and inserting in lieu thereof the words "liaison officer".

20. Page 242, line 1, by striking the words "committing magistrate" and inserting in lieu thereof the words "liaison officer".

21. By renumbering the sections and internal references to accord with this amendment.

Amendment S—3105 was adopted.

Senator Glenn offered amendment S—3096 filed by the committee on judiciary and moved its adoption:

S—3096

Amend Senate File 85, page 217, line 34, by striking the words and figures "two hundred six (206)" and insert in lieu thereof the words and figures "two hundred seven (207)".

Amendment S—3096 was adopted.

Senator Hill of Jasper offered amendment S—3136 filed by him and moved its adoption:

S—3136

Amend Senate File 85 as follows:

1. Page 220, line 8, by striking the word "five" and inserting in lieu thereof the word "two".

2. Page 220, line 14, by striking the words "thirty days" and inserting in lieu thereof the words "six months".

3. Page 220, line 14, by striking the word "one" and inserting in lieu thereof the word "five".

A non-record roll call was requested.

The ayes were 8, nays 39.

Amendment S—3136 lost.

Senator Taylor offered amendment S—3145 filed by him and moved its adoption:

S—3145

Amend Senate File 85 as follows:

1. Page 227, lines 8 and 9, by striking the words "At the discretion of the board, provisions may be made for the temporary maintenance of such person."

2. Page 227, by inserting after line 9 the following sentences:

"No person shall be released on parole until the board of parole shall have satisfactory evidence that arrangements have been made for his employment or maintenance. The chief parole officer may render assistance to prisoners about to be paroled in procuring employment and the necessary expense incident thereto shall be paid as other expenses of the chief parole officer are paid."

Amendment S—3145 lost.

Senator Glenn offered amendment S—3118 filed by the committee on judiciary:

S—3118

Amend Senate File 85 as follows:

1. Page 318, by inserting after line 6 the following:

"Sec. ..... Section two hundred four point four hundred one (204.401), subsection three (3), Code 1975, is amended to read as follows:

3. It is unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this chapter. Any person who violates this subsection is guilty of a *serious* misdemeanor[, and upon conviction shall be punished by imprisonment in the county jail for not to exceed one year, or by a fine of not more than one thousand dollars, or both such imprisonment and fine]. If the controlled substance is marijuana the [punishment shall be by imprisonment in the county jail for not more than six months or by a fine of not more than one thousand dollars, or by both such fine and imprisonment] *person is guilty of a simple misdemeanor.* All or any part of a sentence imposed pursuant to this section may be suspended and the person placed upon probation upon such terms and conditions as the court may impose including the active participation by such person in a drug treatment, rehabilitation or education program approved by the court."

2. By renumbering the remaining sections to accord with this amendment.

Senator Willits offered amendment S—3171 to amendment S—3118 by Senators Willits and Coleman:

S—3171

Amend the judiciary amendment S—3118 to page 318 of Senate File 85, on line 18, by inserting after the word "marijuana" the words *"and the amount is one ounce or less"*.

(Senate File 85 and amendment S—3118 and amendment S—3171 to amendment S—3118 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 177, by Senators Carr, Nolting, Culver, Gluba, Tieden, Norpel, Gallagher and Miller of Des Moines (Caffrey, Woods, Middleton, Wells and Jochum), a bill for an act providing for a state lottery; providing for a state lottery commission to administer the lottery; providing for a state lottery fund for the deposit of receipts and for the payment of prizes and expenses; providing for the licensing of lottery ticket sales agents; providing for administrative procedures necessary in carrying out the intent of the act, making certain acts illegal and providing a penalty for their commission.

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

Senate File 178, by Senator Gluba (Higgins, Jochum, Dyrland, Cusack and Bina), a bill for an act relating to the quantity of alcoholic liquor an individual may import into and possess within the state for the purpose of personal consumption.

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

Senate File 179, by Senators Rodgers, Norpel, Gallagher, Miller of Des Moines, Curtis, Culver, Coleman, Heying, Griffin, DeKoster, Nystrom, Plymat, Willits, Orr, Robinson, Lamborn, Bergman, Tieden, Schwengels, Hultman and Gluba (Junker, Doyle, Fullerton, Scheelhaase, Tofte, Hines, Higgins, Dieleman, Bina, Hullinger, Stromer, Hansen, Wyckoff, Jordan, Stephens, Hennessey, Daggett, Halvorson, Evans, Woods, Wells, Millen, Drake, Newhard, Harper, McElroy, Mennenga, Poncy, Howell, Schroeder, Nealson of Muscatine, Danker, Gilloon, Hinkhouse, Pellett, Connors, Pavich, Walter, Jochum, Oakley, Lindeen, Miller of Buchanan, Rinas, Dyrland, Caffrey, Middleswart, Kreamer, Lageschulte, Patchett, Welden, Egenes, Den Herder, Bortell, Spencer, Menke, Norland, Hargrave, Crawford, Anderson, Lonergan, Small, Harvey, Griffee, Dunton, Varley, Krause and Cusack), a bill for an act relating to

the business of purchasing livestock for slaughter, and providing penalties.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 169 Judiciary
S. F. 170 Ways and means
S. F. 171 Agriculture
S. F. 172 Judiciary
S. F. 173 State government
S. F. 175 Commerce
S. F. 176 Judiciary
S.C.R. 16 Rules and administration
S.C.R. 17 Rules and administration
H.C.R. 15 Education

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert D. Porter of Sioux City, Woodbury County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor for initial term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LEONARD C. ANDERSEN, Chairman
JOHN N. NYSTROM
CLOYD E. ROBINSON

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Stephen Garst, Coon Rapids, Carroll County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
ROBERT M. CARR
JAMES E. BRILES
E. KEVIN KELLY
KARL NOLIN

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As a member of the State Transportation Commission:

Allan T. Thoms, Dubuque, Dubuque County, Iowa, for a regular four-year term commencing July 1, 1975 and ending June 30, 1979.

Senator Palmer, Chairman
Senator Norpel
Senator Priebe
Senator Hill of Polk
Senator Schwengels

As a member of the Board of Parole:

Jack H. Bedell, Spirit Lake, Dickinson County, Iowa, reappointed for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Miller of Des Moines, Chairman
Senator Merritt
Senator Rodgers
Senator Bergman
Senator Burroughs

As members of the State Judicial Nominating Committee:

Jean Braley, Shenandoah, Page County, Iowa, for a six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Scott, Chairman
Senator Culver
Senator Redmond
Senator DeKoster
Senator Hultman

Nancy S. Brown, Waterloo, Black Hawk County, Iowa, for a six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Doderer, Chairman
Senator Gluba
Senator Nolting
Senator Griffin
Senator Hansen

Carol Johnson, Ottumwa, Wapello County, Iowa, for a six-year term ending June 30, 1979.

Senator Gallagher, Chairman
Senator Glenn
Senator Sovern
Senator Ramsey
Senator Taylor

Donald S. Willis, Des Moines, Polk County, Iowa, for a six-year term ending June 30, 1979.

Senator Junkins, Chairman
Senator Carr
Senator Norpel
Senator Plymat
Senator Tieden

EXPLANATION OF VOTE

MR. PRESIDENT: Due to problems attendant to severe weather conditions, compounded by an inadequate highway system in Northeast Iowa, I was denied the opportunity to vote on Senate Files 70 and 149. Had I been present, I would have voted "aye" on both measures.

WILLARD R. HANSEN

AMENDMENTS FILED

S—3155

Amend Senate File 85 as follows:

1. Page 6, line 20, by striking the words "or by" and inserting in lieu thereof the word "by".

2. Page 6, line 21, by inserting after the word "genitalia" the words "or by contact between the genitalia of one person and the genitalia of another person".

3. Page 19, by striking lines 20 through 26 and inserting in lieu thereof the following new section:

"Sec. 903. *NEW SECTION.* SEXUAL ABUSE IN THE SECOND DEGREE. A person commits sexual abuse in the second degree when the person commits sexual abuse under any of the following circumstances:

1. During the commission of sexual abuse the person displays in a threatening manner a deadly weapon, or uses or threatens to use force creating a substantial risk of death or serious injury to any person.

2. The other participant is under the age of twelve.

3. The other participant is under the age of sixteen and the person is a member of the same household as the other participant and they are related by blood or affinity to the fourth degree.

4. The person is aided or abetted by one or more persons and the sex act is committed by force and against the will of the other participant.

Sexual abuse in the second degree is a class B felony."

4. Page 20, by striking line 2.

5. Page 20, by inserting after line 8 the following new section:

"Sec. 906. *NEW SECTION.* JURY INSTRUCTION. When instructing the jury in a trial for sexual abuse the judge shall not comment on any possible motivations of the complaining witness in making the charge; the relative ease or difficulty in making the charge; the relative ease or difficulty on proving the charge; or give any instruction which would cause the jury to view the evidence in a case of sexual abuse in a manner different than any other criminal case."

6. By renumbering the remaining sections of Division IX of Chapter 3 in accordance with this amendment.

JAMES M. REDMOND

S—3159

Amend the Redmond amendment S—3155 to page 6 of Senate File 85, in line 34 by striking the word "on" and inserting in lieu thereof the word "in".

JAMES M. REDMOND

S—3160

Amend the Redmond amendment S—3155 to page 6 of Senate File 85, in line 6 by inserting following the word "genitalia" the words "or anus".

PHILIP B. HILL

S—3169

Amend Senate File 85, page 8, by striking lines 20 through 27 and inserting in lieu thereof the following:

"2. The conduct or act constituting the offense is committed by an agent, officer or employee of the accused while acting within the scope of his authority and in behalf of the accused and when said act or conduct is authorized, requested, or tolerated by the board of directors or by a high managerial agent."

RICHARD R. RAMSEY

S—3161

Amend Senate File 85 as follows:

1. Page 18, line 35, by striking the words "who are not man and wife,".

2. Page 19, by inserting after line 14 the following new subsection:

"5. Sexual abuse as defined in subsections two (2), three (3), and four (4) of this section does not constitute sexual abuse, if the sex act is performed by persons who are husband and wife and who are cohabiting together at the time of the sex act."

MINNETTE F. DODERER
WILLIAM PLYMAT
STEVE SOVERN
EARL WILLITS
JAMES REDMOND
JOHN MURRAY

S—3151

Amend Senate File 85 as follows:

1. Page 21, line 33, by striking the word "second" and inserting in lieu thereof the word "third".

2. Page 21, line 34, by striking the word "second" and inserting in lieu thereof the word "third".

PHILIP B. HILL

S—3164

Amend Senate File 85, page 28, by adding the following new subsection after line 7:

"*NEW SECTION.* Makes any check, draft, or written

order on any bank, person or corporation, and obtains property in exchange therefor, if he knows that such check, draft or written order will not be paid when presented. Whenever the drawee of such instrument has refused payment because the maker has no account with the drawee, the court or jury may infer from such fact that the maker knew that the instrument would not be paid on presentation."

NORMAN RODGERS
RICHARD R. RAMSEY

S—3156

Amend Senate File 85, page 31, by striking lines 26, 27 and 28.

RICHARD R. RAMSEY

S—3153

Amend Senate File 85 as follows:

1. Page 60, by inserting after line 27 the following new sections:

"Sec. ..... *NEW SECTION.* MISTREATMENT OF RESIDENT OF HEALTH CARE FACILITY.

1. A person who willfully, wantonly, maliciously, or recklessly mistreats any resident of a health care facility as defined in chapter one hundred thirty-five C (135C) of the Code commits a class D felony.

2. As used in this section the word 'mistreat' means treatment or lack of treatment to such an extent that the physical or mental health of a resident is adversely affected, including but not limited to the following:

a. Failure to follow a physician's orders.

b. Willful or repeated violations of statutes and rules regarding the care of residents of health care facilities.

c. Failure to properly clothe, feed, groom or clean residents.

d. Failure to keep the premises clean.

e. Failure to provide adequate personnel on the staff of the health care facility.

f. Transfer of residents between facilities without the permission of the resident's physician."

WILLIAM E. GLUBA
BERL E. PRIEBE

S—3157

Amend Senate File 85 as follows:

1. Page 66, by inserting after line 29 the following new section:

"Sec. 205. *NEW SECTION.* EXTENSION FOR FRAUD, FIDUCIARY BREACH. If the period prescribed in sections 202, 203 and 204 of this division has expired, prosecution may nevertheless be commenced for any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has legal duty to represent an aggrieved party and who is himself not a party to the offense,

but in no case shall this provision extend the period of limitation otherwise applicable by more than three years."

2. By renumbering the remaining sections in accordance with this amendment.

JAMES M. REDMOND

S—3152

Amend Senate File 85, page 74, by striking lines 6 through 19.

JAMES M. REDMOND

S—3158

Amend Senate File 85 as follows:

1. Page 118, by striking line 28 and inserting in lieu thereof the words "be tried jointly, if in the discretion of the court a joint trial will not result in prejudice to one or more of the parties; otherwise the defendants shall be tried separately."

2. Page 118, line 29, by striking the words "court; where" and inserting in lieu thereof the word "Where".

JOHN S. MURRAY

S—3154

Amend Senate File 85, page 128, by striking lines 25 through 28.

JAMES M. REDMOND

S—3168

Amend Senate File 85, page 159, line 15, by striking the word and figure "twenty-seven (27)" and inserting in lieu thereof the word and figure "twenty-five (25)".

RICHARD R. RAMSEY

S—3166

Amend Senate File 85, page 216, line 20, by inserting after the word "chapter." the following sentence: "Except that in first degree homicide convictions the defendant shall serve at least twelve years of his sentence prior to being paroled."

WILLIAM P. WINKELMAN
RICHARD R. RAMSEY
RAY TAYLOR
CALVIN O. HULTMAN

S—3172

Amend Senate File 85, page 216, line 28, by inserting after the word "division" the following words: ", and the court shall have the additional discretion and power of ordering the director of the division of adult corrections to hold the offender in custody for a minimum period up to but not to exceed one-half of the maximum indeterminate sentence provided for by law for felony convictions."

WILLIAM P. WINKELMAN
RICHARD R. RAMSEY
RAY TAYLOR

S—3163

Amend Senate File 85 as follows:

Page 220, line 14 by inserting after the word "dollars" the following: "provided, that in the case of theft in the fourth degree the sentence may include both imprisonment not to exceed thirty days and a fine in an amount not to exceed the greater of one hundred dollars or three times the value of the property stolen".

NORMAN RODGERS

S—3173

Amend Senate File 85, page 319, line 8, by inserting after the word *"felony"* the words *", and shall be punished by imprisonment in the state penitentiary for not to exceed fifty years, or by a fine of not to exceed ten thousand dollars, or both the fine and imprisonment"*.

RAY TAYLOR

S—3167

Amend the Committee on Judiciary amendment S—3120, to page 5 of Senate File 85 as follows:

1. Page 1, line 21, by striking the word and letter "class A" and inserting in lieu thereof the word "capital".

2. Page 1, line 28, by striking the letter "B" and inserting in lieu thereof the letter "A".

3. Page 1, by inserting after line 29 the following new sections:

"Sec. ..... *NEW SECTION.* ASSAULT WITH INTENT TO CRIMINAL HOMICIDE. If any person assault another with intent to commit murder, such person shall be guilty of a class B felony.

Sec. ..... *NEW SECTION.* POISONING FOOD OR DRINK WITH INTENT TO KILL. If any person mingle any poison with any food, drink, or medicine, with intent to kill or injure any human being, or willfully poison any spring, well, cistern, or reservoir of water, such person shall be guilty of a class B felony.

Sec. ..... *NEW SECTION.* ADVISING OR INCITING CRIMINAL HOMICIDE. Whoever shall within this state advise, counsel, encourage, advocate, or incite the unlawful killing within or without the state of any human being, although no such killing takes place, shall be guilty of a class C felony."

4. Page 1, by inserting after line 32 the following:

..... Page 90, line 34, by inserting after the "comma" the words "unless charged with a capital felony when the proof is evident or the presumption great, and".

..... Page 216, by inserting after line 1 the following new sections:

"Sec. ..... *NEW SECTION.* CAPITAL FELONY. Any person convicted of a capital felony must be put

to death by hanging, unless the only victim or victims of criminal homicide in the first degree, is or are the murderer's spouse, former spouse, mother, father, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, stepmother, stepfather, stepson, stepdaughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, half brother, half sister, aunt, uncle, niece, nephew, first cousin, employer, employee, business partner, fellow worker or associate, and the offense is committed while under the influence of sudden and violent anger caused by an act or acts of any of said persons, in which event such capital offense shall be punished as a class A felony.

Page 2

Sec. ..... *NEW SECTION.* TIME OF EXECUTION. When the punishment is fixed as death, the court pronouncing judgment shall fix the day of the execution thereof, which shall not be less than one year after the day on which the judgment is rendered, and not longer than fifteen months, during which time the defendant shall be imprisoned in the penitentiary.

Sec. ..... *NEW SECTION.* RECORD SENT GOVERNOR. Immediately after entry of judgment of death, the court rendering the same must transmit by mail to the governor a copy of the indictment, plea, verdict, judgment, and testimony in the case.

Sec. ..... *NEW SECTION.* COPY OF JUDGMENT AUTHORITY FOR EXECUTION. When a judgment of death is pronounced, a certified copy of the entry thereof in the record book must be furnished to the officer whose duty it is to execute the same, who shall proceed accordingly, and no other warrant or authority is necessary to require or justify the execution.

Sec. ..... *NEW SECTION.* REPRIEVE OR SUSPENSION. The only officers who shall have power to reprieve or suspend the execution of a judgment of death are the governor and, as provided in this chapter, the warden of the penitentiary; except in cases of appeal to the supreme court.

Sec. ..... *NEW SECTION.* INSANITY OR PREGNANCY. When the warden of the penitentiary is satisfied that there are reasonable grounds for believing that a defendant in the warden's charge under sentence of death is insane or pregnant, the warden shall notify the commissioners of hospitalization of the county wherein the penitentiary is located, who shall be sworn by the warden well and truly to inquire into the facts as to the insanity or pregnancy of the defendant, as the case may be, and return a true report of their findings.

Sec. ..... *NEW SECTION.* FINDINGS OF COMMISSIONERS.

The commissioners, after being sworn, shall examine the defendant and hear any evidence that may be presented, and may examine the medical attendants at the penitentiary, if necessary, to ascertain the facts, and make report thereon in writing, signed by not less than a majority of them, finding as to the fact of insanity or pregnancy.

Sec. ..... *NEW SECTION.* EXECUTION SUSPENDED. If the report does not show the defendant to be insane or pregnant, the warden shall not suspend the execution; but if it does, the warden shall suspend the execution, and immediately transmit the report

Page 3

to the governor.

Sec. ..... *NEW SECTION.* EXECUTIVE WARRANT OF EXECUTION. When a judgment of death from any cause has not been executed on the day appointed by the court therefor, the governor, by a warrant under the seal of the state, shall fix the day of execution, which warrant shall be obeyed by the sheriff, and no one but the governor can then suspend its execution.

Sec. ..... *NEW SECTION.* TIME AND MANNER OF EXECUTION. A judgment of death must be executed by the sheriff of the county in which the judgment was rendered, or the deputy sheriff, within the walls of the penitentiary where the defendant is confined, or within a yard or enclosure adjoining thereto, on the day fixed in the judgment, between sunrise and sunset, by hanging by the neck until dead.

Sec. ..... *NEW SECTION.* WITNESSES TO EXECUTION. The sheriff or the sheriff's deputy must, at least three clear days before executing a judgment of death, notify the judge of the district court who tried the case, or, if the judge be not in office, another judge of such court, the county attorney and the clerk of the district court of the county in which the judgment was rendered, the sheriff of the county in which the offense was committed, if other than that in which judgment was rendered, and two physicians and twelve respectable citizens of the state to be selected by the sheriff to be present as witnesses at such execution. The sheriff must also, at the request of the defendant, permit one or more ministers of the gospel, named by the sheriff, and any of the defendant's relatives, to attend the execution, and also such magistrates, peace officers, and guards as the sheriff shall deem proper, but no minor, and no person other than those herein authorized, shall be present.

Sec. ..... *NEW SECTION.* CERTIFICATE OF EXECUTION. The sheriff or his deputy executing the judgment of death must prepare and sign with the sheriff's name of office a certificate, setting forth the time and

place of the execution, and that judgment was executed upon the defendant according to the foregoing provisions, and cause the certificate to be signed by the public officers, and at least twelve persons, not relations of the defendant, who witnessed the same.

Sec. ..... *NEW SECTION.* CERTIFICATE FILED AND PUBLISHED. The sheriff or his deputy executing such judgment must cause the certificate to be filed in the office of the clerk of the district court of the

Page 4

county in which the judgment was rendered, and cause a copy thereof to be published in one newspaper printed at the capital of the state, and in one newspaper in the county where the judgment was entered.

Sec. ..... *NEW SECTION.* STAY OF EXECUTION OF APPEAL. An appeal from a judgment of death shall stay the infliction of that punishment, but the defendant is to be retained in custody without bail to abide the judgment thereon.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON APPEAL. When an appeal is taken from a judgment of death, the clerk of the district court in which it was rendered shall at once give the defendant or the defendant's attorney a certificate under the seal of the court, certifying that fact, and the sheriff or other officer having the defendant in custody must, upon the delivery to the sheriff of the certificate, suspend further proceedings on the judgment until final judgment on the appeal is certified to the sheriff by the clerk of the supreme court.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON AFFIRMANCE—ISSUANCE OF WARRANT. When such judgment is affirmed, the supreme court must cause a copy of its judgment to be delivered to the governor, and to the sheriff whose duty it is to execute such judgment, signed by the clerk thereof and under seal of the court, and the governor shall issue a warrant of execution under the seal of the state, and transmit it by messenger or mail to the sheriff whose duty it is to execute the judgment, directing the sheriff, on a day and at an hour therein named, not earlier than the day fixed by the district court, to execute such judgment in the manner required by law.

Sec. ..... *NEW SECTION.* EXECUTION OF WARRANT. The sheriff shall execute such warrant in the manner provided in this chapter, and report the sheriff's doings to the governor and the district court whose judgment was appealed from, and make the publication of the sheriff's doings in the manner provided for in this chapter. If from any cause the judgment is not executed on the day named in the warrant, the governor may appoint another, and so on until it is done."

..... Page 216, by striking lines 2 through 20 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* CLASS A FELONY. **Upon** conviction of a class A felony, the court shall sentence the defendant to the penitentiary for life. Nothing in this chapter pertaining to deferred judgment or sentence, suspended sentence or probation shall apply to a class A felony, and no person con-

Page 5

victed of a class A felony shall be released on parole unless the governor commutes the sentence to a term of years.

Sec. ..... *NEW SECTION.* RECORD REVIEWED. **At any** time after a person has served fifteen years of a life sentence, the board of parole shall interview the person and interview the person's record. If, in the opinion of the board, the person should be considered for release on parole, the board shall recommend to the governor that the person's sentence be commuted to a term of years. If the person's sentence is so commuted, the person shall be eligible for parole as provided in division six (VI) of this chapter."

5. Page 1, by inserting after line 34 the following:

..... Page 15, by striking lines 33 through 35.

..... Page 16, by striking lines 1 through 8.

JAMES W. GRIFFIN, SR.
RAY TAYLOR
DALE L. TIEDEN
JAMES E. BRILES
C. JOSEPH COLEMAN
NORMAN G. RODGERS
CLIFF BURROUGHS
CALVIN O. HULTMAN
W. R. RABEDEAUX
ELIZABETH R. MILLER
IRVIN L. BERGMAN
RICHARD J. NORPEL, SR.
FRED W. NOLTING

S—3174

Amend the judiciary committee amendment S—3120, to page 5 of Senate File 85, as follows:

1. By striking lines 11 through 29 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* CAPITAL HOMICIDE. **A person** who with malice aforethought willfully, deliberately, and with premeditation kills another person under one or more of the following circumstances, commits a capital homicide.

1. The killing was perpetrated for valuable consideration.

2. The killing was perpetrated by a person under sentence of life imprisonment.

3. The killing was perpetrated for the purpose of escaping detection, apprehension, trial or punish-

ment for another offense committed by the offender.

4. The killing was perpetrated against another person for the purpose of preventing the other person from testifying against the offender in a criminal trial.

5. The killing is perpetrated as a part of a course of conduct by the defendant involving the purposeful killing of, or attempt to kill two or more persons.

6. The killing was perpetrated while the offender was participating in the crimes of first degree sexual abuse, first degree kidnapping, first degree robbery, first degree burglary or first degree arson.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE FIRST DEGREE. A person commits criminal homicide in the first degree when he or she kills another person willfully, deliberately and with premeditation.

Criminal homicide in the first degree is a class A felony.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE SECOND DEGREE. A person commits criminal homicide in the second degree when he or she commits criminal homicide which is not capital homicide or homicide in the first degree.

Criminal homicide in the second degree is a class B felony."

2. Page 1, by inserting after line 32 the following:

..... Page 90, line 34, by inserting after the "comma" the words "unless charged with a capital felony when the proof is evident or the presumption great, and".

..... Page 216, by inserting after line 1 the following new sections:

"Sec. ..... *NEW SECTION.* CAPITAL FELONY. Upon a plea of guilty, a verdict of guilty, or a special

Page 2

verdict upon which a judgment of conviction of a capital felony may be rendered the court shall enter a judgment and shall commit the defendant to the director of the division of adult corrections for execution of the death penalty. Nothing in this chapter pertaining to deferred judgment, suspended sentence or probation shall apply to a capital felony, and a person convicted of a capital felony shall not be released on parole.

Sec. ..... *NEW SECTION.* TIME OF EXECUTION. When the court directs that a defendant be punished by death, it shall fix the day of the execution, which shall not be less than one year after the day on which the judgment is rendered, and not longer than fifteen months, during which time the defendant shall be imprisoned in the penitentiary.

Sec. ..... *NEW SECTION.* RECORD SENT GOVERNOR. Immediately after entry of judgment of death, the

court rendering the judgment shall transmit by mail to the governor a copy of the indictment, plea, verdict, judgment, and testimony in the case.

Sec. ..... *NEW SECTION.* COPY OF JUDGMENT AUTHORITY FOR EXECUTION. When a judgment of death is pronounced, a certified copy of the entry thereof in the record book must be furnished to the officer whose duty it is to execute the same, who shall proceed accordingly, and no other warrant or authority is necessary to require or justify the execution.

Sec. ..... *NEW SECTION.* REPRIEVE OR SUSPENSION. The only officers who shall have power to reprieve or suspend the execution of a judgment of death are the governor and, as provided in this chapter, the warden of the penitentiary, and the supreme court when an appeal is taken.

Sec. ..... *NEW SECTION.* INSANITY OR PREGNANCY. When the warden of the penitentiary has reasonable grounds to believe that a defendant in his charge under sentence of death is insane or pregnant, he shall notify the commissioners of hospitalization of the county where the penitentiary is located, who shall be placed under oath by the warden to inquire into the facts as to the insanity or pregnancy of the defendant, and return a report of their findings.

Sec. ..... *NEW SECTION.* FINDING OF COMMISSIONERS. The commissioners, after being placed under oath, shall examine the defendant and hear any evidence that may be presented, and may examine the medical attendants at the penitentiary, to ascertain the facts, and make a report in writing, signed by a majority of the commissioners.

Page 3

Sec. ..... *NEW SECTION.* EXECUTION SUSPENDED. If the report does not show the defendant to be insane or pregnant, the warden shall not suspend the execution; but if it does, he shall suspend the execution, and immediately transmit the report to the governor.

Sec. ..... *NEW SECTION.* EXECUTIVE WARRANT OF EXECUTION. When a judgment of death from any cause has not been executed on the day appointed by the court, the governor, by a warrant under the seal of the state, shall fix the day of execution, and the warrant shall be obeyed by the sheriff, and no one but the governor can then suspend its execution.

Sec. ..... *NEW SECTION.* TIME AND MANNER OF EXECUTION. A judgment of death must be executed by the sheriff of the county where the judgment was rendered, or his deputy, within the walls of the penitentiary where the defendant is confined, or within a yard or inclosure adjoining the penitentiary, on the day fixed in the judgment, between sunrise and sunset; by passing an electric current, of sufficient intensity and duration to cause death, through the body of the convicted person.

Sec. ..... *NEW SECTION.* WITNESSES TO EXECUTION. The sheriff or his deputy must, at least three days before executing a judgment of death, notify the judge of the district court who tried the case, or, if he be not in office, another judge of such court, the county attorney and the clerk of the district court of the county in which the judgment was rendered, the sheriff of the county in which the offense was committed, and two physicians and twelve citizens of the state to be selected by him to be present as witnesses at the execution. He must also, at the request of the defendant, permit one or more ministers of the gospel, named by him, and any of his relatives, to attend the execution. Minors and persons not authorized by this section shall not be present at the execution.

Sec. ..... *NEW SECTION.* CERTIFICATE OF EXECUTION. The sheriff or his deputy executing the judgment of death must prepare and sign a certificate, setting forth the time and place of the execution, and that judgment was executed upon the defendant according to the provisions of this chapter, and cause the certificate to be signed by the public officers, and at least twelve persons, who are not relatives of the defendant, who witnessed the execution.

Sec. ..... *NEW SECTION.* CERTIFICATE FILED AND PUBLISHED. The sheriff or his deputy executing the judgment must file the certificate in the office of

Page 4

the clerk of the district court of the county in which the judgment was rendered, and publish a copy of the certificate in one newspaper printed at the capital of the state, and in one in his county.

Sec. ..... *NEW SECTION.* STAY OF EXECUTION BY APPEAL. An appeal from a judgment of death shall stay the infliction of that punishment, but the defendant is to be retained in custody without bail.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON APPEAL. When an appeal is taken from a judgment of death, the clerk of the district court in which it was rendered shall at once give the defendant or his attorney a certificate, under the seal of the court certifying that fact, and the sheriff or other officer having the defendant in custody shall, upon the delivery to him of the certificate, suspend further proceedings on the judgment until final judgment on the appeal is certified to him by the clerk of the supreme court.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON AFFIRMANCE—ISSUANCE OF WARRANT. When such judgment is affirmed, the supreme court shall deliver a copy of the judgment to the governor, and to the sheriff whose duty it is to execute the judgment, signed by the clerk of the supreme court and under seal of the court,

and the governor shall issue a warrant of execution under the seal of the state, and transmit it by messenger or mail to the sheriff whose duty it is to execute the judgment, directing him, on a day and at an hour not earlier, than the day fixed by the district court, to execute such judgment in the manner required by law.

Sec. ..... *NEW SECTION.* EXECUTION OF WARRANT. The sheriff shall execute such warrant in the manner provided in this chapter, and report the sheriff's doings to the governor and the district court whose judgment was appealed from, and make the publication of the sheriff's doings in the manner provided for in this chapter. If from any cause the judgment is not executed on the day named in the warrant, the governor may appoint another, and so on until it is done."

RICHARD R. RAMSEY
WILLIAM P. WINKELMAN

S—3170

Amend Senate File 165, page 1, line 22, by inserting after the word *"copy."* the following words: *"All funds from the sale of the report shall be deposited to the general fund."*

EARL M. WILLITS
ELIZABETH SHAW

S—3162

Amend House File 73, page 1, line 15, by striking the word "his" and inserting in lieu thereof the words "the counsel's".

C. JOSEPH COLEMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Wednesday, February 19, 1975.

JOURNAL OF THE SENATE

THIRTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 19, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Sister Janet Michael, from the Office of Communications, Des Moines Catholic Diocese, Des Moines, Iowa.

The Journal of Tuesday, February 18, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Steve Kruse, Slater, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-nine students from Rex Mathes Elementary School, West Des Moines, Iowa, accompanied by Mrs. Fried and Mrs. Challis. Senator Hill of Polk.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

Senator Glenn asked and received unanimous consent that further action on amendment S—3118 and amendment S—3171 to amendment S—3118 be temporarily deferred.

Senator Glenn offered amendment S—3130 filed by him and moved its adoption:

S—3130

Amend Senate File 85, page 11, line 18, by striking the words "some force" and insert in lieu thereof the words "an unwitting person and which is".

Amendment S—3130 was adopted.

Senator Ramsey offered amendment S—3169 filed by him:

S—3169

Amend Senate File 85, page 8, by striking lines 20 through 27 and inserting in lieu thereof the following:

"2. The conduct or act constituting the offense is committed by an agent, officer or employee of the accused while acting within the scope of his authority and in behalf of the accused and when said act or conduct is authorized, requested, or tolerated by the board of directors or by a high managerial agent."

President pro tempore Doderer took the chair at 9:30 a.m.

On motion of Senator Ramsey, amendment S—3169 was adopted.

Senator Junkins offered amendment S—3140 filed by Senators Junkins, Rabedeaux and Hultman, moved its adoption and requested a non-record roll call:

S—3140

Amend Senate File 85, page 18, by striking lines 9, 10 and 11.

The ayes were 18, nays 31.

Amendment S—3140 lost.

(Senate File 85 pending on recess.)

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 149, a bill for an act relating to an appropriation from the general fund of the state to sewage works treatment construction fund.

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

House File 205, a bill for an act requiring any person operating a railroad in this state to construct and maintain catwalks and handrails on railway bridges and trestles.

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

House File 207, a bill for an act to amend the eminent domain procedures relating to the appointment of compensation commissioners, dispossession of landowners, replacement of wells, furnishing appraisals, and interests in land arising after service of notice of assessment.

Also: 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 the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILL

Senate File 180, by Senators Plymat, Murray and Doderer, a bill for an act relating to pay toilets and providing a penalty.

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

HOUSE MESSAGES CONSIDERED

House File 205, a bill for an act requiring any person operating a railroad in this state to construct and maintain catwalks and handrails on railway bridges and trestles.

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

House File 207, a bill for an act to amend the eminent domain procedures relating to the appointment of compensation commissioners, dispossession of landowners, replacement of wells, furnishing appraisals, and interests in land arising after service of notice of assessment.

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

House File 225, a bill for an act relating to the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory.

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

On motion of Senator Kinley, the Senate recessed until **1:30** p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

Senate File 85

The Senate resumed consideration of Senate File 85, and amendment S—3118 by the committee on judiciary, offered and pending on February 18, 1975:

S—3118

Amend Senate File 85 as follows:

1. Page 318, by inserting after line 6 the following:

"Sec. ..... Section two hundred four point four hundred one (204.401), subsection three (3), Code 1975, is amended to read as follows:

3. It is unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this chapter. Any person who violates this subsection is guilty of a *serious* misdemeanor[, and upon conviction shall be punished by imprisonment in the county jail for not to exceed one year, or by a fine of not more than one thousand dollars, or both such imprisonment and fine]. If the controlled substance is marijuana the [punishment shall be by imprisonment in the county jail for not more than six months or by a fine of not more than one thousand dollars, or by both such fine and imprisonment] *person is guilty of a simple misdemeanor.* All or any part of a sentence imposed pursuant to this section may be suspended and the person placed upon probation upon such terms and conditions as the court may impose including the active participation by such person in a drug treatment, rehabilitation or education program approved by the court."

2. By renumbering the remaining sections to accord with this amendment.

Amendment S—3171 to amendment S—3118, offered by Senators Willits and Coleman on February 18, 1975, was taken up for further consideration:

S—3171

Amend the judiciary amendment S—3118 to page 318 of Senate File 85, on line 18, by inserting after the word "marijuana" the words *"and the amount is one ounce or less"*.

Senator Willits moved the adoption of amendment S—3171 to amendment S—3118.

A record roll call was requested.

On the question "Shall amendment S—3171 to amendment S—3118 be adopted?" (S.F. 85) the vote was:

Ayes, 26:

Carr	Hill of Polk	Murray	Redmond
Coleman	Junkins	Norpel	Robinson
Culver	Kelly	Orr	Rodgers
DeKoster	Kinley	Palmer	Sovern
Gallagher	Merritt	Plymat	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines		
Heying			

Nays, 24:

Andersen	Hansen	Nolin	Scott
Bergman	Hill of Jasper	Nolting	Shaff
Briles	Hultman	Nystrom	Shaw
Burroughs	Lamborn	Rabedeaux	Taylor
Curtis	Miller of	Ramsey	Tieden
Doderer	Marshall	Schwengels	Winkelman
Griffin			

Amendment S—3171 to amendment S—3118 was adopted.

Senator Glenn moved the adoption of amendment S—3118 as amended.

A record roll call was requested.

On the question "Shall amendment S—3118 as amended be adopted?" (S.F. 85) the vote was:

Ayes, 23:

Carr	Gluba	Murray	Robinson
Coleman	Hill of Polk	Nolin	Rodgers
Culver	Kinley	Orr	Shaw
Doderer	Merritt	Palmer	Sovern
Gallagher	Miller of	Plymat	Van Gilst
Glenn	Des Moines	Redmond	Willits

Nays, 27:

Andersen	Hansen	Miller of	Ramsey
Bergman	Heying	Marshall	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hultman	Norpel	Shaff
Curtis	Junkins	Nystrom	Taylor
DeKoster	Kelly	Priebe	Tieden
Griffin	Lamborn	Rabedeaux	Winkelman

Amendment S—3118 as amended lost.

Senator Glenn offered amendment S—3120 filed by the committee on judiciary, and called for a division of the amendment as follows:

S—3120

Division S—3120A

Amend Senate File 85 as follows:

1. Page 5, line 10, by striking the words "homicide, assault" and inserting in lieu thereof the words "assault, homicide".

Division S—3120B

2. Page 13, by striking lines 23 through 35 and inserting in lieu thereof the following new sections:

"Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE DEFINED. A person who kills another person with malice aforethought either express or implied commits criminal homicide.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE FIRST DEGREE. A person commits criminal homicide in the first degree when he or she commits criminal homicide under any of the following circumstances:

1. The person willfully, deliberately, and with premeditation kills another person.

2. The person kills another person while participating in a forcible felony.

3. The person kills another person while escaping or attempting to escape from lawful custody.

Criminal homicide in the first degree is a class A felony.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE SECOND DEGREE. A person commits criminal homicide in the second degree when he or she commits criminal homicide which is not criminal homicide in the first degree.

Criminal homicide in the second degree is a class B felony.

Division S—3120C

Sec. ..... *NEW SECTION.* MANSLAUGHTER. A person who commits manslaughter is guilty of a class C felony."

Division S—3120B (Cont'd)

3. By striking page 14.

4. Page 15 by striking lines 1 through 19.

5. By renumbering the sections and internal references to accord with this amendment.

On motion of Senator Glenn, division S—3120A of the amendment was adopted.

Action on division S—3120B was temporarily deferred.

Senator Glenn offered amendment S—3128 to division S—3120C filed by him and moved its adoption:

S—3128

Amend amendment S—3120, to page 5 of Senate File 85 as follows:

1. Page 1, by striking lines 30 through 32 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* VOLUNTARY MANSLAUGHTER.

A person commits voluntary manslaughter when that person causes the death of another person, under circumstances which would otherwise be criminal homicide, if he or she acts solely as the result of sudden, violent, and irresistible passion resulting from serious provocation sufficient to excite such passion in a person and there is not an interval between the provocation and the killing in which a person of ordinary reason and temperament would regain his or her control and suppress the impulse to kill.

Voluntary manslaughter may be proved as an included offense under an indictment for criminal homicide in the first or second degree.

Voluntary manslaughter is a class C felony.

Sec. ..... *NEW SECTION.* INVOLUNTARY MANSLAUGHTER.

1. A person commits a class D felony when the person unintentionally causes the death of another person by the commission of a public offense other than a forcible felony.

2. A person commits an aggravated misdemeanor when the person unintentionally causes the death of another person by the commission of an act in a manner likely to cause death or serious injury.

Involuntary manslaughter as defined in this section may be proved as an included offense under an indictment for criminal homicide in the first or second degree or voluntary manslaughter."

2. By renumbering the remaining section to accord with this amendment.

Amendment S—3128 to division S—3120C was adopted.

On motion of Senator Glenn, division S—3120C of the amendment as amended was adopted.

Division S—3120B of the amendment previously deferred was taken up for consideration.

Senator Griffin offered amendment S—3167 to division S—3120B filed by Senators Griffin, et al., and found on pages 381–385, inclusive, of the Senate Journal.

Senator Griffin moved the adoption of amendment S—3167 to division S—3120B and requested a record roll call.

On the question "Shall amendment S—3167 to division S—3120B be adopted?" (S.F. 85) the vote was:

Ayes, 16:

Bergman	Hultman	Norpel	Rodgers
Briles	Miller of Marshall	Nystrom	Taylor
Burroughs	Nolting	Rabedeaux	Tieden
Coleman		Ramsey	Winkelman
Griffin			

Nays, 34:

Andersen	Hansen	Miller of Des Moines	Robinson
Carr	Heying	Murray	Schwengels
Culver	Hill of Jasper	Nolin	Scott
Curtis	Hill of Polk	Orr	Shaff
DeKoster	Junkins	Palmer	Shaw
Doderer	Kelly	Plymat	Sovern
Gallagher	Kinley	Priebe	Van Gilst
Glenn	Lamborn	Redmond	Willits
Gluba	Merritt		

Amendment S—3167 to division S—3120B lost.

(Senate File 85 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 181, by Senator Gluba (Jesse, Fitzgerald, Brandt, Pellett, Hines, Crabb, Crawford, Schroeder, Newhard, Woods, Hullinger, Welden, West, Monroe, O'Halloran, Higgins, Jochum, Egenes, Middleswart, Howell, Miller of Buchanan and Mennenga), a bill for an act to appropriate from the general fund of the state to the Iowa mental health authority.

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

Senate File 182, by Senators Andersen and Norpel, a bill for an act to allocate a portion of the sales tax revenue from the general fund of the state to the road use tax fund.

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

Senate File 183, by Senators Shaff, Taylor, Lamborn, Coleman, Scott, Curtis, Tieden, Van Gilst and Winkelman, a bill for an act relating to the valuation of agricultural property for tax purposes.

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

Senate File 184, by Senator Miller of Des Moines (Monroe), a bill for an act increasing the mileage rate paid to jurors and witnesses.

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

Senate File 185, by Senators Miller of Des Moines, Hansen, Orr, Priebe, Scott, Kelly, Burroughs and Nystrom, a bill for an act relating to the licensing and regulation of social workers, certified social workers, and master social workers, the deposit of license fees for purposes of administration, and providing penalties for violations.

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

Senate File 186, by Senators Shaff, Curtis, Griffin, Hansen, Briles, Burroughs, Bergman, Tieden, Rabedeaux, Schwengels, Hultman, Shaw, Hill of Polk, Ramsey, Miller of Marshall, Taylor, Lamborn, Andersen, Winkelman, Kelly, Nystrom, Murray and Plymat, a bill for an act relating to reimbursement for property taxes paid and rent constituting property taxes paid by persons sixty-five years of age or older or totally disabled.

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

Senate File 187, by Senator Gallagher, a bill for an act relating to proof of motor vehicle financial responsibility.

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

Senate File 188, by Senators Heying and Taylor, a bill for an act relating to the routing of transmission lines.

Read first time and **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 respectfully requests that the Senate return to the House of Representatives for reconsideration Senate File 14, passed by the House of Representatives on February 17, 1975.

DAVID L. WRAY, Chief Clerk

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 177 Ways and means

S. F. 178 State government

S. F. 179 Agriculture

H. F. 54 Agriculture

H. F. 59 Natural resources

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Harriette J. Baum of Manchester, Delaware County, Iowa, for appointment as a member of the Energy Policy Council under the provisions of Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

DALE L. TIEDEN, Chairman
WARREN E. CURTIS
EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Betty S. Maxheimer of Clarion, Wright County, Iowa, for appointment as a member of the IPERS Advisory Investment Board under the provisions of Section 97B.8, Code 1975, for an unexpired term ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RAY TAYLOR, Chairman
WILLIAM E. GLUBA
EUGENE M. HILL

EXPLANATION OF VOTE

MR. PRESIDENT: It was necessary for me to be absent from the Senate chamber on February 17 and 18. Had I been present, I would have voted "aye" on Senate Files 70, 149, and 150. I also would have voted "aye" for the confirmation of Mr. John R. Loihl.

CHARLES P. MILLER

REPORTS OF COMMITTEES

Senator Nolin submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House Concurrent Resolution 11**, a resolution to commend Iowa State University of Science and Technology for its initiative in taking up the challenge of world food problems, begs leave to report it has had the same under consideration and recommends the same **be adopted.**

KARL NOLIN, Chairman

Ordered passed on file.

Senator Heying submitted the following report:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 132**, a bill for an act to prohibit hunting within one hundred yards of buildings, begs leave to report it has had the same under consideration and recommends the same **do pass.**

H. L. HEYING, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3182

Amend Senate File 7 as follows:

1. Page 1, lines 10 and 11, by striking the words "that has a minimum of four square inches".

2. Page 1, lines 12 and 13, by striking the words "that has a minimum of six square inches".

3. Page 1, line 13, by striking the word "and".

4. Page 1, lines 14 and 15, by striking the words "with a minimum of twenty square inches on each side of the bicycle", and inserting in lieu thereof the words ", and reflectors on each side of the bicycle which are visible during darkness from a distance of two hundred feet".

RICHARD J. NORPEL, SR.

S—3181

Amend Senate File 34 as follows:

1. Page 1, line 17, by striking the words "or sex" and inserting in lieu thereof the following: "sex, or physical disability; but nothing in this chapter shall be construed to require any such institution to provide any special services to a person because of a physical disability".

2. Page 1, line 22, by striking the words "or sex" and inserting in lieu thereof the following: "sex, or physical disability; but nothing in this chapter shall be construed to require any such institution to provide any special services to a person because of a physical disability".

3. Page 1, line 25, by striking the words "or sex" and inserting in lieu thereof the following: "sex, or physical disability; but nothing in this chapter shall be construed to require any such institution to provide any special services to a person because of a physical disability".

E. KEVIN KELLY

S—3185

Amend Senate File 63 as follows:

1. Page 2, lines 12 and 13, strike the words "[less than]" and insert in lieu thereof the words "less than".

2. Page 2, line 13, insert after the word "[ten]" the words "*five hundred*".

3. Page 2, line 13, strike the words "[dollars nor]" and insert in lieu thereof the words "dollars nor".

RICHARD J. NORPEL, SR.

S—3176

Amend Senate File 85, page 26, line 6, by striking the words "felony or theft" and inserting in lieu thereof the words "public offense".

WILLIAM P. WINKELMAN

S—3184

Amend Senate File 85 as follows:

1. Page 51, line 24, by inserting after the word "completion" the words "or is a certified peace officer".

2. Page 52, line 29, by inserting after the word "dollars" the words ", except from a duly appointed peace officer,".

E. KEVIN KELLY

S—3179

Amend Senate File 85 as follows:

2. Page 57, line 24, by inserting after the period the following new sentence:

"A parent or adoptive parent who provides his or her child exclusively with nonmedical treatment by a religious method of healing permitted under the laws of this state shall not, for this reason alone, be considered in violation of this subsection."

ELIZABETH SHAW

S—3183

Amend Senate File 85 as follows:

1. Page 106, line 27, by striking the words "OR TAPE RECORDER".

2. Page 106, line 29, by striking the words "or recording equipment".

3. Page 106, by striking lines 31 through 35.

4. Page 107, by striking lines 1 and 2.

5. Page 107, line 3, by striking "(2)" and inserting in lieu thereof "(1)".

6. Page 107, line 19, by striking the word and figure "two (2)" and inserting in lieu thereof the word and figure "one (1)".

7. Page 107, line 19, by striking the word "may" and inserting in lieu thereof the word "shall".

8. Page 107, line 20, by striking the words "of a tape of the recorded proceedings or".

E. KEVIN KELLY

S—3178

Amend Senate File 85, page 143, line 33 by striking the word "not".

E. KEVIN KELLY

S—3175

Amend the judiciary amendment S—3110 to page 13 of Senate File 85 by inserting after line 18 the following new paragraph:

"Any person who terminates a human pregnancy who is not a person licensed to practice medicine and surgery under the provisions of chapter one hundred forty-eight (148) of the Code, or an osteopathic physician and surgeon licensed to practice osteopathic medicine

and surgery under the provisions of chapter one hundred fifty A (150A) of the Code, commits a class C felony."

MINNETTE F. DODERER

S—3180

Amend the judiciary amendment S—3110 to page 13 of Senate File 85 by striking lines 40 through 46 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* DUTY TO PRESERVE THE LIFE OF THE FETUS. After the twentieth week of pregnancy, a person who performs or induces a termination of a human pregnancy and who fails to exercise that degree of professional skill, care and diligence available to preserve the life and health of a fetus showing significant, sustainable vital signs shall be guilty of a class C felony."

E. KEVIN KELLY

S—3177

Amend the judiciary amendment S—3120 to page 5 of Senate File 85 by inserting after line 32 the following:

"..... Page 216, by inserting before line 2 the following new sections:

Sec. ..... *NEW SECTION.* CAPITAL FELONY FOR PERSONS UNDER EIGHTEEN. Notwithstanding any sections of the Code to the contrary, no person who is under eighteen years of age when convicted of a capital felony shall be put to death. If a person is under eighteen years of age when convicted of a capital felony, the offense shall be punished as a class A felony.

Sec. ..... *NEW SECTION.* TELEVISING OF EXECUTION OF JUDGMENT OF DEATH BY HANGING. All executions of a judgment of death by hanging performed in this state shall be televised by the educational television network in this state, and the educational television network shall make videotapes of the execution. Videotapes of executions shall be made available, at reasonable cost, to any commercial television station, school, church, organization, fraternity, or other group in this state for showing to its viewers, students, or members. Commercial television stations in this state may cover executions performed in this state."

WILLIAM N. PLYMAT
WILLIAM E. GLUBA

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Thursday, February 20, 1975.

JOURNAL OF THE SENATE

THIRTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, FEBRUARY 20, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend John McCollum, pastor of the United Methodist Church, Grinnell, Iowa.

The Journal of Wednesday, February 19, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Dockum, Monroe, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Junkins for the morning session on request of Senator Palmer.

DISTINGUISHED VISITOR

President Neu welcomed the Honorable Fred Schwengel, former United States Congressman from Iowa's First Congressional District and former member of the Iowa House of Representatives from Scott County.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable James F. Schaben, former member of the Senate from Harrison County, who served as Minority Floor Leader during the Sixty-fifth General Assembly.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-one students from Rex Mathes School, West Des Moines, Iowa, accompanied by Mrs. Fried and Mrs. Olson. Senator Hill of Polk.

Twenty-three students from Twin Rivers Community School, Bode, Iowa, accompanied by Robert Souza, a student from Rio de Janeiro, Brazil, and Herbert Raney.

Forty-four students from Cresco Elementary School, Cresco, Iowa, accompanied by Mrs. Elwood. Senator Merritt.

INTRODUCTION OF BILLS

Senate File 189, by Senator Winkelman, a bill for an act relating to investment reports submitted to the auditor of state.

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

Senate File 190, by Senator Gluba, a bill for an act relating to filing for increases in utility rates, charges, schedules, or regulations.

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

SENATE FILE 14 RETURNED TO HOUSE

Senator Kinley asked and received unanimous consent that **Senate File 14,** a bill for an act relating to the issuance of trapping licenses to aliens or nonresidents and making provisions of this act retroactive, be returned to the House for reconsideration as requested by the House on February 19, 1975.

Senator Miller of Marshall took the chair at 9:50 a.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Taylor called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of **Betty S. Maxheimer of Clarion, Wright County, Iowa,** for appointment as a member of the IPERS Advisory Investment Board under the provisions of Section 97B.8, Code 1975, for an unexpired term ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RAY TAYLOR, Chairman
WILLIAM E. GLUBA
EUGENE M. HILL

The motion prevailed and the report was adopted.

Senator Taylor moved the appointment of Betty S. Maxheimer

as a member of the Iowa Public Employees Retirement System Advisory Investment Board be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Briles	Heying	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Miller of	Rabedeaux	Van Gilst
Gallagher	Des Moines	Ramsey	Willits
Glenn	Miller of	Redmond	Winkelman
Gluba	Marshall	Robinson	

Nays, none.

Absent or not voting, 5:

Burroughs	Junkins	Merritt	Nolting
Hill of Jasper			

The Chair declared the appointment of Betty S. Maxheimer as a member of the Iowa Public Employees Retirement System Advisory Investment Board confirmed for the unexpired portion of the term ending June 30, 1977.

Senator Andersen called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert D. Porter of Sioux City, Woodbury County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor for initial term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LEONARD C. ANDERSEN, Chairman
JOHN N. NYSTROM
CLOYD E. ROBINSON

The motion prevailed and the report was adopted.

Senator Andersen moved the appointment of Robert D. Porter as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting. 1:
Junkins

The Chair declared the appointment of Robert D. Porter as a member of the Energy Policy Council confirmed for the initial term ending June 30, 1975.

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

AFTERNOON SESSION

The Senate reconvened, President 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 and passed the following bill in which the concurrence of the House was asked:

Senate File 5, a bill for an act relating to the membership and qualifications of the board of review.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 44, a bill for an act relating to the registration of motor trucks and trailers or semitrailers and making the Act retroactive.

Also: That the House has concurred in the Senate amendment to the following concurrent resolution in which the concurrence of the House was asked:

House Concurrent Resolution 6 relating to investigation of American Beef Packers filing petition for bankruptcy.

Also: That the House has concurred in the Senate amendment to the following concurrent resolution in which the concurrence of the House was asked:

House Concurrent Resolution 7 relating to federal disaster assistance to Iowa beef producers suffering losses of livestock as a result of a blizzard.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 5

S—3188

Amend Senate File 5, as amended and passed by the Senate, as follows:

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

"Section 1. Section four hundred forty-one point thirty-three (441.33), Code 1975, is amended to read as follows:

441.33 SESSIONS OF BOARD OF REVIEW. The board of review shall be in session from May 1 to May 31, [both inclusive,] each year and for such additional period as may be required under section 441.37 and shall hold as many meetings as are necessary to discharge its duties. *A majority of the members shall be present before the board may conduct any of its business.* On June 1 in any year in which a session has not been extended as required under section 441.37, said board shall return all books, records and papers to the assessor except undisposed of protests and records pertaining thereto. If it has not completed its work prior to June 1, in those years in which the session has not been extended under section 441.37 the director of revenue may authorize the board of review to continue in session for such period as is necessary to complete its work, but in no event shall the director of revenue approve a continuance extending beyond August 1. On June 1 or on the final day of any extended session required under section 441.37 or authorized by the director of revenue as herein provided the board of review shall be adjourned until May 1 of the following year. It shall adopt its own rules of procedure, elect its own chairman from its membership, and keep minutes of its meetings. The board shall appoint a clerk who may be a member of such board or any other qualified person, except the assessor or any member of his staff. It may be reconvened by the director of revenue. All undisposed protests in its hands on August 1 shall be automatically overruled and returned to the assessor together with its other records.

Within fifteen days following the adjournment of any regular or special session, the board of review shall submit to the director of revenue, on forms prescribed by the director, a report of any actions taken during that session."

2. Amend the title, line 1, by striking the words "membership and qualifications" and inserting in lieu thereof the word "sessions".

HOUSE AMENDMENT TO SENATE FILE 44

S—3187

1. Amend Senate File 44, as amended and passed by the Senate, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point one hundred twenty-three (321.123), subsection five (5), Code 1975, is amended to read as follows:

5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractor and the trailer or semitrailer; except that motor trucks registered for six tons or less [pulling trailers, as defined in section 321.1, subsection 9, registered as provided in this section shall not be subject to registration for the gross weight of such trailer], *not used for hire, pulling trailers or semitrailers used by a person engaged in farming to transport commodities produced by the owner or livestock owned by the owner, or to transport commodities or livestock purchased by the owner for use in his own farming operation or used by any person to transport horses shall not be subject to registration for the gross weight of such trailer or semitrailer provided the combined gross weight does not exceed twelve tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code.*

Sec. 2. Any person who has paid registration fees for a motor truck and trailer or semitrailer for the combined gross weight of the motor truck and trailer or semitrailer for the calendar year 1975 in an amount in excess of the registration fees computed on a motor truck and trailer or semitrailer pursuant to section one (1) of this Act may file an application for refund of the full amount of the excess fee with the county treasurer of the county in which the motor truck and trailer or semitrailer are registered. Claims for refund filed under the provisions of this section shall be filed with the county treasurer on forms provided by the department of public safety. Refunds paid under the provisions of this section shall be paid from the reimbursement fund of the department of public safety under subsection two (2) of section three hundred twenty-one point one hundred forty-five (321.145) of the Code.

Sec. 3. The provisions of sections one (1) and two (2) of this Act shall be retroactive to December 1, 1974 for registration fees collected for registration plates issued for the calendar year 1975.

Sec. 4. This Act, being deemed of immediate

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1 importance, shall take effect and be in force from
2 and after its publication in The Swea City Herald,
3 a newspaper published in Swea City, Iowa, and in The
4 Forest City Summit, a newspaper published in Forest
5 City, Iowa."
6 2. Amend the title by striking all after the word
7 "of" and inserting in lieu thereof the words "relating
8 to certain farm or horse trailers which are not for
9 hire and making the act retroactive."

INTRODUCTION OF BILLS

Senate File 191, by Senators Schwengels, Norpel, Nystrom, Hultman, Tieden, Bergman, Burroughs, Hansen, Winkelman, Ramsey and Taylor, a bill for an act setting the salary rate for designated state officials.

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

Senate File 192, by Senator Doderer (Brandt, O'Halloran, Jochum, Doyle, Small, Cusack, Rinas, Crawford, Newhard and Middleton), a bill for an act relating to age requirements of applicants for marriage licenses, and to legitimacy of children born of certain marriages.

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

Senate File 193, by committee on human resources (committee on human resources), a bill for an act to amend chapter 135C of the Code so as to change the defined term "adult foster home" to "adult foster family home" and to make certain related changes in the use of that term.

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

Senate File 194, by Senator Redmond, a bill for an act relating to the selling of tangible goods by a licensee authorized to make supervised loans pursuant to the "Iowa Consumer Credit Code".

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

Senate File 195, by Senator Gluba (Higgins, Bina and Jochum), a bill for an act relating to county jails.

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

Senate File 196, by Senator Rodgers, a bill for an act providing for the use of studded snow tires from December 15 through March 15.

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

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications, and division S—3120B of the Glenn amendment.

Senator Ramsey withdrew amendment S—3174 to division S—3120B filed by Senators Ramsey and Winkelman on February 18, 1975, and found on pages 385–389, inclusive, of the Senate Journal.

Senator Ramsey offered amendment S—3190 to division S—3120B by Senators Ramsey and Winkelman:

S—3190

Amend the judiciary committee amendment S—3120, to page 5 of Senate File 85, as follows:

1. By striking lines 11 through 29 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* CAPITAL HOMICIDE. A person who with malice aforethought willfully, deliberately, and with premeditation kills another person under one or more of the following circumstances, commits a capital homicide.

1. The killing was perpetrated for hire.

2. The killing was perpetrated by a person under sentence of life imprisonment.

3. The killing was perpetrated for the purpose of escaping detection, apprehension, trial or punishment for another offense committed by the offender.

4. The killing was perpetrated against another person for the purpose of preventing the other person from testifying against the offender in a criminal trial.

5. The killing is perpetrated as a part of a course of conduct by the defendant involving the purposeful killing of, or attempt to kill two or more persons.

6. The killing was perpetrated while the offender

was participating in the crimes of first degree sexual abuse, first degree kidnapping, first degree robbery, first degree burglary or first degree arson.

Sec. ..... *NEW SECTION.* APPEAL OF CONVICTION OF CAPITAL HOMICIDE. When reviewing a judgment and sentence of death the supreme court shall in the first instance determine whether errors of law occurring at the trial require reversal or modification of the judgment. Upon determining that errors of law did not occur at the trial which require reversal or modification the supreme court shall set a date for an evidentiary hearing for the purpose of determining if the death sentence comports with the principles of due process and equal protection of the law. At the hearing the supreme court shall determine whether the sentence of death was arbitrarily imposed or the result of discrimination based on race, creed, economic condition, social position, class, or sex of the defendant and shall specifically determine whether the sentence of death is substantially disproportionate to the penalty imposed in similar cases.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE FIRST DEGREE. A person commits criminal homicide in the first degree when he or she willfully, deliberately and with premeditation commits criminal homicide which is not a capital homicide.

Page 2

Criminal homicide in the first degree is a class A felony.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE SECOND DEGREE. A person commits criminal homicide in the second degree when he or she commits criminal homicide which is not capital homicide or homicide in the first degree.

Criminal homicide in the second degree is a class B felony."

2. Page 1, by inserting after line 32 the following:

..... Page 90, line 34, by inserting after the "comma" the words "unless charged with a capital felony when the proof is evident or the presumption great, and".

..... Page 216, by inserting after line 1 the following new sections:

"Sec. ..... *NEW SECTION.* CAPITAL FELONY. Upon a plea of guilty, a verdict of guilty, or a special verdict upon which a judgment of conviction of a capital felony may be rendered the court shall enter a judgment and shall commit the defendant to the director of the division of adult corrections for execution of the death penalty. Nothing in this chapter pertaining to deferred judgment, suspended sentence or probation shall apply to a capital felony, and a person convicted of a capital felony shall not be released on parole.

Sec. ..... *NEW SECTION.* TIME OF EXECUTION. When

the court directs that a defendant be punished by death, it shall fix the day of the execution, which shall not be less than one year after the day on which the judgment is rendered, and not longer than fifteen months, during which time the defendant shall be imprisoned in the penitentiary.

Sec. ..... *NEW SECTION.* RECORD SENT GOVERNOR. Immediately after entry of judgment of death, the court rendering the judgment shall transmit by mail to the governor a copy of the indictment, plea, verdict, judgment, and testimony in the case.

Sec. ..... *NEW SECTION.* COPY OF JUDGMENT AUTHORITY FOR EXECUTION. When a judgment of death is pronounced, a certified copy of the entry thereof in the record book must be furnished to the officer whose duty it is to execute the same, who shall proceed accordingly, and no other warrant or authority is necessary to require or justify the execution.

Sec. ..... *NEW SECTION.* REPRIEVE OR SUSPENSION. The only officers who shall have power to reprieve or suspend the execution of a judgment of death are the governor and, as provided in this chapter, the warden

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of the penitentiary, and the supreme court when an appeal is taken.

Sec. ..... *NEW SECTION.* INSANITY OR PREGNANCY. When the warden of the penitentiary has reasonable grounds to believe that a defendant in his charge under sentence of death is insane or pregnant, he shall notify the commissioners of hospitalization of the county where the penitentiary is located, who shall be placed under oath by the warden to inquire into the facts as to the insanity or pregnancy of the defendant, and return a report of their findings.

Sec. ..... *NEW SECTION.* FINDINGS OF COMMISSIONERS. The commissioners, after being placed under oath, shall examine the defendant and hear any evidence that may be presented, and may examine the medical attendants at the penitentiary, to ascertain the facts, and make a report in writing, signed by a majority of the commissioners.

Sec. ..... *NEW SECTION.* EXECUTION SUSPENDED. If the report does not show the defendant to be insane or pregnant, the warden shall not suspend the execution; but if it does, he shall suspend the execution, and immediately transmit the report to the governor.

Sec. ..... *NEW SECTION.* EXECUTIVE WARRANT OF EXECUTION. When a judgment of death from any cause has not been executed on the day appointed by the court, the governor, by a warrant under the seal of the state, shall fix the day of execution, and the warrant shall be obeyed by the sheriff, and no one but the governor can then suspend its execution.

Sec. ..... *NEW SECTION.* TIME AND MANNER OF EXECU-

TION. A judgment of death must be executed by the sheriff of the county where the judgment was rendered, or his deputy, within the walls of the penitentiary where the defendant is confined, or within a yard or inclosure adjoining the penitentiary, on the day fixed in the judgment, between sunrise and sunset; by passing an electric current, of sufficient intensity and duration to cause death, through the body of the convicted person.

Sec. ..... *NEW SECTION.* WITNESSES TO EXECUTION. The sheriff or his deputy must, at least three days before executing a judgment of death, notify the judge of the district court who tried the case, or, if he be not in office, another judge of such court, the county attorney and the clerk of the district court of the county in which the judgment was rendered, the sheriff of the county in which the offense was committed, and two physicians and twelve citizens of the state to be selected by him to be

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present as witnesses at the execution. He must also, at the request of the defendant, permit one or more ministers of the gospel, named by him, and any of his relatives, to attend the execution. Minors and persons not authorized by this section shall not be present at the execution.

Sec. ..... *NEW SECTION.* CERTIFICATE OF EXECUTION. The sheriff or his deputy executing the judgment of death must prepare and sign a certificate, setting forth the time and place of the execution, and that judgment was executed upon the defendant according to the provisions of this chapter, and cause the certificate to be signed by the public officers, and at least twelve persons, who are not relatives of the defendant, who witnessed the execution.

Sec. ..... *NEW SECTION.* CERTIFICATE FILED AND PUBLISHED. The sheriff or his deputy executing the judgment must file the certificate in the office of the clerk of the district court of the county in which the judgment was rendered, and publish a copy of the certificate in one newspaper printed at the capital of the state, and in one in his county.

Sec. ..... *NEW SECTION.* STAY OF EXECUTION BY APPEAL. An appeal from a judgment of death shall stay the infliction of that punishment, but the defendant is to be retained in custody without bail.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON APPEAL. When an appeal is taken from a judgment of death, the clerk of the district court in which it was rendered shall at once give the defendant or his attorney a certificate, under the seal of the court, certifying that fact, and the sheriff or other officer having the defendant in custody shall, upon the delivery to him of the certificate, suspend

further proceedings on the judgment until final judgment on the appeal is certified to him by the clerk of the supreme court.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON AFFIRMANCE—ISSUANCE OF WARRANT. When such judgment is affirmed, the supreme court shall deliver a copy of the judgment to the governor, and to the sheriff whose duty it is to execute the judgment, signed by the clerk of the supreme court and under seal of the court, and the governor shall issue a warrant of execution under the seal of the state, and transmit it by messenger or mail to the sheriff whose duty it is to execute the judgment, directing him, on a day and at an hour, not earlier than the day fixed by the district court, to execute such judgment in the manner required by law.

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Sec. ..... *NEW SECTION.* EXECUTION OF WARRANT. The sheriff shall execute such warrant in the manner provided in this chapter, and report the sheriff's doings to the governor and the district court whose judgment was appealed from, and make the publication of the sheriff's doings in the manner provided for in this chapter. If from any cause the judgment is not executed on the day named in the warrant, the governor may appoint another, and so on until it is done."

Senator Ramsey moved the adoption of amendment S—3190 to division S—3120B.

A record roll call was requested.

On the question "Shall amendment S—3190 to division S—3120B be adopted?" (S.F. 85) the vote was:

Ayes, 19:

Bergman	Hill of Jasper	Norpel	Schwengels
Briles	Hultman	Nystrom	Shaw
Burroughs	Miller of Marshall	Rabedeaux	Taylor
Coleman	Nolting	Ramsey	Tieden
Griffin		Rodgers	Winkelman

Nays, 31:

Andersen	Gluba	Merritt	Priebe
Carr	Hansen	Miller of Des Moines	Redmond
Culver	Heying	Murray	Robinson
Curtis	Hill of Polk	Nolin	Scott
DeKoster	Junkins	Orr	Shaff
Doderer	Kelly	Palmer	Sovern
Gallagher	Kinley	Plymat	Van Gilst
Glenn	Lamborn		Willits

Amendment S—3190 to division S—3120B of the Glenn amendment lost.

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

The Senate resumed session, President Neu presiding.

Senator Junkins offered amendment S—3193 to division S—3120B by Senators Coleman and Junkins, moved its adoption and requested a record roll call:

S—3193

Amend the judiciary committee amendment S—3120, to page 5 of the Senate File 85, as follows:

1. By striking lines 11 through 29 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* CAPITAL HOMICIDE. A person who with malice aforethought willfully, deliberately, and with premeditation kills another person while the offender is participating in kidnapping in the first degree commits a capital homicide.

Sec. ..... *NEW SECTION.* APPEAL OF CONVICTION OF CAPITAL HOMICIDE. When reviewing a judgment and sentence of death the supreme court shall in the first instance determine whether errors of law occurring at the trial require reversal or modification of the judgment. Upon determining that errors of law did not occur at the trial which require reversal or modification the supreme court shall set a date for an evidentiary hearing for the purpose of determining if the death sentence comports with the principles of due process and equal protection of the law. At the hearing the supreme court shall determine whether the sentence of death was arbitrarily imposed or the result of discrimination based on race, creed, economic condition, social position, class, or sex of the defendant and shall specifically determine whether the sentence of death is substantially disproportionate to the penalty imposed in similar cases.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE FIRST DEGREE. A person commits criminal homicide in the first degree when he or she willfully, deliberately and with premeditation commits criminal homicide which is not a capital homicide.

Criminal homicide in the first degree is a class A felony.

Sec. ..... *NEW SECTION.* CRIMINAL HOMICIDE IN THE SECOND DEGREE. A person commits criminal homicide in the second degree when he or she commits criminal homicide which is not capital homicide or homicide in the first degree.

Criminal homicide in the second degree is a class B felony."

2. Page 1, by inserting after line 32 the following:

..... Page 90, line 34, by inserting after the "comma" the words "unless charged with a capital felony when

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the proof is evident or the presumption great, and".
..... Page 216, by inserting after line 1 the following new sections:
"Sec. ..... *NEW SECTION.* CAPITAL FELONY. Upon a plea of guilty, a verdict of guilty, or a special verdict upon which a judgment of conviction of a capital felony may be rendered the court shall enter a judgment and shall commit the defendant to the director of the division of adult corrections for execution of the death penalty. Nothing in this chapter pertaining to deferred judgment, suspended sentence or probation shall apply to a capital felony, and a person convicted of a capital felony shall not be released on parole.
Sec. ..... *NEW SECTION.* TIME OF EXECUTION. When the court directs that a defendant be punished by death, it shall fix the day of execution, which shall not be less than one year after the day on which the judgment is rendered, and not longer than fifteen months, during which time the defendant shall be imprisoned in the penitentiary.
Sec. ..... *NEW SECTION.* RECORD SENT GOVERNOR. Immediately after entry of judgment of death, the court rendering the judgment shall transmit by mail to the governor a copy of the indictment, plea, verdict, judgment, and testimony in the case.
Sec. ..... *NEW SECTION.* COPY OF JUDGMENT AUTHORITY FOR EXECUTION. When a judgment of death is pronounced, a certified copy of the entry thereof in the record book must be furnished to the officer whose duty it is to execute the same, who shall proceed accordingly, and no other warrant or authority is necessary to require or justify the execution.
Sec. ..... *NEW SECTION.* REPRIEVE OR SUSPENSION. The only officers who shall have power to reprieve or suspend the execution of a judgment of death are the governor and, as provided in this chapter, the warden of the penitentiary, and the supreme court when an appeal is taken.
Sec. ..... *NEW SECTION.* INSANITY OR PREGNANCY. When the warden of the penitentiary has reasonable grounds to believe that a defendant in his charge under sentence of death is insane or pregnant, he shall notify the commissioners of hospitalization of the county where the penitentiary is located, who shall be placed under oath by the warden to inquire into the facts as to the insanity or pregnancy of the defendant, and return a report of their findings.
Sec. ..... *NEW SECTION.* FINDING OF COMMISSIONERS. The commissioners, after being placed under oath,

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shall examine the defendant and hear any evidence that may be presented, and may examine the medical

attendants at the penitentiary, to ascertain the facts, and make a report in writing, signed by a majority of the commissioners.

Sec. ..... *NEW SECTION.* EXECUTION SUSPENDED. If the report does not show the defendant to be insane or pregnant, the warden shall not suspend the execution; but if it does, he shall suspend the execution, and immediately transmit the report to the governor.

Sec. ..... *NEW SECTION.* EXECUTIVE WARRANT OF EXECUTION. When a judgment of death from any cause has not been executed on the day appointed by the court, the governor, by a warrant under the seal of the state, shall fix the day of execution, and the warrant shall be obeyed by the sheriff, and no one but the governor can then suspend its execution.

Sec. ..... *NEW SECTION.* TIME AND MANNER OF EXECUTION. A judgment of death must be executed by the sheriff of the county where the judgment was rendered, or his deputy, within the walls of the penitentiary where the defendant is confined, or within a yard or inclosure adjoining the penitentiary, on the day fixed in the judgment, between sunrise and sunset; by passing an electric current, of sufficient intensity and duration to cause death, through the body of the convicted person.

Sec. ..... *NEW SECTION.* WITNESSES TO EXECUTION. The sheriff or his deputy must, at least three days before executing a judgment of death, notify the judge of the district court who tried the case, or, if he be not in office, another judge of such court, the county attorney and the clerk of the district court of the county in which the judgment was rendered, the sheriff of the county in which the offense was committed, and two physicians and twelve citizens of the state to be selected by him to be present as witnesses at the execution. He must also, at the request of the defendant, permit one or more ministers of the gospel, named by him, and any of his relatives, to attend the execution. Minors and persons not authorized by this section shall not be present at the execution.

Sec. ..... *NEW SECTION.* CERTIFICATE OF EXECUTION. The sheriff or his deputy executing the judgment of death must prepare and sign a certificate, setting forth the time and place of the execution, and that judgment was executed upon the defendant according to the provisions of this chapter, and cause the certificate to be signed by the public officers, and at

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least twelve persons, who are not relatives of the defendant, who witnessed the execution.

Sec. ..... *NEW SECTION.* CERTIFICATE FILED AND PUBLISHED. The sheriff or his deputy executing the

judgment must file the certificate in the office of the clerk of the district court of the county in which the judgment was rendered, and publish a copy of the certificate in one newspaper printed at the capital of the state, and in one in his county.

Sec. ..... *NEW SECTION.* STAY OF EXECUTION BY APPEAL. An appeal from a judgment of death shall stay the infliction of that punishment, but the defendant is to be retained in custody without bail.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON APPEAL. When an appeal is taken from a judgment of death, the clerk of the district court in which it was rendered shall at once give the defendant or his attorney a certificate, under the seal of the court, certifying that fact, and the sheriff or other officer having the defendant in custody shall, upon the delivery to him of the certificate, suspend further proceedings on the judgment until final judgment on the appeal is certified to him by the clerk of the supreme court.

Sec. ..... *NEW SECTION.* PROCEEDINGS ON AFFIRMANCE—ISSUANCE OF WARRANT. When such judgment is affirmed, the supreme court shall deliver a copy of the judgment to the governor, and to the sheriff whose duty it is to execute the judgment, signed by the clerk of the supreme court and under seal of the court, and the governor shall issue a warrant of execution under the seal of the state, and transmit it by messenger or mail to the sheriff whose duty it is to execute the judgment, directing him, on a day and at an hour, not earlier than the day fixed by the district court, to execute such judgment in the manner required by law.

Sec. ..... *NEW SECTION.* EXECUTION OF WARRANT. The sheriff shall execute such warrant in the manner provided in this chapter, and report the sheriff's doings to the governor and the district court whose judgment was appealed from, and make the publication of the sheriff's doings in the manner provided for in this chapter. If from any cause the judgment is not executed on the day named in the warrant, the governor may appoint another, and so on until it is done."

On the question "Shall amendment S—3193 to division S—3120B be adopted?" (S.F. 85) the vote was:

Ayes, 21:

Bergman	Hill of Jasper	Nolting	Shaff
Briles	Hultman	Priebe	Shaw
Burroughs	Junkins	Rabedeaux	Taylor
Coleman	Lamborn	Ramsey	Tieden
Curtis	Miller of Marshall	Schwengels	Winkelman
Griffin			

Nays, 28:

Andersen	Hansen	Murray	Robinson
Carr	Heying	Nolin	Rodgers
Culver	Hill of Polk	Norpel	Scott
DeKoster	Kelly	Orr	Sovern
Doderer	Kinley	Palmer	Van Gilst
Gallagher	Merritt	Plymat	Willits
Glenn	Miller of Des Moines	Redmond	
Gluba			

Absent or not voting, 1:

Nystrom

Amendment S—3193 to division S—3120B of the Glenn amendment lost.

Senator Plymat asked and received unanimous consent to withdraw amendment S—3177 to division S—3120B filed by Senators Plymat and Gluba on February 19, 1975, and found on page 402 of the Senate Journal.

On motion of Senator Glenn, division S—3120B of the amendment was adopted.

The following amendments were ruled out of order with the adoption of amendment S—3120:

Amendment S—3114 filed by Senators Griffin, et al., on February 14, 1975.

Amendment S—3143 to amendment S—3114 by Senator Hill of Polk, offered and deferred on February 17, 1975.

Amendment S—3124 to amendment S—3114 filed by Senators Plymat, Gluba and Willits on February 17, 1975.

Amendment S—3125 to amendment S—3114 filed by Senators Plymat and Gluba on February 17, 1975.

Amendment S—3139 to amendment S—3114 filed by Senator Hill of Jasper on February 17, 1975.

(Senate File 85 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 197, by Senator Griffin, a bill for an act relating to the control of rabies, the regulation and vaccination of dogs, repealing certain provisions of the Code, and providing a penalty.

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

Senate File 198, by Senator Murray, a bill for an act relating to qualifications of civil service employees.

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

Senate File 199, by committee on education, a bill for an act relating to the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory.

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

Senate File 200, by Senators Nystrom, Scott, Miller of Des Moines, Priebe, Murray, Hansen, Lamborn, Rodgers, Norpel, Griffin, Briles, Hultman, Schwengels, Andersen and Curtis, a bill for an act relating to leave of absence by reason of sickness or injury.

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

Senate File 201, by Senators Nystrom, Shaff, Lamborn, Kelly, Shaw, Ramsey, Winkelman, DeKoster and Andersen, a bill for an act relating to the payment of wages and providing a penalty.

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

Senate File 202, by Senator Gallagher, a bill for an act relating to the abandonment of utility service.

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

Senate File 203, by committee on agriculture, a bill for an act relating to the establishment of requirements for the sanitary production and processing of milk used for manufacturing purposes.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 180 Cities

S. F. 181 Appropriations

S. F. 182 Appropriations

S. F. 183 Ways and means

S. F. 184 Judiciary

S. F. 185 State government

S. F. 186 Ways and means

S. F. 187 Transportation

S. F. 188 Commerce

H. F. 205 Labor and industrial relations

H. F. 207 Commerce

COMMUNICATION FROM THE SECRETARY OF STATE

February 19, 1975

Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 33 was published in the Ames Daily Tribune, Ames, Iowa, February 14, 1975, and in The Nevada Evening Journal, Nevada, Iowa, February 14, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Orren S. Olson, Humboldt, Humboldt County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
JOHN S. MURRAY
STEVE SOVERN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Ann (Don D.) Pellegreno of Story City, Story County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Section 307.3, Code 1975, for an initial term commencing July 1, 1974, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
CLIFF BURROUGHS
WILLIAM E. GLUBA
FRED NOLTING
JOHN NYSTROM

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate chamber because of illness when the votes were taken on the confirmation of the following appointees:

Betty S. Maxheimer as a member of the IPERS Advisory Investment Board;

Robert D. Porter as a member of the Energy Policy Council.

Had I been present, I would have voted "aye" on each appointment.

LOWELL JUNKINS

REPORT OF COMMITTEE

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 81**, a bill for an act relating to the payment of transportation expenses for moving household goods for employees of the highway division of the state department of transportation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3192

Amend Senate File 24 as follows:

1. Page 1, line 5, by striking the words "[with a gross weight registration of eight through twelve]" and inserting in lieu thereof the words "with a gross weight registration of eight through [twelve] *eighteen*".

2. Page 1, line 6, by striking the word "[tons]" and inserting in lieu thereof the words "tons".

3. Page 1, line 15, by striking the words ", [or] twelve *or*" and inserting in lieu thereof the words "or twelve".

4. Page 1, line 16, by striking the word "*thirteen*".

5. Page 1, line 17, by striking the word "*thirteen*" and inserting in lieu thereof the word "*twelve*".

BERL E. PRIEBE

S—3186

Amend Senate File 85 as follows:

1. Page 60, by inserting after line 27 the following new sections:

"Sec..... ***NEW SECTION.*** **MISTREATMENT OF RESIDENT OF HEALTH CARE FACILITY.**

1. A person who willfully, wantonly, or maliciously mistreats any resident of a health care facility as defined in chapter one hundred thirty-five C (135C) of the Code commits a class D felony.

2. As used in this section the word 'mistreat' means treatment or lack of treatment to such an extent that the physical or mental health of a resident is adversely affected, including but not limited to the following:

a. Failure to follow a physician's orders.
b. Willful or repeated violations of statutes and rules regarding the care of residents of health care facilities.
c. Failure to properly clothe, feed, groom or clean residents.
d. Failure to keep the premises clean.
e. Failure to provide adequate personnel on the staff of the health care facility.
f. Transfer of residents between facilities without the permission of the resident's physician.
The provisions of this subsection, including but not limited to paragraphs a through f, must show a willful, wanton, or malicious treatment of residents of a health care facility to such an extent that their physical or mental health is adversely affected."

WILLIAM E. GLUBA
BERL E. PRIEBE

S—3189

Amend the judiciary amendment, S—3110, to page 13 of Senate File 85 by striking lines 40 through 46 and inserting in lieu thereof the following:
"Sec. ..... *NEW SECTION.* DUTY TO PRESERVE THE LIFE OF THE FETUS. After the twentieth week of pregnancy, a person who performs or induces a termination of a human pregnancy and who fails to exercise that degree of professional skill, care and diligence available to preserve the life and health of a fetus showing significant, sustainable vital signs shall be guilty of a serious misdemeanor."

E. KEVIN KELLY

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:20 p.m., until 9:30 a.m., Friday, February 21, 1975.

JOURNAL OF THE SENATE

FORTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, FEBRUARY 21, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Father Jerry Godwin, pastor of the St. Timothy's Episcopal Church, West Des Moines, Iowa.

The Journal of Thursday, February 20, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Jerry Hendel, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rabedeaux for the day on request of Senator Schwengels; Senator Plymat for the morning session on request of Senator Curtis; Senator Shaff for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Andrew G. Frommelt, former member of the Senate and House of Representatives from Dubuque County, who served as Senate Majority Floor Leader during the Sixty-first and Sixty-second General Assemblies; and as Senate Minority Floor Leader during the Fifty-ninth, Sixtieth, and Sixty-third General Assemblies.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-six students from St. John's Elementary School, Des Moines, Iowa, accompanied by their principal, Sister John Agnes Smith, B.V.M. Senator Willits.

COMMITTEE APPOINTMENT

Senator Kinley asked and received unanimous consent that Senator Curtis be appointed to the committee on memorial resolutions.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

Senator Glenn offered amendment S—3110 filed by the committee on judiciary and called for a division of the amendment as follows:

S—3110

Division S—3110A

Amend Senate File 85 as follows:

1. Page 13, by striking lines 32 and 33 and renumbering the remaining subsections to accord with this amendment.

Division S—3110B

2. Page 15, by striking lines 20 through 32 and inserting in lieu thereof the following new sections:

"Sec. ..... *NEW SECTION.* FETICIDE. Any person who intentionally terminates a human pregnancy after the end of the second trimester of the pregnancy commits feticide. Feticide is a class C felony. This section shall not apply to the termination of a human pregnancy performed by a physician licensed in this state to practice medicine or surgery when in the best clinical judgment of the physician the termination is performed to preserve the life or health of the pregnant person and every medical effort not inconsistent with preserving the life of the pregnant person is made to preserve the life of the fetus.

Sec. ..... *NEW SECTION.* NONCONSENTUAL TERMINATION.

1. A person who terminates a human pregnancy without the consent of the pregnant person during the commission of a felony or assault is guilty of a class B felony.

2. A person who intentionally terminates a pregnancy without the knowledge and consent of the pregnant person is guilty of a class C felony. This subsection shall not apply to a termination performed without the consent or knowledge of the pregnant person by a physician licensed in this state to practice medicine or surgery when circumstances preclude the pregnant person from providing her consent and the termination is performed to preserve the life or health of the pregnant person.

3. A person who by force or intimidation procures the consent of the pregnant person to a termination of a pregnancy is guilty of a class C felony.

Division S—3110C

Sec. ..... *NEW SECTION.* HOMICIDE OF PREMATURE FETUS ABORTED ALIVE. A person who intentionally kills a premature fetus aborted alive shall be guilty of a class B felony.

Sec. ..... *NEW SECTION.* DUTY TO PRESERVE LIFE OF FETUS ABORTED ALIVE. A person who lawfully performs or induces a termination of a human pregnancy and who fails to exercise the degree of professional care, skill, and diligence available to preserve the life of an aborted fetus showing signs of life shall be guilty of a serious misdemeanor."

Division S—3110B (cont'd)

3. By renumbering the sections and internal references to accord with this amendment.

Senator Glenn asked and received unanimous consent to withdraw division S—3110A of the amendment.

Senator Taylor withdrew amendment S—3195 to amendment S—3110B:

S—3195

Amend the judiciary amendment S—3110 to page 13 of Senate File 85 by striking on lines 8 and 9 the words "after the end of the second trimester of the pregnancy".

Senator Doderer offered amendment S—3175 to division S—3110B filed by her and moved its adoption:

S—3175

Amend the judiciary amendment S—3110 to page 13 of Senate File 85 by inserting after line 18 the following new paragraph:

"Any person who terminates a human pregnancy who is not a person licensed to practice medicine and surgery under the provisions of chapter one hundred forty-eight (148) of the Code, or an osteopathic physician and surgeon licensed to practice osteopathic medicine and surgery under the provisions of chapter one hundred fifty A (150A) of the Code, commits a class C felony."

Amendment S—3175 to division S—3110B was adopted.

On motion of Senator Glenn, division S—3110B of the amendment as amended was adopted.

Senator Kelly offered amendment S—3147 to division S—3110C filed by him and moved its adoption:

S—3147

Amend the judiciary committee amendment S—3110, to page 13 of Senate File 85 by striking lines 36 through 39 and inserting in lieu thereof the following:

Sec. ..... *NEW SECTION.* HOMICIDE OF FETUS ABORTED ALIVE. A person who intentionally kills a fetus aborted alive after the twentieth week of pregnancy shall be guilty of a class B felony.

Amendment S—3147 to division S—3110C of the amendment was adopted.

Senator Kelly offered amendment S—3189 to division S—3110C filed by him and moved its adoption:

S—3189

Amend the judiciary amendment, S—3110, to page 13 of Senate File 85 by striking lines 40 through 46 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* DUTY TO PRESERVE THE LIFE OF THE FETUS. After the twentieth week of pregnancy, a person who performs or induces a termination of a human pregnancy and who fails to exercise that degree of professional skill, care and diligence available to preserve the life and health of a fetus showing significant, sustainable vital signs shall be guilty of a serious misdemeanor."

Amendment S—3189 to division S—3110C of the amendment was adopted.

Senator Kelly withdrew amendment S—3146 to division S—3110C filed by him on February 17, 1975, and found on page 359 of the Senate Journal.

Senator Kelly withdrew amendment S—3180 to division S—3110C filed by him on February 19, 1975, and found on page 402 of the Senate Journal.

Amendment S—3123 to division S—3110C filed by Senator Hill of Polk on February 17, 1975, was ruled out of order with the adoption of amendment S—3189.

Senator Glenn moved the adoption of division S—3110C of the amendment as amended.

A record roll call was requested.

On the question "Shall division S—3110C of the amendment as amended be adopted?" (S.F. 85) the vote was:

Rule 25 was invoked.

Ayes, 36:

Andersen	Heying	Nolin	Scott
Bergman	Hill of Jasper	Nolting	Shaw
Carr	Hultman	Norpel	Sovern
Coleman	Junkins	Nystrom	Taylor
Culver	Kelly	Palmer	Tieden
Curtis	Kinley	Priebe	Van Gilst
DeKoster	Lamborn	Ramsey	Willits
Gallagher	Merritt	Rodgers	Winkelman
Glenn	Miller of Des Moines	Schwengels	
Gluba			

Nays, 7:

Burroughs	Hansen	Miller of Marshall	Murray
Doderer	Hill of Polk		Redmond

Absent or not voting, 7:

Briles	Orr	Rabedeaux	Shaff
Griffin	Plymat	Robinson	

Division S—3110C of the amendment as amended was adopted.

(Senate File 85 pending on recess.)

On motion of Senator Kinley, the Senate recessed until 12:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

Senate File 85

The Senate resumed consideration of Senate File 85.

Senator Redmond withdrew amendment S—3132 filed by him on February 17, 1975, and found on pages 355 and 356 of the Senate Journal.

Senator Redmond withdrew amendment S—3133 filed by him on February 17, 1975, and found on page 351 of the Senate Journal.

Senator Redmond offered amendment S—3155 filed by him and called for a division of the amendment as follows:

S—3155

Division S—3155A

Amend Senate File 85 as follows:

1. Page 6, line 20, by striking the words "or by" and inserting in lieu thereof the word "by".

2. Page 6, line 21, by inserting after the word "genitalia" the words "or by contact between the genitalia of one person and the genitalia of another person".

Division S—3155B

3. Page 19, by striking lines 20 through 26 and inserting in lieu thereof the following new section:

"Sec. 903. *NEW SECTION.* SEXUAL ABUSE IN THE SECOND DEGREE. A person commits sexual abuse in the second degree when the person commits sexual abuse under any of the following circumstances:

1. During the commission of sexual abuse the person displays in a threatening manner a deadly weapon, or uses or threatens to use force creating a substantial risk of death or serious injury to any person.

2. The other participant is under the age of twelve.

Division S—3155F

3. The other participant is under the age of sixteen and the person is a member of the same household as the other participant and they are related by blood or affinity to the fourth degree.

Division S—3155B (Cont'd)

4. The person is aided or abetted by one or more persons and the sex act is committed by force and against the will of the other participant.

Sexual abuse in the second degree is a class B felony."

Division S—3155C

4. Page 20, by striking line 2.

Division S—3155D

5. Page 20, by inserting after line 8 the following new section:

Sec. 906. *NEW SECTION.* JURY INSTRUCTION. When instructing the jury in a trial for sexual abuse the judge shall not comment on any possible motivations of the complaining witness in making the charge; the relative ease or difficulty in making the charge; the relative ease or difficulty on proving the charge; or give any instruction which would cause the jury to view the evidence in a case of sexual abuse in a manner different than any other criminal case."

Division S—3155E

6. By renumbering the remaining sections of Division IX of Chapter 8 in accordance with this amendment.

Senator Hill of Polk offered amendment S—3160 to division S—3155A filed by him and moved its adoption:

S—3160

Amend the Redmond amendment S—3155 to page 6

of Senate File 85, in line 6 by inserting following the word "genitalia" the words "or anus".

Amendment S—3160 to division S—3155A of the amendment was adopted.

On motion of Senator Redmond, division S—3155A of the amendment as amended was adopted.

Senator Norpel called for a further division of amendment S—3155, lines 18 through 21 to be considered as division S—3155F.

On motion of Senator Redmond, division S—3155B of the amendment was adopted.

Senator Redmond withdrew division S—3155C of the amendment.

Senator Redmond offered amendment S—3159 to division S—3155D filed by him and moved its adoption:

S—3159

Amend the Redmond amendment S—3155 to page 6 of Senate File 85, in line 34 by striking the word "on" and inserting in lieu thereof the word "in".

Amendment S—3159 to division S—3155D was adopted.

Senator Redmond moved the adoption of division S—3155D of the amendment as amended.

A record roll call was requested.

On the question "Shall division S—3155D of the amendment as amended be adopted?" (S.F. 85) the vote was:

Ayes, 13:

Coleman	Murray	Priebe	Shaw
Gallagher	Nolting	Redmond	Sovern
Hansen	Plymat	Scott	Willits
Hill of Polk			

Nays, 28:

Andersen	Heying	Miller of Marshall	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Burroughs	Junkins	Norpel	Schwengels
Carr	Kinley	Nystrom	Taylor
Culver	Lamborn	Palmer	Tieden
Curtis	Merritt	Ramsey	Van Gilst
DeKoster	Miller of Des Moines		Winkelman
Glenn			

Absent or not voting, 9:

Briles	Griffin	Kelly	Rabedeaux
Doderer	Hultman	Orr	Shaff
Gluba			

Division S—3155D of the amendment as amended lost.

Senator Redmond moved the adoption of division S—3155F of the amendment.

A non-record roll call was requested.

The ayes were 5, nays 35.

Division S—3155F of the amendment lost.

On motion of Senator Redmond, division S—3155E of the amendment was adopted.

Senator Redmond offered amendment S—3131 filed by him and moved its adoption:

S—3131
Amend Senate File 85, page 21, by inserting after line 9, the following new section:
"Sec. 909. *NEW SECTION.* COST OF MEDICAL EXAMINATION IN CRIMES OF SEXUAL ASSAULT. The cost of a medical examination for the purpose of gathering evidence and the cost of treatment for the purpose of preventing venereal disease shall be borne by the county in which the crime was committed."

Amendment S—3131 was adopted.

Senator Hill of Polk offered amendment S—3151 filed by him and moved its adoption:

S—3151
Amend Senate File 85 as follows:
1. Page 21, line 33, by striking the word "second" and inserting in lieu thereof the word "third".
2. Page 21, line 34, by striking the word "second" and inserting in lieu thereof the word "third".

Amendment S—3151 was adopted.

Senator Hill of Polk withdrew the motion to reconsider the vote by which amendment S—3112 was adopted by the Senate filed by him on February 17, 1975.

Senator DeKoster offered amendment S—3135 filed by him and moved its adoption:

S—3135
Amend Senate File 85, page 27, line 10, by adding after the word "him." the following new sentence:
"Failure by a bailee or lessee of personal property to return the property within 72 hours after a time specified in a written agreement of lease or bailment shall be evidence of misappropriation."

Amendment S—3135 was adopted.

Senator Rodgers offered amendment S—3164 filed by Senators Rodgers and Ramsey and moved its adoption:

S—3164

Amend Senate File 85, page 28, by adding the following new subsection after line 7:

"*NEW SECTION.* Makes any check, draft, or written order on any bank, person or corporation, and obtains property in exchange therefor; if he knows that such check, draft or written order will not be paid when presented. Whenever the drawee of such instrument has refused payment because the maker has no account with the drawee, the court or jury may infer from such fact that the maker knew that the instrument would not be paid on presentation."

Amendment S—3164 was adopted.

Senator Andersen offered amendment S—3148 filed by him, moved its adoption and requested a non-record roll call:

S—3148

Amend Senate File 85 as follows:

1. Page 28, line 17, by inserting after the word, "battle" the words "or the theft of a motor vehicle of a value exceeding five thousand dollars,".

2. Page 28, line 23, by striking the words ", irrespective of value" and inserting in lieu thereof the words "of a value less than five thousand dollars".

The ayes were 8, nays 37.

Amendment S—3148 lost.

Senator Winkelman offered amendment S—3176 filed by him and moved its adoption:

S—3176

Amend Senate File 85, page 26, line 6, by striking the words "felony or theft" and inserting in lieu thereof the words "public offense".

Senator Lamborn took the chair at 2:00 p.m.

A non-record roll call was requested.

The ayes were 11, nays 31.

Amendment S—3176 lost.

Senator Doderer offered amendment S—3161 filed by Senators Doderer, et al., and moved its adoption:

S—3161

Amend Senate File 85 as follows:

1. Page 18, line 35, by striking the words "who are not man and wife,".

2. Page 19, by inserting after line 14 the fol-

lowing new subsection:
"5. Sexual abuse as defined in subsections two (2), three (3), and four (4) of this section does not constitute sexual abuse, if the sex act is performed by persons who are husband and wife and who are cohabiting together at the time of the sex act."

A record roll call was requested.

On the question "Shall amendment S—3161 be adopted?" (S.F. 85) the vote was:

Ayes, 11:

Bergman	Hill of Polk	Plymat	Sovern
Doderer	Murray	Redmond	Willits
Hansen	Orr	Shaw	

Nays, 32:

Andersen	Glenn	Miller of	Ramsey
Briles	Heying	Des Moines	Robinson
Burroughs	Hill of Jasper	Nolin	Rodgers
Carr	Hultman	Nolting	Schwengels
Coleman	Junkins	Norpel	Scott
Culver	Kinley	Nystrom	Taylor
Curtis	Lamborn	Palmer	Van Gilst
DeKoster	Merritt	Priebe	Winkelman
Gallagher			

Absent or not voting, 7:

Gluba	Miller of	Rabedeaux	Tieden
Griffin	Marshall	Shaff	
Kelly			

Amendment S—3161 lost.

(Senate File 85 pending on adjournment.)

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 14, a bill for an act relating to the issuance of trapping licenses to aliens or nonresidents and making provisions of this act retroactive.

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

Senate File 115, a bill for an act to provide for payment of the lieutenant governor's salary and expenses from funds specifically appropriated to the office of the lieutenant governor.

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

Senate File 116, a bill for an act relating to the compensation paid to members of the board of law examiners and temporary examiners appointed by the supreme court.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 14

S—3196

Amend Senate File 14, as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 4 through 11 and inserting in lieu thereof the following:

"All fees collected prior to the effective date of this Act for nonresident or alien trapping licenses for the year 1975 shall be refunded and the licenses shall be cancelled. Beginning on the effective date of this Act, nonresident or alien licenses may be issued only to residents of states which sell similar licenses to residents of Iowa."

2. By renumbering the remaining section.

INTRODUCTION OF BILLS

Senate File 204, by Senators Palmer, Hill of Polk, Willits, Plymat and Kinley, a bill for an act relating to registration of motor vehicles.

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

Senate File 205, by Senators Carr, Hansen, Murray, Robinson, Willits, Palmer, Kinley and Gluba, a bill for an act relating to the issuance, continuation, and termination of teachers' contracts.

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

Senate File 206, by Senator Ramsey, a bill for an act relating to filing of financial statements or appearance bonds by carnival owners and providing a penalty.

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

Senate File 207, by Senator Ramsey, a bill for an act relating to the use of medical procedures to prolong life.

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

Senate File 208, by Senators Ramsey and Redmond, a bill for an act relating to the shooting of firearms.

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

Senate File 209, by Senators Rodgers and Curtis, a bill for an act increasing the optional standard deduction from net income for state income tax purposes.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 189 State government

S. F. 190 Commerce

S. F. 191 Appropriations

S. F. 192 Judiciary

S. F. 194 Commerce

S. F. 195 Human resources

S. F. 196 Transportation

S. F. 197 Human resources

S. F. 198 Cities

S. F. 200 State government

S. F. 201 Labor and industrial relations

S. F. 202 Commerce

REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that memorial resolutions will be prepared for the following deceased members of the Senate: Jay C. Colburn, Harlan; Merle Hagedorn, Royal; and Edward E. Nicholson, Davenport.

LOUIS P. CULVER, Chairman
WARREN E. CURTIS
WILLIAM E. GLUBA
ELIZABETH SHAW

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate chamber because I was in the Governor's office when the vote on Division C of amendment S—3110 (regarding homicide of premature fetus and duty to preserve life of fetus aborted alive) to Senate File 85 was taken. Had I been present, I would have voted "Aye" on this division.

CLOYD ROBINSON

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. John P. Millhone of Des Moines, Polk County, Iowa, for appointment as Director of Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM N. PLYMAT, Chairman
KARL NOLIN
RICHARD J. NORPEL, SR.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Harriette (James) Lindberg, Des Moines, Polk County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM N. PLYMAT, Chairman
LOUIS P. CULVER
JOAN ORR

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2
Judiciary
Coleman, Chairman
DeKoster
Miller of Des Moines

Senate File 66
Transportation
Nolin, Chairman
Doderer
Coleman

Senate File 103
Appropriations
Junkins, Chairman
Nolin
Andersen

Senate File 136
Appropriations
DeKoster, Chairman
Van Gilst
Willits

Senate File 137
State Government
Kinley, Chairman
Glenn
Schwengels

Senate File 139
Labor and Industrial Relations
Andersen, Chairman
Nolting
Merritt

Senate File 140
Appropriations
Hill of Jasper, Chairman
Nolin
Winkelman

Senate File 141
Agriculture
Van Gilst, Chairman
Tieden
Merritt

Senate File 144
Appropriations
Doderer, Chairman
Gluba
Andersen

Senate File 146
Commerce
Priebe, Chairman
Curtis
Rabedeaux

Senate File 148
Agriculture
Burroughs, Chairman
Heying
Tieden

Senate File 151
State Government
Nolin, Chairman
Glenn
Winkelman

Senate File 152
Ways and Means
Junkins, Chairman
Schwengels
Nolting

Senate File 154
Education
Sovern, Chairman
Hansen
Orr

Senate File 155
State Government
Coleman, Chairman
Doderer
Miller of Marshall

Senate File 156
Transportation
Gallagher, Chairman
Nolin
Shaff

Senate File 159
Commerce
Bergman, Chairman
Priebe
Carr

Senate File 163
Judiciary
Hill of Polk, Chairman
Kelly
Carr

Senate File 167
Agriculture
Taylor, Chairman
Merritt
Burroughs

Senate Concurrent Resolution 15
Education
Willits, Chairman
Plymat
Merritt

Senate Resolution 7
Agriculture
Scott, Chairman
Shaff
Merritt

House File 6
State Government
Gluba, Chairman
Glenn
Nystrom

House File 59
Natural Resources
Sovern, Chairman
Miller of Marshall
Norpel

House File 69
State Government
Miller of Marshall, Chairman
Glenn
Nolin

House File 91
Transportation
Nolin, Chairman
Murray
Rabedeaux

House File 105
Transportation
Shaff, Chairman
Gallagher
Murray

House File 114
State Government
Redmond, Chairman
Glenn
Curtis

House File 146
Transportation
Doderer, Chairman
Shaff
Miller of Marshall

House File 176
Human Resources
Hill of Polk, Chairman
Gluba
Palmer

House File 182
Ways and Means
Nolting, Chairman
Lamborn
Van Gilst

House Concurrent Resolution 10
Agriculture
Scott, Chairman
Heying
Shaff

House Concurrent Resolution 11
Agriculture
Priebe, Chairman
Heying
Taylor

House Concurrent Resolution 13
Education
Willits, Chairman
Plymat
Merritt

House Concurrent Resolution 15
Education
Hansen, Co-chairman
Sovern, Co-chairman
Orr
Shaw
Willits

REPORTS OF COMMITTEES

Senator Junkins submitted the following reports:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 107**, a bill for an act relating to powers of a board of directors of an insurance company other than life, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL L. JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 119**, a bill for an act relating to hearing procedures by the insurance commissioner, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL L. JUNKINS, Chairman

Ordered passed on file.

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 16**, a bill for an act authorizing counties to provide facilities and services for handicapped persons, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3194
1 Amend the Taylor amendment S—3173, to page 319 of
2 Senate File 85 as follows:

1. Line 1 by striking the words ", page 319, line 8, by inserting" and inserting in lieu thereof the words "as follows:".

2. By striking lines 2 through 5 and inserting in lieu thereof the following:

"1. Page 319, line 8, by inserting after the word *'felony'* the words *', and shall be punished by imprisonment in the state penitentiary for an indeterminant term of not less than twenty-five years nor more than fifty years'*.

"2. Page 216, line 28, by inserting after the word 'division.' the following sentence: 'Where a statute provides for a minimum term of imprisonment for a specified offense, an indeterminant term shall mean a term not less than the minimum term prescribed and not greater than the maximum term fixed by law for that offense, and the court must impose an indeterminant sentence containing the prescribed minimum term.'

"3. Page 217, by inserting after line 8 the following new paragraph:

'This section shall be inapplicable where the felony of which the person was convicted is punishable by a minimum term of imprisonment.'

"4. Page 225, line 21, by inserting after the word 'Felony' the words ', or a person committed under a sentence imposing a minimum term of imprisonment,'.

"5. Page 225, line 22, by inserting after the word 'him.' the following sentence: 'In the case of a person committed under a sentence imposing a minimum term of imprisonment, a member of the board shall interview the person within one year after the person has been confined for that minimum term.'

"6. Page 229, line 20, by inserting after the word 'Felony' the following words: ', the commission of any offense for which a minimum term of imprisonment is specified,'."

RAY TAYLOR

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 3:00 p.m., until 9:30 a.m., Monday, February 24, 1975.

JOURNAL OF THE SENATE

FORTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, FEBRUARY 24, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Honorable Bass Van Gilst, member of the Senate from Oskaloosa, Mahaska County, Iowa.

The Journal of Friday, February 21, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Rod Smith, Red Oak, Iowa.

On motion of Senator Kinley, the Senate recessed until 12:00 o'clock noon.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Tieden called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Harriette J. Baum of Manchester, Delaware County, Iowa, for appointment as a member of the Energy Policy Council under the provisions of Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

DALE L. TIEDEN, Chairman
WARREN E. CURTIS
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Tieden moved the appointment of Harriette J. Baum as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Andersen	Hill of Polk	Nolin	Rodgers
Bergman	Hultman	Nolting	Schwengels
Coleman	Junkins	Norpel	Scott
Culver	Kelly	Nystrom	Shaff
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Glenn	Miller of	Ramsey	Van Gilst
Griffin	Des Moines	Redmond	Willits
Hill of Jasper	Murray	Robinson	Winkelman

Nays, none.

Absent or not voting, 11:

Briles	Doderer	Heying	Orr
Burroughs	Gluba	Miller of	Rabedeaux
Carr	Hansen	Marshall	Shaw

President Neu declared the appointment of Harriette J. Baum as a member of the Energy Policy Council confirmed.

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Orren S. Olson, Humboldt, Humboldt County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
JOHN S. MURRAY
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Coleman moved the appointment of Orren S. Olson as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Hill of Polk	Nolin	Rodgers
Bergman	Hultman	Nolting	Schwengels
Briles	Junkins	Norpel	Scott
Coleman	Kelly	Nystrom	Shaff
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of	Ramsey	Van Gilst
Glenn	Des Moines	Redmond	Willits
Griffin	Murray	Robinson	Winkelman
Hill of Jasper			

Nays, none.

Absent or not voting, 10:

Burroughs	Gluba	Miller of	Rabedeaux
Carr	Hansen	Marshall	Shaw
Doderer	Heying	Orr	

President Neu declared the appointment of Orren S. Olson as a member of the Energy Policy Council confirmed.

Senator Plymat called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. John P. Millhone of Des Moines, Polk County, Iowa, for appointment as Director of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM N. PLYMAT, Chairman
KARL NOLIN
RICHARD J. NORPEL, SR.

The motion prevailed and the report was adopted.

Senator Plymat moved the appointment of John P. Millhone as director of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Gallagher	Kelly	Nolin
Bergman	Glenn	Kinley	Nolting
Briles	Griffin	Lamborn	Norpel
Coleman	Hill of Jasper	Merritt	Nystrom
Culver	Hill of Polk	Miller of	Palmer
Curtis	Hultman	Des Moines	Plymat
DeKoster	Junkins	Murray	Priebe

Ramsey	Schwengels	Sovern	Van Gilst
Redmond	Scott	Taylor	Willits
Robinson	Shaff	Tieden	Winkelman
Rodgers			

Nays, none.

Absent or not voting, 10:

Burroughs	Gluba	Miller of Marshall	Rabedeaux
Carr	Hansen	Orr	Shaw
Doderer	Heying		

President Neu declared the appointment of John P. Millhone as director of the Energy Policy Council confirmed.

Senator Plymat called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Harriette (James) Lindberg, Des Moines, Polk County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM N. PLYMAT, Chairman
LOUIS P. CULVER
JOAN ORR

The motion prevailed and the report was adopted.

Senator Plymat moved the appointment of Mrs. Harriette Lindberg as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Hill of Polk	Nolin	Rodgers
Bergman	Hultman	Nolting	Schwengels
Briles	Junkins	Norpel	Scott
Coleman	Kelly	Nystrom	Shaff
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Ramsey	Van Gilst
Glenn	Murray	Redmond	Willits
Griffin		Robinson	Winkelman
Hill of Jasper			

Nays, none.

Absent or not voting, 10:

Burroughs	Gluba	Miller of	Rabedeaux
Carr	Hansen	Marshall	Shaw
Doderer	Heying	Orr	

President Neu declared the appointment of Mrs. Harriette Lindberg as a member of the Energy Policy Council confirmed.

ADOPTION OF REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Culver called up the Report of Committee on Memorial Resolutions, found on page 435 of the Senate Journal, and moved its adoption.

The motion prevailed and the report was adopted.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

Senator Ramsey offered amendment S—3156 filed by him:

S—3156
Amend Senate File 85, page 31, by striking lines 26, 27 and 28.

Senator Nolting took the chair at 1:10 p.m.

President Neu took the chair at 1:34 p.m.

Senator Coleman moved that further action on amendment S—3156 be deferred.

The motion lost.

Senator Ramsey moved the adoption of amendment S—3156 and requested a record roll call.

On the question "Shall amendment S—3156 be adopted?" (S.F. 85) the vote was:

Ayes, 30:

Andersen	Culver	Griffin	Kelly
Bergman	Curtis	Hultman	Kinley
Briles	DeKoster	Junkins	Lamborn

Merritt	Plymat	Rodgers	Sovern
Nolin	Priebe	Schwengels	Taylor
Nolting	Rabedeaux	Scott	Tieden
Nystrom	Ramsey	Shaff	Winkelman
Palmer	Robinson		

Nays, 12:

Coleman	Hill of Polk	Murray	Redmond
Gallagher	Miller of	Norpel	Van Gilst
Glenn	Des Moines	Orr	Willits
Hill of Jasper			

Absent or not voting, 8:

Burroughs	Gluba	Miller of	Shaw
Carr	Hansen	Marshall	
Doderer	Heying		

Amendment S—3156 was adopted.

Senator Hill of Jasper offered amendment S—3137 filed by him and moved its adoption:

S—3137
Amend Senate File 85, page 36, line 13, by striking the word "aggravated" and inserting in lieu thereof the word "simple".

A non-record roll call was requested.

The ayes were 18, nays 24.

Amendment S—3137 lost.

Senator Miller of Des Moines offered amendment S—3115 filed by him and moved its adoption:

S—3115
Amend Senate File 85, page 46, line 33, by striking the words "who, having heard", and inserting in lieu thereof the words "within hearing distance of".

A non-record roll call was requested.

The ayes were 41, nays 1.

Amendment S—3115 was adopted.

Senator Kelly offered amendment S—3184 filed by him:

S—3184
Amend Senate File 85 as follows:
1. Page 51, line 24, by inserting after the word "completion" the words "or is a certified peace officer".
2. Page 52, line 29, by inserting after the word "dollars" the words ", except from a duly appointed peace officer,".

Senator Kelly offered amendment S—3201 to amendment S—3184 and moved its adoption:

S—3201
Amend the Kelly amendment S—3184 to page 51 of Senate File 85 by inserting after line 7 the following:
3. Page 51, line 25, by inserting after the word "officer" the words ", except a certified peace officer,".

Amendment S—3201 to amendment S—3184 was adopted.

On motion of Senator Kelly, amendment S—3184 as amended was adopted.

Action on amendment S—3179 filed by Senator Shaw was temporarily deferred.

Action on amendments S—3153 and S—3186 filed by Senators Gluba and Priebe was temporarily deferred.

Senator Redmond offered amendment S—3157 filed by him and moved its adoption:

S—3157
Amend Senate File 85 as follows:
1. Page 66, by inserting after line 29 the following new section:
"Sec. 205. *NEW SECTION.* EXTENSION FOR FRAUD, FIDUCIARY BREACH. If the period prescribed in sections 202, 203 and 204 of this division has expired, prosecution may nevertheless be commenced for any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has legal duty to represent an aggrieved party and who is himself not a party to the offense, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years."
2. By renumbering the remaining sections in accordance with this amendment.

A non-record roll call was requested.

The ayes were 35, nays 5.

Amendment S—3157 was adopted.

Senator Redmond offered amendment S—3152 filed by him and moved its adoption:

S—3152
Amend Senate File 85, page 74, by striking lines 6 through 19.

A record roll call was requested.

On the question "Shall amendment S—3152 be adopted?" (S.F. 85) the vote was:

Ayes, 17:

Coleman	Hill of Polk	Nolting	Robinson
Culver	Kinley	Palmer	Rodgers
Gallagher	Merritt	Priebe	Sovern
Glenn	Nolin	Redmond	Willits
Hill of Jasper			

Nays, 24:

Andersen	Junkins	Norpel	Schwengels
Bergman	Kelly	Nystrom	Scott
Briles	Lamborn	Orr	Taylor
Curtis	Miller of Des Moines	Plymat	Tieden
DeKoster	Murray	Rabedeaux	Van Gilst
Griffin		Ramsey	Winkelman
Hultman			

Absent or not voting, 9:

Burroughs	Gluba	Miller of Marshall	Shaff
Carr	Hansen		Shaw
Doderer	Heying		

Amendment S—3152 lost.

Senator Redmond offered amendment S—3199:

S—3199

Amend Senate File 85 as follows:

1. Page 74, line 9, by inserting after "rant" the words "for a forcible felony".

2. Page 74, line 10, by striking the words "public offense" and inserting in lieu thereof the words "forcible felony".

3. Page 74, line 18, by inserting after the word "officer" the words "other person".

Senator Redmond offered amendment S—3200 to amendment S—3199 and moved its adoption:

S—3200

Amend the Redmond amendment S—3199 to page 74 of Senate File 85, in line 8 by inserting before the word "other" the word "or".

Amendment S—3200 to amendment S—3199 was adopted.

Senator Redmond called for a division of amendment S—3199, sections 1 and 2 to be considered as division S—3199A, section 3 to be considered as division S—3199B.

Senator Redmond moved the adoption of division S—3199A of the amendment.

A record roll call was requested.

On the question "Shall division S—3199A of the amendment be adopted?" (S.F. 85) the vote was:

Rule 25 was invoked.

Ayes, 20:

Culver	Merritt	Nolting	Redmond
Gallagher	Miller of	Orr	Robinson
Glenn	Des Moines	Palmer	Rodgers
Hill of Polk	Murray	Plymat	Sovern
Junkins	Nolin	Priebe	Willits
Kinley			

Nays, 21:

Andersen	Hill of Jasper	Nystrom	Shaff
Bergman	Hultman	Rabedeaux	Taylor
Briles	Kelly	Ramsey	Tieden
Curtis	Lamborn	Schwengels	Van Gilst
DeKoster	Norpel	Scott	Winkelman
Griffin			

Absent or not voting, 9:

Burroughs	Doderer	Heying	Shaw
Carr	Gluba	Miller of	
Coleman	Hansen	Marshall	

Division S—3199A of the amendment lost.

On motion of Senator Redmond, division S—3199B as amended was adopted.

Senator Murray offered amendment S—3203 by Senators Murray and Willits and moved its adoption:

S—3203
Amend Senate File 85, page 74, line 8, by inserting after the word "officer" the words "is in uniform and".

Amendment S—3203 was adopted.

Senator Ramsey offered amendment S—3149 filed by him and called for a division of the amendment as follows:

S—3149
Amend Senate File 85 as follows:
Division S—3149A
1. Page 85, by striking lines 3 through 6, and inserting in lieu thereof the following:
"The officer may use reasonable force to enter a structure or vehicle to execute a search warrant without notice of his authority and purpose:
1. In the case of vacated or abandoned structures or vehicles.
2. If the issuing magistrate has asserted a direction in the warrant that the officer executing it shall not be required to give such notice. The

magistrate may so direct only upon proof under oath that there is probable cause to believe that the property sought may be easily and quickly destroyed, or that danger to the life or limb of the officer may result, if such notice were to be given. A search warrant containing such a direction may only be obtained from a district court judge or district associate judge."

Division S—3149B

2. Page 105, line 23, by striking the words "With the consent of the defendant and".

3. Page 105, by striking lines 24 through 29, and inserting in lieu thereof the following:

"Upon a showing of good cause, the time limits specified in this paragraph may be extended by the magistrate."

Division S—3149C

4. Page 109, by striking line 10 and inserting in lieu thereof the following:

"juror, if the grounds for challenge which are alleged in the motion of the defendant have not previously been determined pursuant to a challenge asserted by the defendant pursuant to paragraph a or paragraph b of this subsection."

Division S—3149D

5. Page 112, by striking line 26, and inserting in lieu thereof the following:

"be again submitted. Nothing in this paragraph shall be deemed to prohibit the filing of an information pursuant to Rule five (5) of the Iowa Rules of Criminal Procedure after the grand jury refuses to find an indictment."

Division S—3149E

6. Page 112, by inserting after line 29, the following:

"The grand jury shall meet regularly at times specified by order of the chief judge. In addition to those times, the grand jury shall meet at the request of the county attorney, and the grand jury shall meet at any other time upon the direction of the foreman."

Division S—3149F

7. Page 122, line 33, by inserting a period following the word "agreement" and by striking the

Page 2

words "or another disposition more favorable".

8. Page 122, by striking line 34.

Division S—3149G

9. Page 128, line 11, by inserting after the words "The court may for" the word "good".

Division S—3149H

10. Page 128, line 22, by inserting after the words "The court may for" the word "good".

Division S—3149I

11. Page 130, line 20, by inserting after the word "trial" the words "because that witness might be unavailable at the time of trial".

Division S—3149J

12. Page 133, line 13, by striking the word "shall" and inserting in lieu thereof the following:

"may, upon a showing that special circumstances exist which require disclosure in order for the defendant to receive a fair trial,".

Division S—3149K

13. Page 134, by inserting after line 4 the following:

"(4) If disclosure is ordered pursuant to subparagraphs one (1) or two (2) of this paragraph, the court also shall order that the defendant disclose to the attorney for the government any similar information, documents or statements in the possession of the defendant, and that the defendant submit upon the request of the government the names of all witnesses and the substance of their proposed testimony which the defendant expects to present at trial."

Division S—3149L

14. Page 134, line 8, by inserting before the word "subject" the word "to".

Division S—3149M

15. Page 134, line 27, by striking the word "may" and insert the word "shall".

16. Page 135, line 2, by striking the word "may" and insert the word "shall".

Division S—3149N

17. Page 138, line 5, by striking the words "the issuance by".

Division S—3149O

18. Page 138, line 12, by striking the words "A witness".

19. Page 138, by striking lines 13 through 15.

Division S—3149P

20. Page 138, line 21, by inserting after the word "trial." the following:

"The court must order that conference if requested by any party."

Division S—3149Q

21. Page 138, by inserting after line 35 the following:

"4. AVOIDANCE OF SURPRISE OF THE PARTIES. At the pretrial conference the defendant or the defendant's attorney shall submit in written form the following information:

a. The names, addresses and the substance of testimony of all witnesses other than the defendant that the defendant expects to call at the trial.

b. Any written documents, recordings, photographs,

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or tangible objects which are within the possession, custody or control of the defendant, and which the defendant expects to submit as evidence at trial."

Division S—3149R

22. Page 139, line 4, by inserting after the word "writing" the words "and unless the state consents to that waiver".

Division S—3149S

23. Page 145, line 16, by striking the word "strictly" and inserting in lieu thereof the word "generally".

Division S—3149T

24. Page 147, by inserting after line 12 the following:

"The court, upon the request of a party or upon its own motion, shall instruct the jury that a verdict of guilty of an included offense constitutes a verdict of not guilty of the offense charged."

Division S—3149U

25. Page 164, line 7, by inserting after the word "within" the words "a time specified by the court but not exceeding".

Division S—3149V

26. Page 165, by inserting after line 10 the following:

"c. The court, upon good cause shown, may waive the presence of the defendant at any proceedings other than the trial."

Division S—3149W

27. Page 165, by inserting after line 29 the following:

"d. The magistrate or judge may cause the courtroom to be cleared of all persons, or any portion thereof, except the parties to the proceeding and their attorneys, when in the opinion of the magistrate or judge it is necessary, in order to preserve the integrity or order of the proceedings."

Division S—3149X

28. Page 348, by inserting after line 23 the following:

"Sec. ..... Chapter three hundred thirty-seven (337), Code 1975, is amended by adding the following new section:

NEW SECTION. Any sheriff taking possession of property of any kind, including money, but excluding condemnation funds, shall maintain record of that property in a separate book kept for that purpose. The sheriff shall maintain as part of the record, the following information:

1. The date the sheriff acquired possession of that property.

2. The name of the person from whom the sheriff

took possession of the property.

3. A detailed description of that property.

4. A detailed description of any disposition of that property, whether pursuant to court order or otherwise.

Page 4

The sheriff shall be held strictly accountable for all property in the sheriff's possession, and in any action brought pursuant to chapter six hundred thirteen A (613A) of the Code to recover property or to recover damages for the loss of property which is required by this section to be accounted for by the sheriff, section six hundred thirteen A point five (613A.5) of the Code shall not apply: Provided that the action may not be maintained unless commenced within two years after the date the claim arose.

The sheriff shall maintain reasonable procedures and facilities for protecting property against loss or damage. For purposes of this section a sheriff acquires possession of property when the sheriff or any deputy or employee acquires possession while in the performance of official duties.

This section shall not apply to property other than that obtained pursuant to execution, confiscation, warrant, investigation, or other seizure while in the performance of official duties."

Senator Ramsey moved the adoption of division S—3149A.

A record roll call was requested.

On the question "Shall division S—3149A of the amendment be adopted?" (S.F. 85) the vote was:

Ayes, 19:

Andersen	Hill of Jasper	Nystrom	Shaff
Bergman	Hultman	Rabedeaux	Taylor
Briles	Junkins	Ramsey	Tieden
Curtis	Lamborn	Schwengels	Winkelman
Griffin	Norpel	Scott	

Nays, 23:

Culver	Kelly	Nolin	Redmond
DeKoster	Kinley	Nolting	Robinson
Doderer	Merritt	Orr	Rodgers
Gallagher	Miller of Des Moines	Palmer	Sovern
Glenn	Murray	Plymat	Van Gilst
Hill of Polk		Priebe	Willits

Absent or not voting, 8:

Burroughs	Gluba	Miller of Marshall	Shaw
Carr	Hansen		
Coleman	Heying		

Division S—3149A of the amendment lost.

On motion of Senator Ramsey, division S—3149B of the amendment was adopted.

On motion of Senator Ramsey, division S—3149C of the amendment was adopted.

Senator Ramsey moved the adoption of division S—3149D of the amendment.

Division was called for.

Division S—3149D of the amendment lost.

On motion of Senator Ramsey, division S—3149E of the amendment was adopted.

Senator Ramsey moved the adoption of division S—3149F of the amendment, and requested a record roll call.

On the question "Shall division S—3149F of the amendment be adopted?" (S.F. 85) the vote was:

Ayes, 18:

Andersen	Hultman	Rabedeaux	Taylor
Bergman	Junkins	Ramsey	Tieden
Briles	Lamborn	Schwengels	Van Gilst
Curtis	Norpel	Shaff	Winkelman
Hill of Jasper	Nystrom		

Nays, 28:

Carr	Hansen	Murray	Redmond
Coleman	Heying	Nolin	Robinson
Culver	Hill of Polk	Nolting	Rodgers
DeKoster	Kelly	Orr	Scott
Doderer	Kinley	Palmer	Sovern
Gallagher	Merritt	Plymat	Willits
Glenn	Miller of Des Moines	Priebe	
Gluba			

Absent or not voting, 4:

Burroughs	Griffin	Miller of Marshall	Shaw

Division S—3149F of the amendment lost.

On motion of Senator Ramsey, division S—3149G of the amendment was adopted.

On motion of Senator Ramsey, division S—3149H of the amendment was adopted.

Action on divisions S—3149I, S—3149J and S—3149K of the amendment was temporarily deferred.

On motion of Senator Ramsey, division S—3149L of the amendment was adopted.

(Senate File 85 and divisions S—3149M through S—3149X of the Ramsey amendment pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 210, by Senators Nolin, Norpel, Culver, Coleman, Tieden, Curtis, Scott and Winkelman, a bill for an act exempting sales to voluntary nonprofit hospitals from the sales and use tax.

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

Senate File 211, by Senators Curtis and Shaw, a bill for an act relating to the membership of the state historical board.

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

Senate File 212, by Senator Winkelman, a bill for an act relating to inheritance tax on household goods and personal effects.

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

Senate File 213, by Senator Nystrom, a bill for an act relating to electric transmission lines and increasing a penalty.

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

Senate File 214, by committee on energy, a bill for an act relating to the membership of the energy policy council.

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

Senate File 215, by Senator Gallagher, a bill for an act relating to the duties of the energy policy council.

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

Senate File 216, by Senators Willits and Robinson, a bill for an act providing for an automatic cost-of-living salary adjustment for certain state employees and making an appropriation.

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

Senate File 217, by Senators Willits, Murray, Ramsey, Hansen, Rodgers, Carr, Sovern, Schwengels, Miller of Des Moines and Lamborn, a bill for an act relating to agency meetings in closed session.

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

Senate File 218, by Senators Kelly, Griffin, Norpel, Priebe, Murray, Nolting, Rabedeaux, Carr, Tieden, Coleman, Hansen, Miller of Des Moines, Gluba, Gallagher, Robinson, Heying, Culver and Doderer, a bill for an act relating to the private sale, control,

distribution and taxation of wine containing not more than seventeen percent alcohol by weight, declaring certain acts relating to wine to be unlawful and prescribing penalties therefor.

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

Senate File 219, by Senator Andersen, a bill for an act relating to obscenity and providing penalties.

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

Senate File 220, by Senator Doderer, a bill for an act providing for reparations to victims of criminally injurious conduct and creating a board to administer the act.

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 228, a bill for an act relating to the payment of witnesses by the labor commissioner.

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

House File 229, a bill for an act relating to the payment of expenses of presidential electors.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 228, a bill for an act relating to the payment of witnesses by the labor commissioner.

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

House File 229, a bill for an act relating to the payment of expenses of presidential electors.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 204 Transportation

S. F. 205 Education

S. F. 206 Commerce

S. F. 207 Human resources

S. F. 208 Natural resources

S. F. 209 Ways and means

REPORT OF COMMITTEE

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 90**, a bill for an act to increase the tax levy in certain townships for fire protection, begs leave to report it has had the same under consideration and recommends the same **do pass**.

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3202

Amend Senate File 85 as follows:

1. Page 61, line 1, by striking the words "with respect to what is suitable material".

2. Page 61, line 2, by striking the words "for minors,".

3. Page 63, by striking lines 24 through 35.

RAY TAYLOR

S—3204

Amend Senate File 85, page 215, by inserting after line 28 the following new paragraph:

"The department of social services shall confine the defendant at whichever institution is appropriate among the institutions numbered 8, 9, 12, 13, 14, 15, 16, 17 or 18 of section two hundred eighteen point one (218.1) of the Code. The department of social services shall neither close nor discontinue the operation of the institutions numbered 8, 9, 12, 13, 14 and 15 of section two hundred eighteen point one (218.1) of the Code unless the closing or discontinuation is specifically authorized by law."

WILLIAM P. WINKELMAN

S—3205

Amend Senate File 85 as follows:

1. Page 216, line 28, by inserting after the word "division" the words "nor shall the term be less than the minimum term imposed by law, if a minimum sentence is provided".

2. Page 216, line 31, by inserting after the word "felony" the words "or a felony for which a minimum sentence of confinement is imposed".

3. Page 217, by inserting after line 20 the following new section:

"Sec. ..... *NEW SECTION.* MINIMUM SENTENCE—USE OF FIREARM. A person who represents that he or she is in immediate possession and control of a firearm, displays a firearm in a threatening manner, or who is armed with a firearm while participating in a forcible felony shall, upon conviction, serve a minimum of five years of the sentence of confinement imposed by law. A person sentenced pursuant to the provisions of this section shall not be eligible for parole until he or she has served the minimum sentence of confinement as imposed by this section."

4. By renumbering the sections and internal references to accord with this amendment.

LOWELL JUNKINS
EUGENE M. HILL
CLIFTON C. LAMBORN
FORREST V. SCHWENGELS

On motion of Senator Kinley, the Senate adjourned at 5:00 p.m., until 9:30 a.m., Tuesday, February 25, 1975.

JOURNAL OF THE SENATE

FORTY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, FEBRUARY 25, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Eldon Ringle, St. Charles Parish, St. Charles, Iowa.

The Journal of Monday, February 24, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Mark Messingham, Humboldt, Iowa.

INTRODUCTION OF BILLS

Senate File 221, by Senators Gluba, Hill of Jasper, Carr and Gallagher, a bill for an act relating to finance delinquency and deferral charges in consumer credit transactions.

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

Senate File 222, by Senator Gluba, a bill for an act relating to the seizure and destruction of dogs.

Read first time and **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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 12 relating to the urging of the United States Corps of Engineers to provide funding and cooperation to the State Conservation Commission for restocking fish in Coralville Reservoir.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 12
By Patchett and Avenson

Whereas, the lowering of the pool level of the Coralville Reservoir by the United States Corps of Engineers during inclement weather to repair a damaged flood gate accidently caused the lowering of the pool level below the recommended minimum depth; and

Whereas, the extensive lowering of the pool level may have caused substantial losses to fish populations, commercial fishing, game fishing and related businesses; and

Whereas, the restocking of the Coralville Reservoir by the state conservation commission will have a serious impact on the fish management program throughout the state; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-sixth General Assembly of the State of Iowa urges the United States Corps of Engineers to provide full funding and cooperation to the State Conservation Commission for the restocking of game fish in the Coralville Reservoir.

Be It Further Resolved, That a copy of this resolution be forwarded to the United States Corps of Engineers.

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

SENATE FILE REMOVED FROM CALENDAR AND RETURNED TO COMMITTEE

Senator Kinley asked and received unanimous consent that **Senate File 214** be removed from the regular calendar and returned to the committee on **energy.**

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

INTRODUCTION OF BILLS

Senate File 223, by Senators Palmer, Gluba, Andersen, Hill of Polk, Murray, Briles and Nystrom (Connors, Higgins, Caffrey, Hargrave, Daggett, Pavich, Harper, Varley, Miller of Calhoun, Fitzgerald, Woods, Brandt, Middleton, Hullinger, Husak, Millen and Walter), a bill for an act to establish a service program for the deaf within the department of health.

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

Senate File 224, by Senators Doderer and Murray, a bill for an act relating to the consent of minors for health services.

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

Senate File 225, by Senators Nystrom, Scott, Miller of Des Moines, Priebe, Murray, Hansen, Lamborn, Norpel, Griffin, Gallagher, Briles, Hultman, Schwengels, Andersen and Curtis, a bill for an act providing for automatic cost-of-living salary increases to persons who are members of the merit system.

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

Senate File 226, by committee on transportation, a bill for an act prohibiting the use of ice grips or tire studs on certain motor vehicles.

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

SENATE CONCURRENT RESOLUTION 18

By Kinley and Lamborn

Whereas, the Sixty-sixth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on Thursday, April 10, 1975, 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 10, 1975, at 2:00 p.m. and that the Pioneer Lawmakers be invited to attend and present a program on that occasion.

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

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications, and divisions S—3149M through S—3149X of the Ramsey amendment.

Action on division S—3149M of the amendment was temporarily deferred.

On motion of Senator Ramsey, division S—3149N of the amendment was adopted.

On motion of Senator Ramsey, division S—3149O of the amendment was adopted.

Action on divisions S—3149P and S—3149Q of the amendment was temporarily deferred.

Senator Ramsey moved the adoption of division S—3149R of the amendment.

Division was called for.

Division S—3149R of the amendment lost.

Senator Ramsey withdrew divisions S—3149S and S—3149T of the amendment.

On motion of Senator Ramsey, division S—3149U of the amendment was adopted.

Senator Ramsey withdrew division S—3149V of the amendment.

On motion of Senator Ramsey, division S—3149W of the amendment was adopted.

Senator Hill of Polk raised the point of order that division S—3149X of the amendment was not germane to the bill.

The Chair ruled the point well taken and division S—3149X of the amendment out of order.

Senator Hansen took the chair at 2:10 p.m.

Senator Doderer offered amendment S—3144 filed by Senators Murray and Doderer and moved its adoption:

S—3144

Amend Senate File 85, page 18, line 35, by striking the words "man and wife" and inserting in lieu thereof "husband and wife, or between a husband and wife who are not at the time cohabiting as husband and wife,".

A record roll call was requested.

On the question "Shall amendment S—3144 be adopted?" (S.F. 85) the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin	Murray	Redmond
Briles	Hansen	Nolin	Robinson
Burroughs	Hill of Polk	Norpel	Rodgers
Carr	Hultman	Nystrom	Schwengels
Culver	Junkins	Orr	Scott
Curtis	Kelly	Palmer	Shaw
DeKoster	Kinley	Plymat	Sovern
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Willits
Glenn			Winkelman

Nays, 6:

Coleman	Hill of Jasper	Miller of Des Moines	Nolting
Heying			Van Gilst

Absent or not voting, 2:

Shaff	Taylor

Amendment S—3144 was adopted.

Senator Glenn asked and received unanimous consent to withdraw amendment S—3097 by the committee on judiciary, offered and deferred on February 17, 1975.

Senator Shaw offered amendment S—3179 filed by her and moved its adoption:

S—3179

Amend Senate File 85 as follows:

2. Page 57, line 24, by inserting after the period the following new sentence:

"A parent or adoptive parent who provides his or her child exclusively with nonmedical treatment by a religious method of healing permitted under the laws of this state shall not, for this reason alone, be considered in violation of this subsection."

Amendment S—3179 was adopted.

Senator Shaw offered amendment S—3212 and moved its adoption:

S—3212

Amend Senate File 85, page 57, by striking lines 25 through 29.

Amendment S—3212 was adopted.

Senator Gluba offered amendment S—3186 filed by Senators Gluba and Priebe, moved its adoption and requested a record roll call:

S—3186

Amend Senate File 85 as follows:

1. Page 60, by inserting after line 27 the following new sections:

"Sec. ..... *NEW SECTION.* MISTREATMENT OF RESIDENT OF HEALTH CARE FACILITY.

1. A person who willfully, wantonly, or maliciously mistreats any resident of a health care facility as defined in chapter one hundred thirty-five C (135C) of the Code commits a class D felony.

2. As used in this section the word 'mistreat' means treatment or lack of treatment to such an extent that the physical or mental health of a resident is adversely affected, including but not limited to the following:

a. Failure to follow a physician's orders.

b. Willful or repeated violations of statutes and rules regarding the care of residents of health care facilities.

c. Failure to properly clothe, feed, groom or clean residents.

d. Failure to keep the premises clean.

e. Failure to provide adequate personnel on the staff of the health care facility.

f. Transfer of residents between facilities without the permission of the resident's physician.

The provisions of this subsection, including but not limited to paragraphs a through f, must show a willful, wanton, or malicious treatment of residents of a health care facility to such an extent that their physical or mental health is adversely affected."

On the question "Shall amendment S—3186 be adopted?" (S.F. 85) the vote was:

Ayes, 19:

Carr	Gallagher	Orr	Robinson
Coleman	Gluba	Palmer	Rodgers
Culver	Heying	Plymat	Scott
Curtis	Kinley	Priebe	Sovern
Doderer	Nolting	Redmond	

Nays, 31:

Andersen	Hill of Polk	Miller of Marshall	Schwengels
Bergman	Hultman	Murray	Shaff
Briles	Junkins	Nolin	Shaw
Burroughs	Kelly	Norpel	Taylor
DeKoster	Lamborn	Nystrom	Tieden
Glenn	Merritt	Rabedeaux	Van Gilst
Griffin	Miller of Des Moines	Ramsey	Willits
Hansen			Winkelman
Hill of Jasper			

Amendment S—3186 lost.

Senator Gluba asked and received unanimous consent to withdraw amendment S—3153 filed by Senators Gluba and Priebe on February 18, 1975, and found on page 379 of the Senate Journal.

President pro tempore Doderer took the chair at 2:55 p.m.

Senator Taylor offered amendment S—3206:

S—3206

Amend Senate File 85 as follows:

1. Page 61, line 1, by striking the words "with respect to what is suitable material".

2. Page 61, line 2, by striking the words "for minors,".

3. Page 63, by striking lines 24 through 35 and inserting in lieu thereof the following:

"Sec. 2809. *NEW SECTION.* LOCAL ORDINANCES OR REGULATION. A political subdivision of this state may adopt an ordinance, resolution, or regulation providing for the regulation of obscene material if the ordinance, resolution, or regulation is consistent with the provisions of this division, however the ordinance, resolution, or regulation may govern the dissemination or use of obscene material by adults."

Senator Taylor called for a division of amendment S—3206, sections 1 and 2 to be considered as division S—3206A; section 3 to be considered as division S—3206B.

Senator Hill of Polk raised the point of order that amendment S—3206 was not divisible.

The Chair ruled the point well taken.

Senator Carr withdrew amendment S—3213 to amendment S—3206:

S—3213

Amend the Taylor amendment S—3206 to page 63 of Senate File 85 by striking lines 8 through 15 and inserting in lieu thereof the following:

"Sec. 2809. *NEW SECTION.* COUNTY AND MUNICIPAL ORDINANCES. County and municipal governmental units are authorized to enact ordinances in conformity with the provisions of this division applicable to the sale, gift, delivery or exhibition of obscene materials to persons 18 years of age and older."

Senator Carr offered amendment S—3215 to amendment S—3206 and moved its adoption:

S—3215

Amend the Taylor amendment S—3206 to page 63 of Senate File 85 by striking lines 8 through 15 and inserting in lieu thereof the following:

"Sec. 2809. *NEW SECTION.* COUNTY AND MUNICIPAL ORDINANCES. County and municipal governmental units may enact ordinances in conformity with the provisions of this division applicable to the

sale, gift, delivery or exhibition of obscene materials to persons 18 years of age or older."

A record roll call was requested.

On the question "Shall amendment S—3215 to amendment S—3206 be adopted?" (S.F. 85) the vote was:

Ayes, 39:

Andersen	Heying	Nolting	Schwengels
Bergman	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Doderer	Kelly	Plymat	Taylor
Glenn	Kinley	Priebe	Tieden
Gluba	Miller of Marshall	Redmond	Van Gilst
Griffin	Nolin	Robinson	Willits
Hansen		Rodgers	Winkelman

Nays, 11:

Briles	DeKoster	Merritt	Murray
Burroughs	Gallagher	Miller of Des Moines	Rabedeaux
Curtis	Lamborn		Ramsey

Amendment S—3215 to amendment S—3206 was adopted.

Senator Palmer took the chair at 3:40 p.m.

Senator Taylor moved the adoption of amendment S—3206 as amended.

A record roll call was requested.

On the question "Shall amendment S—3206 as amended be adopted?" (S.F. 85) the vote was:

Ayes, 20:

Andersen	Hill of Jasper	Plymat	Shaff
Bergman	Hultman	Rabedeaux	Taylor
Briles	Miller of Marshall	Ramsey	Tieden
Carr	Nystrom	Schwengels	Van Gilst
Griffin		Scott	Winkelman
Heying			

Nays, 30:

Burroughs	Gluba	Miller of Des Moines	Priebe
Coleman	Hansen	Murray	Redmond
Culver	Hill of Polk	Nolin	Robinson
Curtis	Junkins	Nolting	Rodgers
DeKoster	Kelly	Norpel	Shaw
Doderer	Kinley	Orr	Sovern
Gallagher	Lamborn	Palmer	Willits
Glenn	Merritt		

Amendment S—3206 as amended lost.

Senator Taylor withdrew amendment S—3202 filed by him on February 24, 1975, and found on page 455 of the Senate Journal.

Senator Kelly offered amendment S—3183 filed by him and moved its adoption:

S—3183
Amend Senate File 85 as follows:
1. Page 106, line 27, by striking the words "OR TAPE RECORDER".
2. Page 106, line 29, by striking the words "or recording equipment".
3. Page 106, by striking lines 31 through 35.
4. Page 107, by striking lines 1 and 2.
5. Page 107, line 3, by striking "(2)" and inserting in lieu thereof "(1)".
6. Page 107, line 19, by striking the word and figure "two (2)" and inserting in lieu thereof the word and figure "one (1)".
7. Page 107, line 19, by striking the word "may" and inserting in lieu thereof the word "shall".
8. Page 107, line 20, by striking the words "of a tape of the recorded proceedings or".

President pro tempore Doderer took the chair at 4:25 p.m.

Division was called for.

Amendment S—3183 lost.

Senator Murray offered amendment S—3158 filed by him and moved its adoption:

S—3158
Amend Senate File 85 as follows:
1. Page 118, by striking line 28 and inserting in lieu thereof the words "be tried jointly, if in the discretion of the court a joint trial will not result in prejudice to one or more of the parties; otherwise the defendants shall be tried separately."
2. Page 118, line 29, by striking the words "court; where" and inserting in lieu thereof the word "Where".

Amendment S—3158 was adopted.

Senator Glenn asked and received unanimous consent to withdraw amendment S—3106 filed February 14, 1975, by the committee on judiciary and offered and deferred on February 17, 1975.

Senator Redmond offered amendment S—3154 filed by him and moved its adoption:

S—3154
Amend Senate File 85, page 128, by striking lines 25 through 28.

Amendment S—3154 was adopted.

Senator Kelly offered amendment S—3178 filed by him and moved its adoption:

S—3178
Amend Senate File 85, page 143, line 33 by striking the word "not".

A non-record roll call was requested.

The ayes were 24, nays 22.

Amendment S—3178 was adopted.

Senator Ramsey offered amendment S—3168 filed by him and moved its adoption:

S—3168
Amend Senate File 85, page 159, line 15, by striking the word and figure "twenty-seven (27)" and inserting in lieu thereof the word and figure "twenty-five (25)".

Amendment S—3168 was adopted.

Senator Winkelman offered amendment S—3204 filed by him:

S—3204
Amend Senate File 85, page 215, by inserting after line 28 the following new paragraph:
"The department of social services shall confine the defendant at whichever institution is appropriate among the institutions numbered 8, 9, 12, 13, 14, 15, 16, 17 or 18 of section two hundred eighteen point one (218.1) of the Code. The department of social services shall neither close nor discontinue the operation of the institutions numbered 8, 9, 12, 13, 14 and 15 of section two hundred eighteen point one (218.1) of the Code unless the closing or discontinuation is specifically authorized by law."

Senator Glenn raised the point of order that amendment S—3204 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3204 out of order.

Senator Winkelman offered amendment S—3166 filed by Senators Winkelman, et al., moved its adoption, and requested a record roll call:

S—3166
Amend Senate File 85, page 216, line 20, by inserting after the word "chapter." the following sentence: "Except that in first degree homicide convictions the defendant shall serve at least twelve years of his sentence prior to being paroled."

On the question "Shall amendment S—3166 be adopted?" (S.F. 85) the vote was:

Ayes, 15:

Bergman	Griffin	Miller of Marshall	Shaw
Burroughs	Heying	Ramsey	Taylor
Coleman	Hill of Jasper	Scott	Tieden
Curtis	Merritt		Winkelman

Nays, 32:

Andersen	Hill of Polk	Nolin	Redmond
Carr	Junkins	Nolting	Robinson
Culver	Kelly	Norpel	Rodgers
DeKoster	Kinley	Nystrom	Schwengels
Doderer	Lamborn	Orr	Shaff
Gallagher	Miller of Des Moines	Palmer	Sovern
Glenn	Murray	Plymat	Van Gilst
Gluba		Priebe	Willits
Hansen			

Absent or not voting, 3:

Briles	Hultman	Rabedeaux

Amendment S—3166 lost.

(Senate File 85 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 227, by Senators Robinson, Culver and Briles, a bill for an act to provide longevity pay for certain employees of the state.

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

Senate File 228, by Senators Murray, Norpel, and Willits (Crawford), a bill for an act relating to the use of bicycles upon the public roads and highways and providing penalties for violations.

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

Senate File 229, by Senator Hill of Polk (Brockett), a bill for an act relating to the sale of packaged meat food products.

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

Senate File 230, by committee on natural resources, a bill for an act relating to bonding requirements for contracts with commercial fishermen.

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

Senate File 231, by committee on natural resources, a bill for an act relating to the inspection of fishing bait.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 210 Ways and means

S. F. 211 State government

S. F. 212 Ways and means

S. F. 213 Commerce

S. F. 215 Energy

S. F. 216 Appropriations

S. F. 217 Judiciary

S. F. 218 Ways and means

S. F. 219 Judiciary

S. F. 220 State government

H. F. 228 Appropriations

H. F. 229 Appropriations

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 25th day of February, 1975: Senate Files 40, 75, 78, 92, 109 and 149.

CLARK R. RASMUSSEN
Secretary of the Senate

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. James P. Fuller, Muscatine, Muscatine County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

W. R. RABEDEAUX, Chairman
ELIZABETH R. MILLER
BASS VAN GILST

EXPLANATION OF ABSENTEEISM ON FEBRUARY 24, 1975

We wish to point out to those examining the Journal of Monday, February 24, 1975, that the absenteeism resulted from a severe snowstorm that struck central and eastern Iowa during the day. The Senate was initially scheduled to go into session at 9:30 a.m., but because of inclement weather and the absence of members of the Senate, after convening at the appointed hour, the Senate recessed and reconvened at twelve o'clock noon with forty-one Senators present. When the Senate adjourned at 5:00 p.m., all but four members had arrived, but the storm did prevent many Senators from being recorded on confirmations and several amendments to Senate File 85.

We, as elected leaders, respectfully request those examining voting records to take note of these facts.

GEORGE R. KINLEY
Majority Leader
CLIFTON C. LAMBORN
Minority Leader

EXPLANATION OF VOTE

MR. PRESIDENT: I vigorously protest the convening of the Senate with almost twenty percent of its membership snowbound or risking life and limb to reach the capitol via the inadequate road system in northeast Iowa. Had my dogsled arrived earlier, I would have voted "aye" on the following appointments and amendments to Senate File 85: Harriette J. Baum, Orren S. Olson, and Harriette Lindberg, as members of the Energy Policy Council, and John P. Millhone as its director; amendments S—3156 and S—3199A. I would have voted "nay" on amendments S—3152 and S—3149A.

WILLARD R. HANSEN

REPORTS OF COMMITTEES

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **House Concurrent Resolution 15,** a resolution urging a study to evaluate the average state program costs per student and to develop an equitable system of weighting, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the resolution be adopted:**

S—3216

Amend House concurrent resolution 15, as passed by the House, page 1, line 16, by inserting after the word "That" the words ", contingent upon technical assistance from the Legislators' Education Action Project of the National Conference of State Legislatures' Education Task Force,".

JOAN ORR, Chairman

Ordered passed on file.

Senator Robinson submitted the following report:

MR. PRESIDENT: Your committee on labor and industrial relations to which was referred **House File 205**, a bill for an act requiring any person operating a railroad in this state to construct and maintain catwalks and handrails on railway bridges and trestles, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CLOYD E. ROBINSON, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3219

Amend Senate File 85, page 31, by inserting after line 30 the following new section:

"Sec. ..... *NEW SECTION.* FRAUD UPON INNKEEPERS AND SERVICE STATIONS.

1. The obtaining of accommodations, including food, lodging, gasoline, and other goods and services from any hotel, motel, or gasoline service station, with intent to defraud the owner or operator thereof is a simple misdemeanor.

2. Either of the following acts shall constitute presumptive evidence of intent to defraud:

a. Removing a vehicle from the premises of a gasoline service station without making payment for goods or services received, and without having obtained from the owner or operator the right to pay subsequent to leaving the premises.

b. Abandoning the premises of a hotel or motel without making payment for accommodations received, and without having obtained from the owner or operator the right to pay subsequent to leaving the premises."

RICHARD R. RAMSEY

S—3218

Amend Senate File 85 as follows:

1. Page 48, line 14, by striking the word "one-half" and inserting in lieu thereof the words "six tenths of an".

2. Page 50, line 5, by striking the words "on a range designed for that purpose".

3. Page 53, line 2, by striking the word "twenty-four" and inserting in lieu thereof the word "seventy-two".

E. KEVIN KELLY

S—3217

Amend Senate File 85 as follows:

1. Page 49, lines 15 and 16, by striking the words "or who knowingly carries or transports in a vehicle a pistol or revolver,".

2. Page 49, by striking lines 28 through

33, and inserting in lieu thereof the following:

"..... Any person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person."

3. Page 50, line 3, by inserting after the word "vehicle" the words "or common carrier".

4. Page 50, by striking lines 4 through 7 and inserting in lieu thereof the following:

"..... Any person while lawfully engaged in transporting or using dangerous weapons for target practice, hunting, display, sale, trade, repair, or modification."

5. Page 50, line 20, by inserting before the word "PERMITS" the word "PROFESSIONAL".

6. Page 51, line 1, by striking the word "TEMPORARY" and inserting in lieu thereof the word "NONPROFESSIONAL".

7. Page 51, line 3, by striking the word "temporary" and inserting in lieu thereof the word "nonprofessional".

8. Page 51, line 6, by striking the word "annual" and inserting in lieu thereof the word "professional".

9. Page 51, line 11, by striking the word "six" and inserting in lieu thereof the word "twelve".

10. Page 51, line 13, by inserting after the word "devise" the words "or may contract with a private agency, or may use a combination of the two to provide for".

11. Page 51, line 23, by striking the words "an annual or temporary" and inserting in lieu thereof the words "a professional or nonprofessional".

12. Page 51, line 33, by striking the words "an annual or temporary" and inserting in lieu thereof the words "a professional or nonprofessional".

13. Page 52, line 18, by striking the words "or temporary permits".

14. Page 52, line 31, by striking the words "or temporary permits".

E. KEVIN KELLY
GEORGE R. KINLEY
DALE L. TIEDEN

S—3209

Amend Senate File 85 as follows:

1. Page 416, by inserting after line 33 the following new sections:

"Sec. ..... Section six hundred seven point two (607.2), subsection two (2), Code 1975, is amended

to read as follows:

2. Practicing attorneys[, physicians, licensed embalmers, registered nurses, chiropractors, osteopaths, veterinarians, registered pharmacists, dentists, and clergymen, including Christian Science practitioners and readers].

Sec. ..... Section six hundred seven point two (607.2), Code 1975, is amended by striking subsections three (3), four (4), five (5), and six (6)."

MINNETTE F. DODERER

S—3210

Amend Senate File 85, page 424, by striking from lines 20 and 21 the words and numbers "seven hundred two (702),".

EUGENE M. HILL

S—3211

Amend Senate File 85, page 424, by striking from line 22 the words and numbers "seven hundred five (705),".

EUGENE M. HILL

S—3214

Amend Senate File 169, page 1, line 9, by striking the words "a sum of money not exceeding" and inserting in lieu thereof the following: "[a sum of money not exceeding] *the sum of*".

MINNETTE F. DODERER
E. KEVIN KELLY

S—3208

Amend Senate File 173, page 1, line 12, by inserting after the word "section" the words "and the chief fire prevention officer of any city or town having an established fire prevention bureau or any other local official upon whom fire prevention duties are imposed by law shall assist the state fire marshal in the enforcement of the rules".

KENNETH D. SCOTT

S—3207

Amend Senate File 211 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred three point one (303.1), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

There is established the Iowa state historical department which shall be governed by a state historical board consisting of twelve members, six of whom shall be appointed by the governor and six of whom shall be elected by the members of the state historical society established in section 303.4 of this chapter. The members appointed by the governor shall include one professionally qualified architectural

historian, one historian, and one archaeologist. [One member appointed by the governor and one member elected by the society shall be residents of each congressional district.] *The members elected by the society shall include one resident of each congressional district.*"

WARREN E. CURTIS
ELIZABETH SHAW

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Wednesday, February 26, 1975.

JOURNAL OF THE SENATE

FORTY-FIFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 26, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Dennis D. Nicholson, pastor of the Center Chapel United Methodist Church, Indianola, Iowa.

The Journal of Tuesday, February 25, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Verne Schlaser, Des Moines, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-eight students from Central High School, Argyle, Iowa, accompanied by Mr. and Mrs. Howard Carter and Mr. and Mrs. Victor Spohnheimer. Senator Junkins.

Sixty students from Howe Elementary School, Des Moines, Iowa, accompanied by Betty Rankin and Ernie Fisher. Senator Kinley.

Sixty students from Central Elementary School, Nevada, Iowa, accompanied by Mrs. Fox, Miss Irvin, and Mr. Dunn. Senator Murray.

PETITIONS

The following petitions were presented and placed on file:

By Senator Robinson from two thousand one hundred thirty-six residents of Linn County favoring legislation enabling the Iowa State Conservation Commission to participate in the control of the Coralville Reservoir.

By Senator Winkelman from twenty-seven residents of Calhoun County favoring a twelve percent growth rate increase in the school aid law.

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by Senator Gluba (Small), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the use of motor vehicle registration fees and licenses and excise taxes on motor vehicle fuel.

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

Senate File 232, by Senators Gluba, Briles, Plymat, Rodgers and Orr, a bill for an act relating to the age of retirement for certain members of the Iowa public employees' retirement system.

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 251, a bill for an act making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards.

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

House File 267, a bill for an act making an appropriation for use of the Herbert Hoover Birthplace Foundation, Incorporated, the Mississippi River Parkway Commission, the Midwest Nuclear Compact, and the Iowa American Revolution Bicentennial Commission.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 251, a bill for an act making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards.

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

House File 267, a bill for an act making an appropriation for use of the Herbert Hoover Birthplace Foundation, Incorporated, the Mississippi River Parkway Commission, the Midwest Nuclear

Compact, and the Iowa American Revolution Bicentennial Commission.

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

WITHDRAWN

Senator Andersen asked and received unanimous consent that **Senate File 42** be **withdrawn** from further consideration of the Senate.

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu **presiding.**

ADOPTION OF CONCURRENT RESOLUTION

Senate Concurrent Resolution 18

Senator Kinley asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 18, found on page 459 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

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

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Senator Miller of Des Moines, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide that if the governor resigns with twenty-four months or more remaining in the term of office a new governor shall be elected.

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

Senate File 233, by Senator DeKoster, a bill for an act relating to claims against the estates of decedents arising from assistance granted under a previous categorical assistance program.

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

Senate File 234, by Senator Doderer, a bill for an act relating to the age of officers appointed by the state conservation director.

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

Senate File 235, by Senators Miller of Des Moines and Hultman (Byerly, Newhard, Schroeder and Clark), a bill for an act creating immunity from civil liability of persons serving on peer review committees.

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

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

Senator Junkins offered amendment S—3205 filed by Senators Junkins, et al.:

S—3205

Amend Senate File 85 as follows:

1. Page 216, line 28, by inserting after the word "division" the words "nor shall the term be less than the minimum term imposed by law, if a minimum sentence is provided".

2. Page 216, line 31, by inserting after the word "felony" the words "or a felony for which a minimum sentence of confinement is imposed".

3. Page 217, by inserting after line 20 the following new section:

"Sec. ..... *NEW SECTION.* MINIMUM SENTENCE—USE OF FIREARM. A person who represents that he or she is in immediate possession and control of a firearm, displays a firearm in a threatening manner, or who is armed with a firearm while participating in a forcible felony shall, upon conviction, serve a minimum of five years of the sentence of confinement imposed by law. A person sentenced pursuant to the provisions of this section shall not be eligible for parole until he or she has served the minimum sentence of confinement as imposed by this section."

4. By renumbering the sections and internal references to accord with this amendment.

Senator Junkins offered amendment S—3229 to amendment S—3205 and moved its adoption:

S—3229

Amend the Junkins, et al., amendment S—3205 to page

216 of Senate File 85 by inserting after the word "the" in line 6 the word "second".

Amendment S—3229 to amendment S—3205 was adopted.

Senator Junkins offered amendment S—3225 to amendment S—3205 and moved its adoption:

S—3225

Amend the Junkins, et al., amendment S—3205 to page 216 of Senate File 85 by striking lines 11 through 21 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* MINIMUM SENTENCE—USE OF A FIREARM. At the trial of a person charged with participating in a forcible felony, if the trier of fact finds beyond a reasonable doubt that the person is guilty of a forcible felony and that the person represented that he or she was in the immediate possession and control of a firearm, displayed a firearm in a threatening manner, or was armed with a firearm while participating in the forcible felony the convicted person shall serve a minimum of five years of the sentence imposed by law. A person sentenced pursuant to this section shall not be eligible for parole until he or she has served the minimum sentence of confinement imposed by this section."

Amendment S—3225 to amendment S—3205 was adopted.

Senator Junkins moved the adoption of amendment S—3205 as amended.

A record roll call was requested.

On the question "Shall amendment S—3205 as amended be adopted?" (S.F. 85) the vote was:

Ayes, 44:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Willits
Gallagher		Ramsey	Winkelman
Griffin			

Nays, 6:

Glenn	Hill of Polk	Redmond	Van Gilst
Gluba	Nolin		

Amendment S—3205 as amended was adopted.

Amendment S—3172 filed by Senators Winkelman, Ramsey and Taylor ruled out of order with the adoption of amendment S—3205 as amended.

Senator Winkelman offered amendment S—3233 by Senators Winkelman, Taylor and Ramsey, moved its adoption and requested a record vote:

S—3233
Amend Senate File 85 as follows:
1. Page 216, by inserting after line 28 the following new section:
"Sec. ..... *NEW SECTION.* INDETERMINATE SENTENCE—MINIMUM SENTENCE. When a judgment of conviction and an indeterminate sentence is imposed pursuant to section two hundred three (203) of this division, the court may in its discretion order the director of adult corrections to hold the offender in custody for a minimum period up to but not to exceed one-half of the maximum indeterminate sentence provided for by section two hundred ten (210) of this division."
2. By renumbering the remaining sections in accordance with this amendment.

On the question "Shall amendment S—3233 be adopted?" (S.F. 85) the vote was:

Ayes, 22:

Bergman	Heying	Norpel	Scott
Briles	Hill of Jasper	Nystrom	Taylor
Burroughs	Hultman	Rabedeaux	Tieden
Curtis	Merritt	Ramsey	Van Gilst
Gallagher	Miller of Marshall	Schwengels	Winkelman
Griffin			
Hansen			

Nays, 28:

Andersen	Hill of Polk	Murray	Redmond
Carr	Junkins	Nolin	Robinson
Coleman	Kelly	Nolting	Rodgers
Culver	Kinley	Orr	Shaff
DeKoster	Lamborn	Palmer	Shaw
Doderer	Miller of Des Moines	Plymat	Sovern
Glenn		Priebe	Willits
Gluba			

Amendment S—3233 lost.

Senator Rodgers offered amendment S—3163 filed by him, moved its adoption and requested a non-record roll call:

S—3163
Amend Senate File 85 as follows:
Page 220, line 14 by inserting after the word "dollars" the following: "provided, that in the case of theft in the fourth degree the sentence may include

both imprisonment not to exceed thirty days and a fine in an amount not to exceed the greater of one hundred dollars or three times the value of the property stolen".

The ayes were 22, nays 26.

Amendment S—3163 lost.

Senator Taylor withdrew amendment S—3173 filed by him on February 18, 1975, and found on page 381 of the Senate Journal.

Senator Taylor withdrew amendment S—3194 to amendment S—3173 filed by him on February 21, 1975, and found on page 438 of the Senate Journal.

Senator Doderer offered amendment S—3209 filed by her and moved its adoption:

S—3209

Amend Senate File 85 as follows:

1. Page 416, by inserting after line 33 the following new sections:

"Sec. ..... Section six hundred seven point two (607.2), subsection two (2), Code 1975, is amended to read as follows:

2. Practicing attorneys[, physicians, licensed embalmers, registered nurses, chiropractors, osteopaths, veterinarians, registered pharmacists, dentists, and clergymen, including Christian Science practitioners and readers].

Sec. ..... Section six hundred seven point two (607.2), Code 1975, is amended by striking subsections three (3), four (4), five (5), and six (6)."

Amendment S—3209 was adopted.

Senator Taylor offered amendment S—3235, moved its adoption and requested a record roll call:

S—3235

Amend Senate File 85, page 319, in line 8 by inserting after the word *"felony"* the following:

", however the minimum time to be served before parole may be granted shall be five years".

On the question "Shall amendment S—3235 be adopted?" (S.F. 85) the vote was:

Ayes, 26:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Heying	Norpel	Scott
Briles	Hill of Jasper	Nystrom	Shaff
Burroughs	Hultman	Priebe	Taylor
Coleman	Junkins	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
Gallagher	Merritt		

Nays, 24:

Carr	Hill of Polk	Nolin	Robinson
Culver	Kelly	Nolting	Rodgers
DeKoster	Kinley	Orr	Shaw
Doderer	Miller of	Palmer	Sovern
Glenn	Des Moines	Plymat	Van Gilst
Gluba	Murray	Redmond	Willits
Hansen			

Amendment S—3235 was adopted.

Senator Hill of Jasper offered amendment S—3210, filed by him, moved its adoption and requested a record roll call:

S—3210
1 Amend Senate File 85, page 424, by striking
2 from lines 20 and 21 the words and numbers "seven
3 hundred two (702),".

On the question "Shall amendment S—3210 be adopted?" (S.F. 85) the vote was:

Ayes, 15:

Andersen	Hill of Jasper	Rabedeaux	Tieden
Bergman	Hultman	Scott	Van Gilst
Briles	Miller of	Taylor	Winkelman
Curtis	Marshall		
Heying	Nolting		

Nays, 34:

Burroughs	Hansen	Murray	Redmond
Carr	Hill of Polk	Nolin	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kelly	Nystrom	Schwengels
DeKoster	Kinley	Orr	Shaff
Doderer	Lamborn	Palmer	Shaw
Gallagher	Merritt	Plymat	Sovern
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Ramsey	

Absent or not voting, 1:
Griffin

Amendment S—3210 lost.

Senator Hill of Jasper offered amendment S—3211 filed by him, moved its adoption and requested a record roll call:

S—3211
1 Amend Senate File 85, page 424, by striking
2 from line 22 the words and numbers "seven hundred
3 five (705),".

On the question "Shall amendment S—3211 be adopted?" (S.F. 85) the vote was:

Ayes, 13:

Andersen	Hill of Jasper	Rabedeaux	Tieden
Bergman	Hultman	Scott	Van Gilst
Briles	Miller of Marshall	Taylor	Winkelman
Heying			

Nays, 36:

Burroughs	Griffin	Murray	Ramsey
Carr	Hansen	Nolin	Redmond
Coleman	Hill of Polk	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Curtis	Kelly	Nystrom	Schwengels
DeKoster	Kinley	Orr	Shaff
Doderer	Merritt	Palmer	Shaw
Gallagher	Miller of Des Moines	Plymat	Sovern
Glenn		Priebe	Willits
Gluba			

Absent or not voting, 1:

Lamborn

Amendment S—3211 lost.

Senator Orr asked and received unanimous consent to withdraw amendment S—3141 offered by her and deferred on February 17, 1975.

Senator Ramsey offered amendment S—3219 filed by him, moved its adoption and requested a record roll call:

S—3219

Amend Senate File 85, page 31, by inserting after line 30 the following new section:

"Sec. ..... *NEW SECTION.* FRAUD UPON INNKEEPERS AND SERVICE STATIONS.

1. The obtaining of accommodations, including food, lodging, gasoline, and other goods and services from any hotel, motel, or gasoline service station, with intent to defraud the owner or operator thereof is a simple misdemeanor.

2. Either of the following acts shall constitute presumptive evidence of intent to defraud:

a. Removing a vehicle from the premises of a gasoline service station without making payment for goods or services received, and without having obtained from the owner or operator the right to pay subsequent to leaving the premises.

b. Abandoning the premises of a hotel or motel without making payment for accommodations received, and without having obtained from the owner or operator the right to pay subsequent to leaving the premises."

On the question "Shall amendment S—3219 be adopted?" (S.F. 85) the vote was:

Ayes, 36:

Andersen	Griffin	Miller of Marshall	Rodgers
Bergman	Hansen	Norpel	Schwengels
Briles	Heying	Nystrom	Scott
Burroughs	Hill of Jasper	Orr	Shaff
Carr	Hultman	Plymat	Shaw
Coleman	Junkins	Priebe	Taylor
Curtis	Kelly	Rabedeaux	Tieden
Doderer	Lamborn	Ramsey	Van Gilst
Gallagher	Miller of Des Moines		Winkelman
Gluba			

Nays, 14:

Culver	Kinley	Nolting	Robinson
DeKoster	Merritt	Palmer	Sovern
Glenn	Murray	Redmond	Willits
Hill of Polk	Nolin		

Amendment S—3219 was adopted.

(Senate File 85 pending on adjournment.)

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Senators Shaw and Hill of Polk, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the general assembly, the basis for apportionment of members, and the time when reapportionment is required.

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

Senate File 236, by Senator Gallagher, a bill for an act to transfer the powers and duties of the Iowa natural resources council to the department of environmental quality and the office of state geologist and to abolish the Iowa natural resources council.

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

Senate File 237, by Senator Gallagher (O'Halloran), a bill for an act to contract with the national railroad passenger corporation for east-west railroad passenger service across the state and making an appropriation therefor.

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

Senate File 238, by Senator Shaw (Oakley), a bill for an act relating to dissolution of marriage.

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

Senate File 239, by Senators Redmond, Culver, Griffin and

Briles, a bill for an act relating to paid holidays for state employees.

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

Senate File 240, by Senator Redmond (Wells, Rinas, Horn and Patchett), a bill for an act relating to undesirable fish.

Read first time and **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 concurred in Senate amendment to, and passed the following bill in which the concurrence of the House was asked:

Senate File 70, a bill for an act relating to lights on road machinery.

DAVID L. WRAY, Chief Clerk

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 221 Commerce
S. F. 222 Agriculture
S. F. 223 State government
S. F. 224 Human resources
S. F. 225 Appropriations
S. F. 227 Appropriations
S. F. 228 Transportation
S. F. 229 Commerce
H.C.R. 12 Natural resources

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Betty Jo Harker, Ames, Story County, Iowa, for appointment as a

member of the City Finance Committee pursuant to Section 384.13, 1975 Code of Iowa, for a term commencing July 1, 1974 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Charles O'Connor, Des Moines, Polk County, Iowa, for reappointment as a member of the City Finance Committee pursuant to Section 384.13, 1975 Code of Iowa, for a term commencing July 1, 1974 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

REPORTS OF COMMITTEE

Senator Nolin submitted the following reports:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate Resolution 7**, a resolution expressing concern for Iowa's agricultural and economic needs to the congressional delegation, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the resolution be adopted:**

S—3230

Amend Senate Resolution 7 as follows:

1. Page 1, lines 1 and 2, by striking the words "is scheduled to meet" and insert the word "met".

2. Page 1, line 2, by striking the words "this Friday".

3. Page 1, line 18, by striking the words "during their visit" and inserting in lieu thereof the words "and the United States secretary of agriculture and the president of the United States".

KARL NOLIN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **House Concurrent Resolution 10**, a resolution urging Congress to establish a program for the purpose of making loans to qualified farmers who have not been able to collect moneys due them by American Beefpackers, Inc., begs leave to report it has had the same under consideration and recommends the same **be adopted.**

KARL NOLIN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3224

Amend Senate File 85 as follows:

1. Page 10, line 20, by striking the words ", including deadly force,".

2. Page 10, by striking lines 27 through 29 and inserting in lieu thereof the following: "place. An officer is justified in using deadly force only when he reasonably believes that such force is necessary to prevent death or serious injury to himself or another, or when he reasonably believes that the person escaping has committed a felony, and reasonably believes either of the following is true:

1. The felony was a forcible felony.

2. The person escaping is armed, or that there is a substantial risk that the person escaping will cause death or serious physical injury unless his escape is prevented."

EARL M. WILLITS

S—3237

Amend Senate File 85 as follows:

1. Page 20, by inserting after line 8 the following new section:

"Sec. ..... *NEW SECTION.* JURY INSTRUCTIONS FOR OFFENSES OF SEXUAL ABUSE. No instruction shall be given in a trial for sexual abuse cautioning the jury to use a different standard relating to a victim's testimony than that of any other witness to that offense or any other offense.

MINNETTE DODERER
ROBERT M. CARR
WILLIAM D. PALMER
JOAN ORR
C. JOSEPH COLEMAN
RICHARD J. NORPEL, SR.
JAMES V. GALLAGHER
WILLARD R. HANSEN
PHILIP B. HILL
JOHN S. MURRAY
JAMES E. BRILES
FORREST V. SCHWENGELS
WARREN E. CURTIS
MILO MERRITT
ELIZABETH R. MILLER
ELIZABETH SHAW
STEVE SOVERN
WILLIAM E. GLUBA
WILLIAM N. PLYMAT
BERL E. PRIEBE
FRED W. NOLTING
KENNETH D. SCOTT
JAMES M. REDMOND

EARL M. WILLITS
CLIFF BURROUGHS
IRVIN L. BERGMAN
CHARLES P. MILLER

S—3221

Amend Senate File 85, page 26, line 6, by inserting after the word "felony" the following: ", assault".

WILLIAM P. WINKELMAN
ELIZABETH SHAW
RICHARD R. RAMSEY

S—3226

Amend Senate File 85 as follows:

1. Page 57, line 19, after the word "NEGLECT" insert the words "OF A CHILD".

2. Page 57, line 21, after the word "neglect" insert the words "of a child".

3. Page 57, line 32, after the word "neglect" insert the words "of a child".

4. Page 57, insert after line 32 the following new section:

"Sec. ..... *NEW SECTION.* WANTON NEGLECT OF A RESIDENT OF A HEALTH CARE FACILITY. A person commits wanton neglect of a resident of a health care facility when the person knowingly acts in a manner likely to be injurious to the physical, mental or moral welfare of a resident of a health care facility as defined in section one hundred thirty-five C point one (135C.1) of the Code. Wanton neglect of a resident of a health care facility is an aggravated misdemeanor.

WILLIAM E. GLUBA

S—3234

Amend the Gluba amendment S—3226 to page 57 of Senate File 85 in line 18 by striking the word "aggravated" and inserting in lieu thereof the word "serious".

WILLIAM E. GLUBA

S—3227

Amend Senate File 85 as follows:

1. Page 58, lines 13 and 14, by striking the words "balloons which require fire underneath to propel the same,".

2. Page 59, by inserting after line 12 the following new section:

"Sec. ..... *NEW SECTION.* MANNED FREE BALLOONS. For the purposes of this section, "manned free balloons" shall include captive lighter than air gas balloons, hot air balloons, smoke balloons or other balloons which require fire underneath to propel it.

No person who is not then certified by the Federal Aviation Administration of the United States as a student, a private pilot with a lighter-than-air category rating, or a commercial pilot with a free balloon rating, shall operate a manned free balloon. Any person who violates this paragraph commits a serious misdemeanor.

No person shall operate a manned free balloon which is not then certified as airworthy by the Federal Aviation Administration of the United States. The certificate of airworthiness shall be by those regulations then in force and published in the Code of Federal Regulations. Any person violating this paragraph commits a serious misdemeanor.

If any association, organization or group of individuals shall plan the operation of more than one manned free balloon at the same time, a permit shall first be obtained from either the council of the city or the board of supervisors of the county in which the operation shall originate. The permit shall be applied for no less than seven days before the day or days on which the operation shall take place. Permits may be issued for an indefinite duration under such regulations as the council or board of supervisors may prescribe. There shall be no charge for the issuance of the permit. No permit shall be issued unless all persons who operate the manned free balloons are then certified and all manned free balloons are certified as airworthy by the Federal Aviation Administration of the United States. Failure to obtain such a permit is a serious misdemeanor.

BASS VAN GILST

S—3231

Amend the Van Gilst amendment S—3227 to page 58 of Senate File 85 as follows:

1. Line 37, by striking the word "then" and inserting in lieu thereof the words "or will be".

2. Line 37, by inserting after the words "balloons are" the words "or will be".

BASS VAN GILST

S—3236

Amend Senate File 85 as follows:

1. Page 130, by inserting after line 33, the following new paragraph:

"For purpose of this subsection, special circumstances shall be deemed to exist, and the court shall order that depositions be taken, only upon the showing of necessity arising from either of the following circumstances:

a. There is a likelihood that the prospective witness to be deposed will be unavailable at the time of trial.

b. The prospective witness to be deposed has not previously been examined at a preliminary hearing by the party requesting the deposition,

and the information sought by way of deposition cannot adequately be disclosed by a bill of particulars and is necessary in order that the defendant receive a fair trial.

Upon issuance by the court of an order to take a deposition the moving party must provide, prior to the taking of any deposition, a list of all witnesses expected to be called by the moving party at trial, and those witnesses shall be subject to pre-trial discovery by the nonmoving party. A defendant, however, need not disclose whether or not that defendant intends to testify at trial."

2. Page 133, line 2, by striking the words "with the consent of the court".

3. Page 135, line 30, by inserting after the word "appropriate." the following:

"In addition to any other grounds for issuing an order pursuant to this paragraph, the court may limit or deny discovery or inspection, or limit the number of depositions to be taken if the court determines that any of the following exist:

(1) That granting the motion will unfairly prejudice the nonmoving party and will deny that party a fair trial.

(2) That the motion is intended only as a fishing expedition and that granting the motion will unduly delay the trial and will result in unjustified expense.

(3) That the granting of the motion will result in the disclosure of privileged information.

(4) That the granting of the motion will create a probability of fabrication on the part of the moving party."

RICHARD R. RAMSEY

S—3222

Amend Senate File 85, page 131, line 31, by inserting after the word "cross-examination" the words "of all witnesses".

RICHARD R. RAMSEY

S—3220

Amend Senate File 85 as follows:

1. Page 135, line 16, by striking the words "a defendant" and inserting in lieu thereof the words "either party".

2. Page 135, line 20, by striking the word "he" and inserting in lieu thereof the words "the party".

3. Page 135, line 20, by striking the word "prosecutor" and inserting in lieu thereof the words "other party".

4. Page 135, line 21, by striking the word "prosecution" and inserting in lieu thereof the words "other party".

JAMES M. REDMOND

S—3228

Amend Senate File 85, page 225, by inserting after line 30 the following new sentence:

"If the person who is under consideration for parole is serving a sentence for conviction of a felony and has a criminal record of one or more convictions for forcible felony or a crime of a similar gravity in this or any other state, parole shall be denied unless the defendant has served at least one-half of the maximum term of his sentence."

RICHARD R. RAMSEY
CALVIN O. HULTMAN
DALE L. TIEDEN

S—3232

Amend the Ramsey, et al., amendment S—3228 to page 225 of Senate File 85 as follows:

1. Line 4, by inserting before the word "felony", the word "forcible".
2. Line 8, by striking the word "one-half" and inserting in lieu thereof the word "one-fourth".

RICHARD R. RAMSEY
LOWELL L. JUNKINS

S—3223

Amend Senate File 226 as follows:

1. Page 1, line 8, by striking the word "and".
2. Page 1, line 9, by inserting after the word "vehicles" the words "and one vehicle used by a veterinarian in his or her practice,".

CALVIN O. HULTMAN

On motion of Senator Kinley, the Senate adjourned at 5:35 p.m., until 8:30 a.m., Thursday, February 27, 1975.

JOURNAL OF THE SENATE

FORTY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, FEBRUARY 27, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Honorable Hilarius L. Heying, member of the Senate from West Union, Fayette County, Iowa.

The Journal of Wednesday, February 26, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fred Ashler, Hamburg, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Francis L. Messerly, former member of the Senate and the House of Representatives from Black Hawk County.

President Neu welcomed the Honorable Ralph F. McCartney, former member of the Senate and the House of Representatives from Floyd County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy students from Creston High School, Creston, Iowa, accompanied by Ron Johnson and Dan Settle. Senator Briles.

Thirty-four students from Popejoy Elementary School, Alden, Iowa, accompanied by Mrs. Don Ziesman and Mrs. Dale Cox. Senator Taylor.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act relating to a complete revision of the substantive criminal

laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

Senator Willits offered amendment S—3224 filed by him and moved its adoption:

S—3224

Amend Senate File 85 as follows:

1. Page 10, line 20, by striking the words ", including deadly force,".

2. Page 10, by striking lines 27 through 29 and inserting in lieu thereof the following: "place. An officer is justified in using deadly force only when he reasonably believes that such force is necessary to prevent death or serious injury to himself or another, or when he reasonably believes that the person escaping has committed a felony, and reasonably believes either of the following is true:

1. The felony was a forcible felony.

2. The person escaping is armed, or that there is a substantial risk that the person escaping will cause death or serious physical injury unless his escape is prevented."

Senator Burroughs took the chair at 8:45 a.m.

A record roll call was requested.

On the question "Shall amendment S—3224 be adopted?" (S.F. 85) the vote was:

Ayes, 18:

Bergman	Heying	Orr	Sovern
Carr	Lamborn	Palmer	Tieden
Coleman	Merritt	Ramsey	Willits
DeKoster	Nolin	Redmond	Winkelman
Doderer	Nolting		

Nays, 29:

Andersen	Hansen	Miller of Marshall	Robinson
Briles	Hill of Jasper	Murray	Rodgers
Burroughs	Hill of Polk	Norpel	Schwengels
Culver	Hultman	Nystrom	Scott
Curtis	Junkins	Plymat	Shaff
Glenn	Kinley	Priebe	Taylor
Gluba	Miller of Des Moines	Rabedeaux	Van Gilst
Griffin			

Absent or not voting, 3:

Gallagher	Kelly	Shaw

Amendment S—3224 lost.

Senator Doderer offered amendment S—3237 filed by Doderer, et al., and moved its adoption:

S—3237
Amend Senate File 85 as follows:
1. Page 20, by inserting after line 8 the following new section:
"Sec. ..... *NEW SECTION.* JURY INSTRUCTIONS FOR OFFENSES OF SEXUAL ABUSE. No instruction shall be given in a trial for sexual abuse cautioning the jury to use a different standard relating to a victim's testimony than that of any other witness to that offense or any other offense.

A record roll call was requested.

On the question "Shall amendment S—3237 be adopted?" (S.F. 85) the vote was:

Ayes, 34:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolting	Schwengels
Briles	Hill of Polk	Norpel	Scott
Burroughs	Hultman	Nystrom	Shaw
Carr	Merritt	Orr	Sovern
Coleman	Miller of Des Moines	Palmer	Tieden
Curtis	Miller of Marshall	Plymat	Willits
Doderer		Priebe	Winkelman
Gluba		Redmond	
Griffin			

Nays, 15:

Culver	Junkins	Nolin	Shaff
DeKoster	Kelly	Rabedeaux	Taylor
Glenn	Kinley	Ramsey	Van Gilst
Hill of Jasper	Lamborn	Rodgers	

Absent or not voting, 1:
Gallagher

Amendment S—3237 was adopted.

Senator Winkelman offered amendment S—3221 filed by Senators Winkelman, Shaw and Ramsey, and moved its adoption:

S—3221
Amend Senate File 85, page 26, line 6, by inserting after the word "felony" the following:
", assault".

Amendment S—3221 was adopted.

Senator Gluba offered amendment S—3226 filed by him:

S—3226
Amend Senate File 85 as follows:
1. Page 57, line 19, after the word "NEGLECT" insert the words "OF A CHILD".

2. Page 57, line 21, after the word "neglect" insert the words "of a child".

3. Page 57, line 32, after the word "neglect" insert the words "of a child".

4. Page 57, insert after line 32 the following new section:

"Sec. ..... *NEW SECTION.* WANTON NEGLECT OF A RESIDENT OF A HEALTH CARE FACILITY. A person commits wanton neglect of a resident of a health care facility when the person knowingly acts in a manner likely to be injurious to the physical, mental or moral welfare of a resident of a health care facility as defined in section one hundred thirty-five C point one (135C.1) of the Code. Wanton neglect of a resident of a health care facility is an aggravated misdemeanor.

Senator Gluba offered amendment S—3234 to amendment S—3226 filed by him and moved its adoption:

S—3234

Amend the Gluba amendment S—3226 to page 57 of Senate File 85 in line 18 by striking the word "aggravated" and inserting in lieu thereof the word "serious".

Amendment S—3234 to amendment S—3226 was adopted.

On motion of Senator Gluba, amendment S—3226 as amended was adopted.

Senator Van Gilst offered amendment S—3227 filed by him:

S—3227

Amend Senate File 85 as follows:

1. Page 58, lines 13 and 14, by striking the words "balloons which require fire underneath to propel the same,".

2. Page 59, by inserting after line 12 the following new section:

"Sec. ..... *NEW SECTION.* MANNED FREE BALLOONS. For the purposes of this section, "manned free balloons" shall include captive lighter than air gas balloons, hot air balloons, smoke balloons or other balloons which require fire underneath to propel it.

No person who is not then certified by the Federal Aviation Administration of the United States as a student, a private pilot with a lighter-than-air category rating, or a commercial pilot with a free balloon rating, shall operate a manned free balloon. Any person who violates this paragraph commits a serious misdemeanor.

No person shall operate a manned free balloon which is not then certified as airworthy by the Federal

Aviation Administration of the United States. The certificate of airworthiness shall be by those regulations then in force and published in the Code of Federal Regulations. Any person violating this paragraph commits a serious misdemeanor.

If any association, organization or group of individuals shall plan the operation of more than one manned free balloon at the same time, a permit shall first be obtained from either the council of the city or the board of supervisors of the county in which the operation shall originate. The permit shall be applied for no less than seven days before the day or days on which the operation shall take place. Permits may be issued for an indefinite duration under such regulations as the council or board of supervisors may prescribe. There shall be no charge for the issuance of the permit. No permit shall be issued unless all persons who operate the manned free balloons are then certified and all manned free balloons are certified as airworthy by the Federal Aviation Administration of the United States. Failure to obtain such a permit is a serious misdemeanor.

Senator Van Gilst offered amendment S—3231 to amendment S—3227 and moved its adoption:

S—3231

Amend the Van Gilst amendment S—3227 to page 58 of Senate File 85 as follows:

1. Line 37, by striking the word "then" and inserting in lieu thereof the words "or will be".

2. Line 37, by inserting after the words "balloons are" the words "or will be".

President Neu took the chair at 9:45 a.m.

Amendment S—3231 to amendment S—3227 was adopted.

Senator DeKoster called for a division of amendment S—3227, section 1 to be considered as division S—3227A; section 2 to be considered as division S—3227B.

On motion of Senator Van Gilst, division S—3227A of the amendment was adopted.

Senator Van Gilst asked and received unanimous consent to withdraw division S—3227B of the amendment as amended.

(Senate File 85 pending on recess.)

ADOPTION OF CONCURRENT RESOLUTION

Senator Kinley asked and received unanimous consent to take up for consideration House Concurrent Resolution 15.

House Concurrent Resolution 15

On motion of Senator Hansen, House Concurrent Resolution 15, a resolution urging a study to evaluate the average state program costs per student and to develop an equitable system of weighting, found on pages 337 and 338 of the Senate Journal, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hansen offered amendment S—3216 by the committee on education and moved its adoption:

S—3216

Amend House Concurrent Resolution 15, as passed by the House, page 1, line 16, by inserting after the word "That" the words ", contingent upon technical assistance from the Legislators' Education Action Project of the National Conference of State Legislatures' Education Task Force,".

Amendment S—3216 was adopted.

Senator Hansen moved the adoption of the resolution as amended.

The Chair called for a non-record roll call.

The ayes were 30, nays 12.

The motion prevailed and the resolution as amended was adopted.

Senator Kinley asked and received unanimous consent that **House Concurrent Resolution 15** be **immediately messaged** to the House, which request was complied with.

On motion of Senator Kinley, the Senate **recessed until 1:30 p.m.**

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 241, by Senator Gluba (Caffrey and Cusack), a bill for an act making an appropriation to the office of governor for a study of the problems of, and establishing services for, Spanish-speaking peoples.

Read first time and passed on file.

Senate File 242, by Senator Gluba (Jochum, Higgins and Cusack), a bill for an act appropriating from the general fund of the state for the employment of two additional migrant labor camp inspectors by the state department of health and stipulating conditions of employment.

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

SENATE CONCURRENT RESOLUTION 19
By Shaff

Whereas, the problems facing farmers and ranchers because of adverse economic conditions and adverse weather, have been compounded by financial problems facing livestock packers and processors; and

Whereas, these problems are not merely confined to farmers and ranchers in one state or an area of states; and

Whereas, state legislatures are limited because of their jurisdictional boundaries in offering solutions to these problems; and

Whereas, the Intergovernmental Relations Committee of the National Conference of State Legislatures and the regional structures of the Council of State Governments are representative of all states or a group of states and because of this fact may be able to develop proposed solutions to the problems facing farmers and ranchers which transcend state boundaries; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Intergovernmental Relations Committee of the National Conference of State Legislatures and the Midwestern Conference of the Council of State Governments are urged to appoint proper committees or task forces whose charge will be to consider the problems facing farmers and ranchers and develop proposals designed to aid farmers and ranchers for consideration by Congress and the states; and

Be It Further Resolved, That members of the Iowa General Assembly who are members of the Intergovernmental Relations Committee of the National Conference of State Legislatures and the Midwestern Conference of the Council of State Governments present copies of this resolution to these organizations and urge them to give their careful consideration to the proposal embodied in this resolution.

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

UNFINISHED BUSINESS

Senate File 85

The Senate resumed consideration of Senate File 85.

Senator Glenn offered amendment S—3245 and moved its adoption:

S—3245

Amend Senate File 85, page 65, line 15, by

striking the words "ninety-seven A point one (97A.1), subsection two (2)" and inserting in lieu thereof the words "eighty point nine (80.9)".

Amendment S—3245 was adopted.

Senator Kelly offered amendment S—3217 filed by Senators Kelly, Kinley and Tieden and called for a division of the amendment as follows:

S—3217

Amend Senate File 85 as follows:

Division S—3217A

1. Page 49, lines 15 and 16, by striking the words "or who knowingly carries or transports in a vehicle a pistol or revolver,".

Division S—3217B

2. Page 49, by striking lines 28 through 33, and inserting in lieu thereof the following:

"..... Any person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person."

3. Page 50, line 3, by inserting after the word "vehicle" the words "or common carrier".

Division S—3217C

4. Page 50, by striking lines 4 through 7 and inserting in lieu thereof the following:

"..... Any person while lawfully engaged in transporting or using dangerous weapons for target practice, hunting, display, sale, trade, repair, or modification."

Division S—3217D

5. Page 50, line 20, by inserting before the word "PERMITS" the word "PROFESSIONAL".

6. Page 51, line 1, by striking the word "TEMPORARY" and inserting in lieu thereof the word "NONPROFESSIONAL".

7. Page 51, line 3, by striking the word "temporary" and inserting in lieu thereof the word "nonprofessional".

8. Page 51, line 6, by striking the word "annual" and inserting in lieu thereof the word "professional".

Division S—3217E

9. Page 51, line 11, by striking the word "six" and inserting in lieu thereof the word "twelve".

Division S—3217F

10. Page 51, line 13, by inserting after the word "devise" the words "or may contract with a

private agency, or may use a combination of the two to provide for".

Division S—3217D (Cont'd)

11. Page 51, line 23, by striking the words "an annual or temporary" and inserting in lieu thereof the words "a professional or nonprofessional".

12. Page 51, line 33, by striking the words "an annual or temporary" and inserting in lieu thereof the words "a professional or nonprofessional".

13. Page 52, line 18, by striking the words "or temporary permits".

14. Page 52, line 31, by striking the words "or temporary permits".

Senator Glenn called for a further division of the amendment, section 10 to be considered as division S—3217F.

Senator Kelly moved the adoption of division S—3217A of the amendment.

Division S—3217A of the amendment lost.

On motion of Senator Kelly, division S—3217B of the amendment was adopted.

Senator Kelly moved the adoption of division S—3217C of the amendment.

A record roll call was requested.

On the question "Shall division S—3217C of the amendment be adopted?" (S.F. 85) the vote was:

Ayes, 33:

Andersen	Heying	Miller of Marshall	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Burroughs	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaff
Culver	Kelly	Plymat	Taylor
Curtis	Kinley	Priebe	Tieden
DeKoster	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Winkelman
Griffin			

Nays, 14:

Carr	Hansen	Palmer	Shaw
Doderer	Hill of Polk	Redmond	Sovern
Glenn	Murray	Robinson	Willits
Gluba	Nolting		

Absent or not voting, 3:

Briles	Lamborn	Norpel

Division S—3217C of the amendment was adopted.

On motion of Senator Kelly, division S—3217D of the amendment was adopted.

On motion of Senator Kelly, division S—3217E of the amendment was adopted.

Action on division S—3217F of the amendment was temporarily deferred.

Senator Ramsey withdrew divisions S—3149I, S—3149J, S—3149K, S—3149M, S—3149P and S—3149Q of his amendment, offered and pending on February 24, 1975, and deferred on February 25, 1975.

Senator Ramsey offered amendment S—3236 filed by him:

S—3236

Amend Senate File 85 as follows:

Division S—3236A

1. Page 130, by inserting after line 33, the following new paragraph:

"For purpose of this subsection, special circumstances shall be deemed to exist, and the court shall order that depositions be taken, only upon the showing of necessity arising from either of the following circumstances:

a. There is a likelihood that the prospective witness to be deposed will be unavailable at the time of trial.

b. The prospective witness to be deposed has not previously been examined at a preliminary hearing by the party requesting the deposition, and the information sought by way of deposition cannot adequately be disclosed by a bill of particulars and is necessary in order that the defendant receive a fair trial.

Division S—3236B

Upon issuance by the court of an order to take a deposition the moving party must provide, prior to the taking of any deposition, a list of all witnesses expected to be called by the moving party at trial, and those witnesses shall be subject to pre-trial discovery by the nonmoving party. A defendant, however, need not disclose whether or not that defendant intends to testify at trial."

Division S—3236A (Cont'd)

2. Page 133, line 2, by striking the words "with the consent of the court".

3. Page 135, line 30, by inserting after the word "appropriate" the following:

"In addition to any other grounds for issuing an order pursuant to this paragraph, the court

may limit or deny discovery or inspection, or limit the number of depositions to be taken if the court determines that any of the following exist:

(1) That granting the motion will unfairly prejudice the nonmoving party and will deny that party a fair trial.

(2) That the motion is intended only as a fishing expedition and that granting the motion will unduly delay the trial and will result in unjustified expense.

(3) That the granting of the motion will result in the disclosure of privileged information.

(4) That the granting of the motion will create a probability of fabrication on the part of the moving party."

Senator Glenn called for a division of the amendment, lines 1 through 18, of section 1, and sections 2 and 3, lines 28 through 48, to be considered as division S—3236A; lines 19 through 27 of section 1 to be considered as division S—3236B.

On motion of Senator Ramsey, division S—3236A of the amendment was adopted.

Senator Ramsey moved the adoption of division S—3236B of the amendment.

A non-record roll call was requested.

The ayes were 29, nays 20.

Division S—3236B of the amendment was adopted.

Senator Ramsey offered amendment S—3222 filed by him and moved its adoption:

S—3222

Amend Senate File 85, page 131, line 31, by inserting after the word "cross-examination" the words "of all witnesses".

Amendment S—3222 was adopted.

Senator Redmond offered amendment S—3238 and moved its adoption:

S—3238

Amend Senate File 85 as follows:

1. Page 135, by striking lines 15 through 22.

2. Page 135, by inserting after line 25 the following new paragraph:

"4. CONTINUING DUTY TO DISCLOSE. If, subsequent to compliance with an order issued pursuant to this rule, either party discovers additional evidence, or decides to use evidence which is additional to that originally

intended for use, and such additional evidence is subject to discovery under this rule, the party shall promptly notify the other party of the existence of the additional evidence to allow the other party to make an appropriate motion for additional discovery."

3. By renumbering the remaining paragraphs and changing internal references in accordance with this amendment.

Amendment S—3238 was adopted.

Senator Redmond withdrew amendment S—3220 filed by him on February 26, 1975, and found on page 489 of the Senate Journal.

Senator Hultman offered amendment S—3242 by Senators Hultman, et al., moved its adoption and requested a record roll call:

S—3242

Amend Senate File 85, page 220, line 14, by inserting after the word "dollars" the following:

"; provided, that in the case of theft in the fourth degree of property exceeding fifty dollars in value the sentence may include imprisonment not to exceed sixty days, or a fine not to exceed two hundred dollars, or both."

On the question "Shall amendment S—3242 be adopted?" (S.F. 85) the vote was:

Ayes, 31:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Heying	Nolting	Rodgers
Briles	Hultman	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Scott
Coleman	Kinley	Palmer	Shaff
Culver	Lamborn	Priebe	Taylor
Curtis	Miller of Des Moines	Rabedeaux	Tieden
Gallagher			Winkelman
Griffin			

Nays, 18:

Carr	Hill of Jasper	Nolin	Shaw
DeKoster	Hill of Polk	Orr	Sovern
Doderer	Kelly	Plymat	Van Gilst
Glenn	Merritt	Redmond	Willits
Gluba	Murray		

Absent or not voting, 1:

Robinson

Amendment S—3242 was adopted.

Senator Kelly moved to reconsider the vote by which division S—3217C of his amendment was adopted by the Senate.

The motion prevailed and division S—3217C of the amendment was taken up for reconsideration.

Senator Kelly asked and received unanimous consent to withdraw division S—3217C of the amendment.

The Senate resumed consideration of division S—3217F of the amendment previously deferred.

Senator Kelly offered amendment S—3249 to division S—3217F and moved its adoption:

S—3249
Amend the Kelly, et al., amendment, S—3217, to page 49 of Senate File 85, line 37 by striking the word "agency" and inserting in lieu thereof the word "organization".

Amendment S—3249 to division S—3217F of the amendment was adopted.

On motion of Senator Kelly, division S—3217F of the amendment as amended was adopted.

Senator Ramsey offered amendment S—3228 filed by Senators Ramsey, Hultman and Tieden:

S—3228
Amend Senate File 85, page 225, by inserting after line 30 the following new sentence:
"If the person who is under consideration for parole is serving a sentence for conviction of a felony and has a criminal record of one or more convictions for forcible felony or a crime of a similar gravity in this or any other state, parole shall be denied unless the defendant has served at least one-half of the maximum term of his sentence."

Senator Ramsey offered amendment S—3232 to amendment S—3228 filed by Senators Ramsey and Junkins:

S—3232
Amend the Ramsey, et al., amendment S—3228 to page 225 of Senate File 85 as follows:

Division S—3232A
1. Line 4, by inserting before the word "felony", the word "forcible".

Division S—3232B
2. Line 8, by striking the word "one-half" and inserting in lieu thereof the word "one-fourth".

Senator Junkins called for a division of amendment S—3232, section 1 to be considered as division S—3232A; section 2 to be considered as division S—3232B.

On motion of Senator Ramsey, division S—3232A of the amendment to amendment S—3228 lost.

Senator Ramsey asked and received unanimous consent to withdraw division S—3232B of the amendment to amendment S—3228.

Action on amendment S—3228 was temporarily deferred.

Senator Doderer offered amendment S—3244 by Senators Doderer and Bergman, moved its adoption, and requested a record roll call:

S—3244

Amend Senate File 85, page 229, line 20, by inserting after the word "However," the words "except when the controlled substance is marijuana to which this section shall apply,".

On the question "Shall amendment S—3244 be adopted?" (S.F. 85) the vote was:

Ayes, 20:

Bergman	Glenn	Merritt	Ramsey
Carr	Gluba	Murray	Redmond
DeKoster	Heying	Nolin	Shaw
Doderer	Hill of Polk	Orr	Sovern
Gallagher	Kelly	Palmer	Willits

Nays, 30:

Andersen	Hultman	Nolting	Schwengels
Briles	Junkins	Norpel	Scott
Burroughs	Kinley	Nystrom	Shaff
Coleman	Lamborn	Plymat	Taylor
Culver	Miller of Des Moines	Priebe	Tieden
Curtis	Miller of Marshall	Rabedeaux	Van Gilst
Griffin		Robinson	Winkelman
Hansen		Rodgers	
Hill of Jasper			

Amendment S—3244 lost.

The Senate resumed consideration of amendment S—3228.

Senator Ramsey offered amendment S—3250 to amendment S—3228 and moved its adoption:

S—3250

Amend the Ramsey, et al., amendment S—3228 to page 225 of Senate File 85 in line 5 by inserting after the word "more" the word "prior".

Amendment S—3250 to amendment S—3228 was adopted.

Senator Ramsey moved the adoption of amendment S—3228 as amended.

A record roll call was requested.

On the question "Shall amendment S—3228 be adopted?" (S.F. 85) the vote was:

Ayes, 25:

Bergman	Hill of Jasper	Nystrom	Shaw
Briles	Hultman	Priebe	Taylor
Burroughs	Junkins	Rabedeaux	Tieden
Coleman	Merritt	Ramsey	Van Gilst
Curtis	Miller of Marshall	Schwengels	Willits
Griffin	Norpel	Scott	Winkelman
Heying			

Nays, 21:

Andersen	Hansen	Miller of Des Moines	Redmond
Carr	Hill of Polk	Nolin	Robinson
Culver	Kelly	Nolting	Rodgers
DeKoster	Kinley	Orr	Shaff
Glenn	Lamborn	Palmer	Sovern
Gluba			

Absent or not voting, 4:

Doderer	Gallagher	Murray	Plymat

Amendment S—3228 as amended was adopted.

Senator Kelly offered amendment S—3218 filed by him and called for a division of the amendment as follows:

S—3218

Division S—3218A

Amend Senate File 85 as follows:

1. Page 48, line 14, by striking the word "one-half" and inserting in lieu thereof the words "six tenths of an".

Division S—3218B

2. Page 50, line 5, by striking the words "on a range designed for that purpose".

Division S—3218C

3. Page 53, line 2, by striking the word "twenty-four" and inserting in lieu thereof the word "seventy-two".

On motion of Senator Kelly, division S—3218A of the amendment was adopted.

Senator Kelly withdrew division S—3218B of the amendment.

On motion of Senator Kelly, division S—3218C of 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?" (S.F. 85) the vote was:

Ayes, 37:

Andersen	Hansen	Nolting	Robinson
Bergman	Heying	Norpel	Rodgers
Carr	Hill of Polk	Nystrom	Schwengels
Coleman	Kelly	Orr	Scott
Culver	Kinley	Palmer	Shaw
Curtis	Lamborn	Plymat	Sovern
DeKoster	Merritt	Priebe	Taylor
Glenn	Miller of	Ramsey	Van Gilst
Gluba	Des Moines	Redmond	Willits
Griffin	Nolin		

Nays, 10:

Briles	Hultman	Miller of	Shaff
Burroughs	Junkins	Marshall	Tieden
Hill of Jasper		Rabedeaux	Winkelman

Absent or not voting, 3:

Doderer	Gallagher	Murray

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 243, by Senator Rabedeaux, a bill for an act relating to boards of trustees of county hospitals.

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

Senate File 244, by Senator Doderer, a bill for an act relating to the copying of public records.

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

Senate File 245, by Senator Doderer, a bill for an act relating to the qualifications of the superintendent of banking.

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

Senate File 246, by Senator Doderer, a bill for an act relating to state employee vacation allowance.

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

Senate File 247, by Senator Doderer, a bill for an act relating to the establishment of a birth defects institute and specifying its powers and duties.

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 24, a bill for an act relating to public pay toilets and providing a penalty.

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

House File 77, a bill for an act relating to the installation of automatic fire extinguishing systems in high-rise buildings, and providing penalties.

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

House File 156, a bill for an act relating to the disposition of certain game 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 177, a bill for an act relating to the membership of the state historical board.

Also: 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 the sale of game by a game breeder for food purposes.

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

House File 275, a bill for an act relating to the date of organization of the state board of public instruction.

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 date of the meeting of boards of school corporations for settlement of business.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 13, a bill for an act relating to the issuance of special registration plates to owners of vehicles holding amateur radio licenses.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 13

S—3247

Amend Senate File 13 as follows:

1. Page 1, by inserting after line 16 the following section:

"Sec. ..... Chapter three hundred twenty-one (321), Code 1975, is amended by adding the following new section:

NEW SECTION. INDIVIDUALIZED REGISTRATION PLATES.

1. Upon application and the payment of a fee of twenty-five dollars, the director may issue to the owner of a motor vehicle, except a motor truck,

which is registered in this state as provided in this chapter, a set of personalized registration plates marked with the initials, letters, or a combination of numerals and letters requested by the owner. Upon receipt of the personalized registration plates, the applicant shall surrender the regular registration plates to the director. Prior to transfer of title to the motor vehicle, the personalized registration plates shall be returned to the director and the owner shall be entitled to regular registration plates without additional fee. The fee for a set of personalized registration plates shall be in addition to the regular annual registration fee provided under section three hundred twenty-one point one hundred nine (321.109) of the Code.

2. The personalized registration plates shall be validated in the same manner as regular registration plates are validated under section three hundred twenty-one point thirty-four (321.34) of the Code.

3. The fees collected by the director under this section shall be paid to the treasurer of state and credited by him as provided in section three hundred twenty-one point one hundred forty-five (321.145) of the Code."

2. Title page, line 3, by inserting after the word "licenses" the words "and the issuance of personalized license plates for motor vehicles".

HOUSE MESSAGES CONSIDERED

House File 24, a bill for an act relating to public pay toilets and providing a penalty.

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

House File 77, a bill for an act relating to the installation of automatic fire extinguishing systems in high-rise buildings, and providing penalties.

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

House File 156, a bill for an act relating to the disposition of certain game by the state conservation commission.

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

House File 177, a bill for an act relating to the membership of the state historical board.

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

House File 262, a bill for an act relating to the sale of game by a game breeder for food purposes.

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

House File 275, a bill for an act relating to the date of organization of the state board of public instruction.

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

House File 287, a bill for an act relating to the date of the meeting of boards of school corporations for settlement of business.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 3	Transportation
S.J.R. 4	State government
S.J.R. 5	State government
S. F. 232	State government
S. F. 233	Judiciary
S. F. 234	Natural resources
S. F. 235	Judiciary
S. F. 236	State government
S. F. 237	Appropriations
S. F. 238	Judiciary
S. F. 239	State government
S. F. 240	Natural resources
H. F. 267	Appropriations

COMMUNICATION

The following communication was received and placed on file:

MEMBERS OF THE SENATE:

According to Rule 29 of the Senate, Friday, February 28, is the final day for individual Senators to request bill drafts from the Legislative Service Bureau for introduction during this session. According to Rule 29 all requests must be submitted by 4:00 p.m. or the Legislative Service Bureau will not be authorized to draft them for this session. Committee bills may be requested at any time for introduction this session.

Individual Senators may still request the drafting of bills for introduction in the next session of the General Assembly.

Rule 29 also applies to joint resolutions, however it does not apply to simple and concurrent resolutions.

SERGE H. GARRISON, Director
Legislative Service Bureau

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was absent from the Senate chamber on February 26, 1975, due to the fact I had been called to the telephone by radio station KRCB of Council Bluffs, and I missed the electronic voting. Had I been present I would have voted "nay" on amendment S—3210 to Senate File 85.

JAMES W. GRIFFIN, SR.

MR. PRESIDENT: Due to a meeting of the Intergovernmental Relations Committee of the National Council of State Legislatures in Washington, D.C., I was unable to be present for the vote on final passage of Senate File 85. If I had been present, I would have voted in favor of passage.

JOHN S. MURRAY

MR. PRESIDENT: Because of attendance at the National Conference of State Legislatures in Washington, D.C., I was absent at the time of the final vote on Senate File 85—the Criminal Code Revision. Had I been present, I would have voted "aye".

JAMES V. GALLAGHER

SUBCOMMITTEE ASSIGNMENTS

Senate File 138
Ways and Means
Hill of Jasper, Chairman
Gluba
Burroughs

Senate File 158
Ways and Means
Hill of Jasper, Chairman
Gluba
Burroughs

Senate File 160
State Government
Nolin, Chairman
Coleman
Nystrom

Senate File 162
State Government
Nolin, Chairman
Glenn
Miller of Marshall

Senate File 164
State Government
Doderer, Chairman
Redmond
Nystrom

Senate File 168
Appropriations
Hill of Jasper, Chairman
Shaw
Junkins

Senate File 169
Judiciary
Carr, Chairman
Kelly
Doderer

Senate File 170
Ways and Means
Van Gilst, Chairman
Culver
Taylor

Senate File 171
Agriculture
Van Gilst, Chairman
Shaff
Scott

Senate File 172
Judiciary
DeKoster, Chairman
Miller of Des Moines
Shaw

Senate File 173
State Government
Coleman, Chairman
Nolin
Winkelman

Senate File 175
Commerce
Curtis, Chairman
Priebe
Glenn

Senate File 176
Judiciary
Shaw, Chairman
Ramsey
Coleman

Senate File 177
Ways and Means
Junkins, Chairman
Kinley
Schwengels

Senate File 178
State Government
Kinley, Chairman
Glenn
Curtis

Senate File 179
Agriculture
Scott, Chairman
Merritt
Shaff

Senate File 181
Appropriations
Sovern, Chairman
Plymat
Coleman

Senate File 182
Appropriations
Hill of Jasper, Chairman
Shaw
Junkins

Senate File 183
Ways and Means
Van Gilst, Chairman
Nolting
Burroughs

Senate File 184
Judiciary
Doderer, Chairman
Shaw
Kelly

Senate File 186
Ways and Means
Gluba, Chairman
Kinley
Curtis

Senate File 188
Commerce
Bergman, Chairman
Rodgers
Curtis

Senate File 190
Commerce
Curtis, Chairman
Carr
Glenn

Senate File 191
Appropriations
Culver, Chairman
Murray
Gluba

Senate File 192
Judiciary
Rodgers, Chairman
Coleman
Hill of Polk

Senate File 194
Commerce
Curtis, Chairman
Rodgers
Priebe

Senate File 198
Cities
Redmond, Chairman
Nolting
Schwengels

Senate File 201
Labor and Industrial Relations
Robinson, Chairman
Redmond
DeKoster

Senate File 202
Commerce
Briles, Chairman
Carr
Bergman

Senate File 205
Education
Carr, Chairman
Griffin
Sovern

Senate File 206
Commerce
Carr, Chairman
Briles
Gallagher

Senate File 209
Ways and Means
Gluba, Chairman
Culver
Schwengels

Senate File 210
Ways and Means
Junkins, Chairman
Curtis
Van Gilst

Senate File 212
Ways and Means
Gluba, Chairman
Curtis
Junkins

Senate File 214
Energy
Robinson, Chairman
Briles
Gallagher

Senate File 215
Energy
Rodgers, Chairman
Gallagher
Tieden

Senate File 216
Appropriations
Hill of Jasper, Chairman
Lamborn
Van Gilst

Senate File 217
Judiciary
Redmond, Chairman
Doderer
Shaw

Senate File 218
Ways and Means
Kinley, Chairman
Gluba
Burroughs

Senate File 219
Judiciary
Coleman, Chairman
Hill of Polk
Doderer

Senate Concurrent Resolution 16
Rules and Administration
Van Gilst, Chairman
Kinley
Lamborn

Senate Concurrent Resolution 17
Rules and Administration
Van Gilst, Chairman
Lamborn
Junkins

House File 54
Agriculture
Priebe, Chairman
Taylor
Tieden

House File 205
Labor and Industrial Relations
Nolting, Chairman
Merritt
Griffin

House File 207
Commerce
Priebe, Chairman
Rabedeaux
Carr

House File 228
Appropriations
State Departments

House File 229
Appropriations
State Departments

REPORT OF COMMITTEE

Senator Heying submitted the following report:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 63**, a bill for an act to increase penalties for the unlawful hunting or taking of protected species of wildlife, 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**:

S—3240

Amend Senate File 63 as follows:

1. Page 2, lines 12 and 13, by striking the words "[less than ten dollars nor]" and inserting in lieu thereof the words "less than [ten] *one hundred* dollars nor".

HILARIUS L. HEYING, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3239

Amend Senate File 37 as follows:

1. Page 1, line 2, by striking the words and figures "paragraph one (1), Code 1975, is" and inserting in lieu thereof the words and figures "paragraphs one (1) and three (3), Code 1975, are".

2. Page 1, by inserting after line 14 the following:

"When a proposition to authorize an issuance of bonds has been submitted to the electors under this section and the proposal fails to gain approval by the required percentage of votes, such proposal, or any proposal which incorporates any portion of the defeated proposal, shall not be submitted to the electors for a period of six months from the date of such regular or special election and if it is a *proposition to authorize an issuance of bonds by a school corporation, it shall not be submitted again to the electors for a period of five years from the date of the election.*"

3. Page 1, line 26, by inserting after the period the following:

"*However, if the proposition to make such a contract fails to gain approval by the required percentage of votes, it shall not be submitted again to the electors for a period of five years from the date of the election.*"

4. Page 1, line 35, by inserting after the period the following:

"*However, if the proposition fails to gain approval by the required percentage of votes, it shall not be submitted again to the electors for a period of five years from the date of the election.*"

5. Page 2, line 7, by inserting after the period

the following:

"However, if the proposition fails to gain approval by the required percentage of votes, it shall not be submitted again to the electors for a period of five years from the date of the election."

6. Page 2, line 34, by inserting after the period the following:

"However, if the proposition fails to gain approval by the required percentage of votes, it shall not be submitted again to the voters of the school corporation for a period of five years from the date of the election."

ELIZABETH SHAW

S—3246

Amend Senate File 104 as follows:

1. Page 1, line 3, by striking the "A" and inserting in lieu thereof the words "Except as provided in this section,".

2. Page 1, line 3, by striking the word "annuities" and inserting in lieu thereof the words "an annuity".

3. Page 1, by striking line 19 and inserting after the word "return." the following sentence: "The amount of the exemption shall be reduced by the amount of any social security annuities received. However, a person who is less than sixty-two years of age shall not be allowed to exclude the amount of annuities allowed under this section unless such a person is disabled."

LOWELL L. JUNKINS
LOUIS CULVER

S—3241

Amend Senate File 226 as follows:

1. Page 1, line 8, by inserting after the words "school buses," the words "vehicles of persons who have been ordered for health reasons to use studded tires by a licensed physician or osteopathic physician,".

HILARIUS L. HEYING

S—3243

Amend the Hultman amendment S—3223 to Senate File 226 in line 2, by inserting after the word "the" the word "second".

CALVIN O. HULTMAN

S—3248

Amend House File 177 by striking everything after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. Section three hundred three point one (303.1), unnumbered paragraph one (1), Code

1975, is amended to read as follows:

There is established the Iowa state historical department which shall be governed by a state historical board consisting of twelve members, six of whom shall be appointed by the governor and six of whom shall be elected by the members of the state historical society established in section 303.4 of this chapter. The members appointed by the governor shall include one professionally qualified architectural historian, one historian, and one archaeologist. [One member appointed by the governor and one member elected by the society shall be residents of each congressional district.] *The members elected by the society shall include one resident of each congressional district.*"

WARREN E. CURTIS
ELIZABETH SHAW

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:35 p.m., until 9:30 a.m., Monday, March 3, 1975.

JOURNAL OF THE SENATE

FIFTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MARCH 3, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Arthur E. Brent, pastor of the Union Park United Methodist Church, Des Moines, Iowa.

The Journal of Thursday, February 27, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ray Frech, Newton, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hill of Polk for the day on request of Senator Hultman; Senator Murray for the day on request of Senator Shaff; Senator Lamborn for the day on request of Senator Shaff; Senator Gluba for the afternoon session on request of Senator Kinley; Senator Culver for the afternoon session on request of Senator Kinley; Senator Priebe for the afternoon session on request of Senator Kinley; Senator Tieden for the afternoon session on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty students from Solon Junior-Senior High School, Solon, Iowa, accompanied by their instructor, Denny Gruber. Senator Redmond.

Thirty-five students from St. Mary Elementary School, Humboldt, Iowa, accompanied by Sister George Marie. Senator Coleman.

PETITION

The following petition was presented and placed on file:

By Senator Schwengels from eight residents of Washington County favoring the prohibition of gambling in liquor and beer

outlets and opposing Sunday beer and liquor sales in food establishments, the selling of wine in grocery stores, the legalization of pari-mutuel betting, and allowing liquor and beer outlets to operate from 2:00 a.m. to 11:30 a.m. on Sunday.

INTRODUCTION OF BILLS

Senate File 248, by Senator Gallagher, a bill for an act authorizing the establishment of special liquor retailers and providing penalties.

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

Senate File 249, by Senators Schwengels, Ramsey, Hultman, Taylor, Hill of Jasper, Priebe, Merritt, Miller of Marshall, Burroughs, Bergman, Tieden, Curtis, Plymat, Shaff, Nystrom, Hansen, Murray, Shaw, Heying, Rabedeaux, Palmer, Griffin, Miller of Des Moines, Briles, Scott, Kinley, Rodgers, Robinson, Junkins, Lamborn and Gluba, a bill for an act relating to the possession, receipt, and transportation of firearms by persons convicted of felonies and providing penalties.

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

MOTION TO RECONSIDER WITHDRAWN

Senator Griffin withdrew the motion to reconsider the vote by which **Senate File 114** passed the Senate filed by him on February 6, 1975.

HOUSE AMENDMENT CONSIDERED

Senate File 77

Senator Robinson called up for consideration Senate File 77, a bill for an act relating to county contracts requiring bids, amended by the House, as follows:

S—3075

Amend Senate File 77 as follows:
Page 1, by striking lines 3, 4 and 5 and inserting in lieu thereof the following:
"332.7 CONTRACTS AND BIDS REQUIRED. [No building shall be erected or repaired when the probable cost thereof will exceed two thousand dollars except under an express] *Construction of or repair of any building in an amount exceeding five thousand dollars shall be only under".*

Senator Hill of Jasper offered amendment S—3093 to House amendment S—3075 filed by Senators Hill of Jasper and Lamborn and moved its adoption:

S—3093

Amend the House amendment to Senate File 77 by adding the following new paragraphs:

"Erection or repair of any building where the cost does not exceed five thousand dollars shall be either advertised and let at a public letting; or let through informal bid procedure by contacting at least three qualified bidders prior to letting the contract. The informal bids received together with a statement setting forth the reasons for use of the informal procedure and bid acceptance shall be entered in the minutes of the board of supervisors meeting at which such action was taken.

Nothing contained in this section shall be deemed to prohibit the board of supervisors from purchasing material and using county equipment and regularly employed county personnel on a project within their capability as determined by the county engineer."

The Chair called for a non-record roll call.

The ayes were 14, nays 27.

Amendment S—3093 to House amendment S—3075 lost.

Senator Robinson moved that the Senate concur in the House amendment S—3075.

The motion prevailed and the Senate concurred in the House amendment S—3075.

Senator Robinson 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. 77) the vote was:

Ayes, 36:

Andersen	Gluba	Miller of Marshall	Redmond
Bergman	Griffin	Nolin	Robinson
Briles	Heying	Nolting	Rodgers
Burroughs	Hultman	Norpel	Schwengels
Carr	Junkins	Nystrom	Scott
Coleman	Kinley	Orr	Sovern
Culver	Merritt	Palmer	Tieden
Curtis	Miller of Des Moines	Plymat	Van Gilst
Doderer		Priebe	Willits
Gallagher			

Nays, 4:

Glenn	Hill of Jasper	Shaff	Winkelman

Absent or not voting, 10:

DeKoster	Kelly	Rabedeaux	Shaw
Hansen	Lamborn	Ramsey	Taylor
Hill of Polk	Murray		

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 166

On motion of Senator Willits, Senate File 166, a bill for an act making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards, was taken up for consideration.

Senator Willits asked and received unanimous consent that **House File 251** be **substituted** for **Senate File 166.**

House File 251

On motion of Senator Willits, House File 251, a bill for an act making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards, was taken up for consideration.

Senator Rabedeaux took the chair at 10:05 a.m.

Senator Winkelman moved that further action on House File 251 be deferred and that the bill retain its place on the calendar, and requested a record roll call.

On the question "Shall the motion to defer be adopted?" (H.F. 251) the vote was:

Ayes, 19:

Andersen	Griffin	Nystrom	Shaff
Bergman	Hultman	Plymat	Shaw
Briles	Kelly	Rabedeaux	Taylor
Burroughs	Miller of Marshall	Ramsey	Tieden
Curtis		Schwengels	Winkelman

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 5:

DeKoster	Hill of Polk	Lamborn	Murray
Hansen			

The motion lost.

Senator Willits moved that the bill 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. 251) the vote was:

Ayes, 41:

Andersen	Gluba	Nolting	Rodgers
Bergman	Heying	Norpel	Schwengels
Briles	Hill of Jasper	Nystrom	Scott
Burroughs	Junkins	Orr	Shaff
Carr	Kinley	Palmer	Shaw
Coleman	Merritt	Plymat	Sovern
Culver	Miller of Des Moines	Priebe	Taylor
Curtis	Miller of Marshall	Rabedeaux	Tieden
Doderer	Nolin	Ramsey	Van Gilst
Gallagher		Redmond	Willits
Glenn		Robinson	

Nays, 3:

Hultman	Kelly	Winkelman

Absent or not voting, 6:

DeKoster	Hansen	Lamborn	Murray
Griffin	Hill of Polk		

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

WITHDRAWN

Senator Willits asked and received unanimous consent that **Senate File 166** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 165

On motion of Senator Willits, Senate File 165, a bill for an act relating to the report commonly known as the state salary book, was taken up for consideration.

Senator Willits offered amendment S—3170 filed by Senators Willits and Shaw and moved its adoption:

S—3170

Amend Senate File 165, page 1, line 22, by inserting after the word *"copy."* the following words: *"All funds from the sale of the report shall be deposited to the general fund."*

Amendment S—3170 was adopted.

Senator Hill of Jasper offered amendment S—3102 filed by him and moved its adoption:

S—3102
Amend Senate File 165 as follows:
1. Page 1, line 21, by striking the word "*five*" and inserting in lieu thereof the word "*one*".
2. Page 1, line 22, by striking the word "*dollars*" and inserting in lieu thereof the word "*dollar*".

A non-record roll call was requested.

The ayes were 28, nays 17.

Amendment S—3102 was adopted.

Senator Willits moved that the bill 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. 165) the vote was:

Ayes, 39:

Andersen	Gluba	Nolin	Robinson
Bergman	Heying	Nolting	Rodgers
Briles	Hill of Jasper	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Merritt	Plymat	Taylor
DeKoster	Miller of Des Moines	Priebe	Van Gilst
Doderer	Miller of Marshall	Rabedeaux	Willits
Gallagher		Redmond	
Glenn			

Nays, 5:

Griffin	Ramsey	Tieden	Winkelman
Kelly			

Absent or not voting, 6:

Burroughs	Hill of Polk	Murray	Schwengels
Hansen	Lamborn		

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

Senate File 90

On motion of Senator Palmer, Senate File 90, a bill for an act to increase the tax levy in certain townships for fire protection, 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?" (S.F. 90) the vote was:

Ayes, 46:

Andersen	Griffin	Nolin	Rodgers
Bergman	Heying	Nolting	Schwengels
Briles	Hill of Jasper	Norpel	Scott
Burroughs	Hultman	Nystrom	Shaff
Carr	Junkins	Orr	Shaw
Coleman	Kelly	Palmer	Sovern
Culver	Kinley	Plymat	Taylor
Curtis	Merritt	Priebe	Tieden
DeKoster	Miller of	Rabedeaux	Van Gilst
Doderer	Des Moines	Ramsey	Willits
Gallagher	Miller of	Redmond	Winkelman
Glenn	Marshall	Robinson	
Gluba			

Nays, none.

Absent or not voting, 4:

Hansen	Hill of Polk	Lamborn	Murray

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

Senate File 2

On motion of Senator Rodgers, Senate File 2, a bill for an act to prohibit the underground storage of gas within the corporate limits of a city, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Priebe offered amendment S—3092 by the committee on commerce and called for a division of the amendment as follows:

S—3092

Division S—3092A

Amend Senate File 2, page 1 as follows:

1. Line 3, by inserting after the word "gas" the words "in a subsurface stratum or formation of the earth".

Division S—3092B

2. By inserting after line 8 the following new paragraph:

"The provisions of this section shall not apply to the underground storage of gas within the corporate limits of a city under the authority of a permit granted by the Iowa state commerce commission prior to the effective date of this Act nor shall this **section be applicable where the corporate limits of** a city are extended to include property under which **the underground storage of gas has been authorized by permit issued by the commission prior to the annexation."**

On motion of Senator Priebe, division S—3092A of the amendment was adopted.

On motion of Senator Priebe, division S—3092B of the amendment was adopted.

Senator Hultman offered amendment S—3253 by Senators Hultman, Griffin and Robinson and moved its adoption:

S—3253

Amend Senate File 2, page 1, as follows:

1. Page 1, line 4, by striking ". A" and **inserting in lieu thereof the word "and a".**

2. Page 1, line 6, by striking the words "a possibility" and inserting in lieu thereof the word "evidence".

President pro tempore Doderer took the chair at 11:43 a.m.

Amendment S—3253 was adopted.

(Senate File 2 pending on recess.)

Senator Glenn took the chair at 12:04 p.m.

INTRODUCTION OF BILLS

Senate File 250, by Senator Gluba, a bill for an act relating to the relocation of county or district fairgrounds.

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

Senate File 251, by Senator Griffin, a bill for an act relating to the salaries of the area school superintendents.

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

Senate File 252, by Senators DeKoster, Kelly and Doderer, a bill for an act relating to the supervision of probationers and parolees.

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

Senate File 253, by Senators DeKoster, Kelly, Schwengels and Doderer, a bill for an act relating to exchange of inmates with federal bureau of prisons.

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

Senate File 254, by Senators DeKoster and Kelly, a bill for an act relating to the cash depreciation fund for the prison industries.

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

Senate File 255, by Senators DeKoster, Kelly and Schwengels, a bill for an act relating to the detention of a child prior to the adjudicative hearing.

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 160, a bill for an act relating to canvass of vote for governor.

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

House File 336, a bill for an act relating to the quantity of alcoholic liquor an individual may import into and possess within the state for the purpose of personal consumption.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 160, a bill for an act relating to canvass of vote for governor.

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

House File 336, a bill for an act relating to the quantity of alcoholic liquor an individual may import into and possess within the state for the purpose of personal consumption.

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

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

INTRODUCTION OF BILLS

Senate File 256, by Senator Heying, a bill for an act to require fishways on all dams.

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

Senate File 257, by Senators Heying, Lamborn, Tieden, Schwengels, Hansen, Scott, Coleman, Norpel, Merritt, Plymat, Culver, Miller of Marshall, Glenn, Rabedeaux, Winkelman, Griffin, Andersen, Palmer, Carr, Junkins, Gallagher, Nolting, Ramsey, Priebe, Curtis, Nolin, Nystrom and Shaw, a bill for an act relating to the taxation of coin-operated laundries.

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

CONSIDERATION OF BILLS

Senate File 2

The Senate resumed consideration of Senate File 2.

Senator Nolin took the chair at 3:05 p.m.

DEFERRED

Senator Kinley asked and received unanimous consent that further action on **Senate File 2** be **deferred** and that the bill be placed on the calendar under **unfinished business.**

Senator Kinley asked and received unanimous consent that action on **Senate File 24** be **deferred** and that the bill **retain its place on the calendar.**

Senator Kinley asked and received unanimous consent that action on **House File 73** be **deferred** and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 74

On motion of Senator Briles, Senate File 74, a bill for an act relating to the use of tax money for purchase and improvement of schoolhouse sites, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Briles offered amendment S—3254, moved its adoption, and requested a non-record roll call:

S—3254

Amend Senate File 74, page 1, lines 4 and 5, by striking the words "and having a total enrollment of six hundred or more", and inserting in lieu thereof the following words "[and having a total enrollment of six hundred or more]".

The ayes were 36, nays 2.

Amendment S—3254 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. 74), the vote was:

Ayes, 35:

Andersen	Heying	Nolin	Robinson
Bergman	Hultman	Nolting	Rodgers
Briles	Junkins	Norpel	Schwengels
Burroughs	Kelly	Nystrom	Scott
Carr	Kinley	Orr	Sovern
Coleman	Merritt	Palmer	Taylor
Curtis	Miller of Des Moines	Plymat	Van Gilst
Doderer	Miller of Marshall	Rabedeaux	Willits
Gallagher		Redmond	
Glenn			

Nays, 5:

Griffin	Ramsey	Shaff	Winkelman
Hill of Jasper			

Absent or not voting, 10:

Culver	Hansen	Murray	Shaw
DeKoster	Hill of Polk	Priebe	Tieden
Gluba	Lamborn		

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

Senate File 132

On motion of Senator Ramsey, Senate File 132, a bill for an act to prohibit hunting within one hundred yards of buildings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Action on Senate File 132 was temporarily deferred.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **House Concurrent Resolution 11** be **deferred** and that the resolution **retain its place on the calendar.**

Senate File 193

On motion of Senator Sovern, Senate File 193, a bill for an act to amend chapter 135C of the Code so as to change the defined term "adult foster home" to "adult foster family home" and to make certain related changes in the use of that term, was taken up for consideration.

Senator Sovern offered amendment S—3255 and moved its adoption:

S—3255
1 Amend Senate File 193, page 2, by striking lines 6
2 through 10.

Amendment S—3255 was adopted.

Senator Sovern moved that the bill 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. 193), the vote was:

Ayes, 39:

Andersen	Hultman	Nolin	Rodgers
Bergman	Junkins	Nolting	Schwengels
Briles	Kelly	Norpel	Scott
Burroughs	Kinley	Nystrom	Shaff
Carr	Lamborn	Orr	Shaw
Coleman	Merritt	Palmer	Sovern
Curtis	Miller of Des Moines	Plymat	Taylor
Doderer	Miller of Marshall	Rabedeaux	Van Gilst
Gallagher		Redmond	Willits
Glenn		Robinson	Winkelman
Heying			

Nays, 1:

Hill of Jasper

Absent or not voting, 10:

Culver	Griffin	Murray	Ramsey
DeKoster	Hansen	Priebe	Tieden
Gluba	Hill of Polk		

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

Senate File 199

On motion of Senator Willits, Senate File 199, a bill for an act relating to the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory, was taken up for consideration.

Senator Willits asked and received unanimous consent that **House File 225** be **substituted** for **Senate File 199.**

House File 225

On motion of Senator Willits, House File 225, a bill for an act relating to the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory, was taken up for consideration.

President pro tempore Doderer took the chair at 4:10 p.m.

Senator Willits moved that the bill 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, 39:

Andersen	Heying	Nolin	Robinson
Bergman	Hill of Jasper	Nolting	Rodgers
Briles	Hultman	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Scott
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Curtis	Merritt	Plymat	Taylor
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Ramsey	Willits
Glenn	Miller of Marshall	Redmond	
Griffin			

Nays, none.

Absent or not voting, 11:

Culver	Hansen	Murray	Tieden
DeKoster	Hill of Polk	Priebe	Winkelman
Gluba	Lamborn	Shaff	

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

WITHDRAWN

Senator Willits asked and received unanimous consent that **Senate File 199** be **withdrawn** from further consideration of the Senate.

Senate File 203

On motion of Senator Nolin, Senate File 203, a bill for an act relating to the establishment of requirements for the sanitary production and processing of milk used for manufacturing purposes, was taken up for consideration.

Senator Nolin moved that the bill 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, 35:

Andersen	Griffin	Nolin	Robinson
Bergman	Hill of Jasper	Nolting	Rodgers
Briles	Hultman	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Miller of	Ramsey	Willits
Glenn	Marshall	Redmond	Winkelman

Nays, 5:

Heying	Miller of	Scott	Taylor
Merritt	Des Moines		

Absent or not voting, 10:

Culver	Gluba	Murray	Priebe
Curtis	Hansen	Plymat	Tieden
DeKoster	Hill of Polk		

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

House File 81

On motion of Senator Gallagher, House File 81, a bill for an act relating to the payment of transportation expenses for moving household goods for employees of the highway division of the state department of transportation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gallagher moved that the bill 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. 81) the vote was:

Ayes, 42:

Andersen	Hill of Jasper	Nolin	Rodgers
Bergman	Hultman	Nolting	Schwengels
Briles	Junkins	Norpel	Scott
Burroughs	Kelly	Nystrom	Shaff
Carr	Kinley	Orr	Shaw
Coleman	Lamborn	Palmer	Sovern
Curtis	Merritt	Plymat	Taylor
Doderer	Miller of	Rabedeaux	Van Gilst
Gallagher	Des Moines	Ramsey	Willits
Glenn	Miller of	Redmond	Winkelman
Griffin	Marshall	Robinson	
Heying			

Nays, none.

Absent or not voting, 8:

Culver	Gluba	Hill of Polk	Priebe
DeKoster	Hansen	Murray	Tieden

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

Senate File 132

The Senate resumed consideration of Senate File 132.

Senator Ramsey offered amendment S—3256:

S—3256
Amend Senate File 132, page 1, by striking lines 4 and 5 and inserting in lieu thereof the words "hundred yards of any building unless it is abandoned or unless the owner has given his consent."

Senator Hultman offered amendment S—3257 to amendment S—3256:

S—3257
Amend the Ramsey amendment S—3256 to Senate File 132, in line 4 after the word "his" by inserting the word "written".

Senator Kelly moved that Senate File 132 be rereferred to the committee on natural resources.

A non-record roll call was requested.

On the question "Shall the motion to rerefer to committee be adopted?" (S.F. 132) the vote was:

Ayes, 7:

Griffin	Miller of Des Moines	Plymat	Shaw
Kelly		Schwengels	
Lamborn			

Nays, 33:

Andersen	Glenn	Nolting	Robinson
Bergman	Hill of Jasper	Norpel	Rodgers
Briles	Hultman	Nystrom	Scott
Burroughs	Junkins	Orr	Sovern
Carr	Kinley	Palmer	Taylor
Coleman	Merritt	Rabedeaux	Van Gilst
Curtis	Miller of Marshall	Ramsey	Willits
Doderer	Nolin	Redmond	Winkelman
Gallagher			

Absent or not voting, 10:

Culver	Hansen	Murray	Shaff
DeKoster	Heying	Priebe	Tieden
Gluba	Hill of Polk		

The motion lost.

Action on Senate File 132, amendment S—3256 and amendment S—3257 to amendment S—3256 was temporarily deferred.

Senate File 107

On motion of Senator Briles, Senate File 107, a bill for an act relating to powers of a board of directors of an insurance company other than life, 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. 107) the vote was:

Ayes, 35:

Andersen	Griffin	Nolin	Rodgers
Bergman	Hill of Jasper	Nolting	Schwengels
Briles	Junkins	Norpel	Scott
Burroughs	Kinley	Nystrom	Shaw
Carr	Lamborn	Orr	Sovern
Coleman	Merritt	Palmer	Van Gilst
Curtis	Miller of Des Moines	Plymat	Willits
Doderer	Miller of Marshall	Rabedeaux	Winkelman
Gallagher		Robinson	
Glenn			

Nays, none.

Absent or not voting, 15:

Culver	Heying	Murray	Shaff
DeKoster	Hill of Polk	Priebe	Taylor
Gluba	Hultman	Ramsey	Tieden
Hansen	Kelly	Redmond	

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

Senate File 119

On motion of Senator Gallagher, Senate File 119, a bill for an act relating to hearing procedures by the insurance commissioner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gallagher moved that the bill 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:

Ayes, 38:

Andersen	Gallagher	Kinley	Norpel
Bergman	Glenn	Lamborn	Nystrom
Briles	Griffin	Merritt	Orr
Burroughs	Hill of Jasper	Miller of Des Moines	Palmer
Carr	Hultman	Nolin	Plymat
Curtis	Junkins	Nolting	Rabedeaux
Doderer	Kelly		Ramsey

Redmond	Schwengels	Sovern	Willits
Robinson	Scott	Taylor	Winkelman
Rodgers	Shaw	Van Gilst	

Nays, none.

Absent or not voting, 12:

Coleman	Hansen	Miller of	Priebe
Culver	Heying	Marshall	Shaff
DeKoster	Hill of Polk	Murray	Tieden
Gluba			

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

House File 16

On motion of Senator Shaw, **House File 16,** a bill for an act authorizing counties to provide facilities and services for handicapped persons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw moved that the bill 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, 39:

Andersen	Hultman	Nolin	Robinson
Bergman	Junkins	Nolting	Rodgers
Briles	Kelly	Norpel	Schwengels
Burroughs	Kinley	Nystrom	Scott
Carr	Lamborn	Orr	Shaw
Coleman	Merritt	Palmer	Sovern
Curtis	Miller of	Plymat	Taylor
Doderer	Des Moines	Rabedeaux	Van Gilst
Gallagher	Miller of	Ramsey	Willits
Glenn	Marshall	Redmond	Winkelman
Griffin			

Nays, 1:

Hill of Jasper

Absent or not voting, 10:

Culver	Hansen	Murray	Shaff
DeKoster	Heying	Priebe	Tieden
Gluba	Hill of Polk		

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

House File 205

On motion of Senator Nolting, House File 205, a bill for an act requiring any person operating a railroad in this state to con-

struct and maintain catwalks and handrails on railway bridges and trestles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolting moved that the bill 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. 205), the vote was:

Ayes, 37:

Andersen	Hultman	Nolin	Rodgers
Bergman	Junkins	Nolting	Schwengels
Briles	Kelly	Norpel	Scott
Carr	Kinley	Nystrom	Shaff
Coleman	Lamborn	Orr	Shaw
Curtis	Merritt	Palmer	Sovern
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Griffin		Robinson	

Nays, 2:

Burroughs	Taylor

Absent or not voting, 11:

Culver	Hansen	Hill of Polk	Priebe
DeKoster	Heying	Murray	Tieden
Gluba	Hill of Jasper	Plymat	

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

President Neu took the chair at 4:58 p.m.

Senate File 132

The Senate resumed consideration of Senate File 132 and amendment S—3256.

Senator Redmond offered amendment S—3258 to amendment S—3256 and moved its adoption:

S—3258

Amend the Ramsey amendment S—3256 to Senate File 132 in line 4 by striking the word "his".

Amendment S—3258 to amendment S—3256 was adopted.

Senator Gallagher offered amendment S—3259 to amendment S—3256 and moved its adoption:

S—3259

Amend the Ramsey amendment S—3256 to Senate File 132 in line 3 by striking the words "unless it is abandoned or".

Amendment S—3259 to amendment S—3256 was adopted.

Senator Hultman offered amendment S—3261 to amendment S—3256 and moved its adoption:

S—3261
Amend the Ramsey amendment S—3256 to Senate File 132 by inserting in line 4 after the word "owner" the words "or tenant".

Amendment S—3261 to amendment S—3256 was adopted.

Senator Hultman offered amendment S—3262 to amendment S—3256 and moved its adoption:

S—3262
Amend the Ramsey amendment S—3256 to Senate File 132 in line 4 by inserting before the word "consent" the word "written".

A record roll call was requested.

On the question "Shall amendment S—3262 to amendment S—3256 be adopted?" (S.F. 132) the vote was:

Ayes, 16:

Briles	Junkins	Orr	Shaff
Burroughs	Lamborn	Rabedeaux	Taylor
Doderer	Merritt	Redmond	Van Gilst
Hill of Jasper	Miller of Marshall	Scott	
Hultman			

Nays, 25:

Andersen	Griffin	Nolting	Rodgers
Bergman	Heying	Norpel	Schwengels
Carr	Kelly	Palmer	Shaw
Coleman	Kinley	Plymat	Sovern
Curtis	Miller of Des Moines	Ramsey	Willits
Gallagher	Nolin	Robinson	Winkelman
Glenn			

Absent or not voting, 9:

Culver	Hansen	Murray	Priebe
DeKoster	Hill of Polk	Nystrom	Tieden
Gluba			

Amendment S—3262 to amendment S—3256 lost.

Senator Hultman withdrew amendment S—3257 to amendment S—3256 previously deferred.

On motion of Senator Ramsey, amendment S—3256 as amended was adopted.

Senator Ramsey moved that the bill 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. 132) the vote was:

Ayes, 41:

Andersen	Hill of Jasper	Nolin	Rodgers
Bergman	Hultman	Nolting	Schwengels
Briles	Junkins	Norpel	Scott
Burroughs	Kelly	Orr	Shaff
Carr	Kinley	Palmer	Shaw
Coleman	Lamborn	Plymat	Sovern
Curtis	Merritt	Rabedeaux	Taylor
Doderer	Miller of Des Moines	Ramsey	Van Gilst
Gallagher	Miller of Marshall	Redmond	Willits
Glenn		Robinson	Winkelman
Griffin			
Heying			

Nays, none.

Absent or not voting, 9:

Culver	Hansen	Murray	Priebe
DeKoster	Hill of Polk	Nystrom	Tieden
Gluba			

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

WITHDRAWN

Senator Ramsey asked and received unanimous consent that **Senate File 208** 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 202, a bill for an act relating to maintenance of law enforcement communications with local law enforcement agencies and duties and powers of officers in district headquarters.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 202, a bill for an act relating to maintenance of law enforcement communications with local law enforcement agencies and duties and powers of officers in district headquarters.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 241 Appropriations

S. F. 242 Appropriations

S. F. 243 County government

S. F. 244 Judiciary

S. F. 245 Commerce

S. F. 246 State government

S. F. 247 State government

S.C.R. 19 Agriculture

H. F. 24 Cities

H. F. 77 Cities

H. F. 156 Natural resources

H. F. 177 State government

H. F. 262 Natural resources

H. F. 275 Education

H. F. 287 Education

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 28, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 40—Relating to fair trade practices.

S. F. 75—Relating to the date for notification of changes in valuation of property.

S. F. 78—Relating to claims for the reimbursement for property taxes paid by persons sixty-five years of age and older or totally disabled.

S. F. 92—Amending the occupational safety and health act including the penalty provided by law.

S. F. 109—To eliminate reporting of nonessential items on abstracts of assessment.

S. F. 149—Relating to an appropriation from the general fund of the state to sewage works treatment fund.

H. F. 67—Removing a certain species from the list of noxious weeds.

H. F. 173—Relating to contracts let by county officers.

COMMUNICATION FROM THE SECRETARY OF STATE

February 28, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 56 was published in the Urbandale News, Urbandale, Iowa, February 20, 1975, and in the Globe-Gazette, Mason City, Iowa, February 19, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As members of the City Finance Committee:

Betty Jo Harker, Ames, Story County, Iowa, as the "15,000-50,000 population" city official member for a four-year term commencing July 1, 1974 and ending June 30, 1978.

Senator Coleman, Chairman
Senator Gluba
Senator Nolting
Senator Murray
Senator Shaw

Charles O'Connor, Des Moines, Polk County, Iowa, for reappointment as the "over 50,000 population" city official member for a four-year term commencing July 1, 1974 and ending June 30, 1978.

Senator Van Gilst, Chairman
Senator Culver
Senator Willits
Senator Andersen
Senator Rabedeaux

COMMUNICATION

Mr. Clark Rasmussen
Secretary of the Senate
Capitol Building
Local

Dear Mr. Rasmussen:

I have this day terminated the employment of Douglas L. Hart as Second Deputy Citizens' Aide effective March 17, 1975. This was done in accordance with authority designated in Chapter 601G of the 1975 Code of Iowa.

I have previously designated Ruth L. Mosher as Deputy.

Respectfully,
THOMAS R. MAYER
Citizens' Aide-Ombudsman

AMENDMENTS FILED

S—3252

Amend the Norpel amendment, S—3089, to Senate File 79, as follows:

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

"Sec. ..... *NEW SECTION.* Any person claiming an exemption under this Act who becomes ineligible for the exemption and fails to report the ineligibility to the county auditor shall be guilty of a simple misdemeanor."

2. Page 2, by inserting in line 28 after the word "exemption" the words "and providing a penalty for violations".

RICHARD J. NORPEL, SR.

S—3251

Amend Senate File 226, page 1, by striking lines 5 through 12 and inserting in lieu thereof the following:

3. Pneumatic tires with inserted ice grips or tire studs projecting not more than one-sixteenth inch beyond the tread of the traction surface of the tire upon any vehicle from [November 1] *December fifteenth* of each year to [April 1] *March fifteenth* of the following year, except that a school bus and fire department emergency apparatus may use such tires at any time.

NORMAN RODGERS

S—3260

Amend Senate File 226, page 1, line 9, by inserting before the word "during" the words "and vehicles operated by a handicapped or paraplegic person who holds a valid permit to display a distress flag as provided in chapter six hundred one E (601E) of the Code".

ELIZABETH R. MILLER

S—3263

Amend the Rodgers amendment S—3251 to Senate File 226 in line 7 by striking the word "*fifteenth*" and inserting in lieu thereof the word "*first*".

RAY TAYLOR
NORMAN RODGERS

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned **at 5:20** p.m., until 9:30 a.m., Tuesday, March 4, 1975.

JOURNAL OF THE SENATE

FIFTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MARCH 4, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Stewart Congdon, pastor of the Lake City Union Church, Lake City, Iowa.

The Journal of Monday, March 3, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. J. Latella, Webster City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hill of Polk for the day on request of Senator Lamborn.

PETITIONS

The following petitions were presented and placed on file:

By Senator Culver from twenty-three residents of Shelby County favoring the delay of implementation for one fiscal year any budget related legislation.

By Senator Schwengels from twenty-seven residents of Washington County favoring the prohibition of gambling in liquor and beer outlets and opposing Sunday beer and liquor sales in food establishments, the selling of wine in grocery stores, the legalization of pari-mutuel betting, and allowing liquor and beer outlets to operate from 2:00 a.m. to 11:30 a.m. on Sunday.

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 uniformity of time limits in the inheritance and estate tax laws.

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

House File 286, a bill for an act relating to the duties, responsibilities and powers of the state department of transportation and the counties regarding secondary roads.

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

House File 333, a bill for an act making an appropriation from the general fund of the state to examining boards governing the practices of medicine, nursing and pharmacy.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 230, a bill for an act relating to uniformity of time limits in the inheritance and estate tax laws.

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

House File 286, a bill for an act relating to the duties, responsibilities and powers of the state department of transportation and the counties regarding secondary roads.

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

House File 333, a bill for an act making an appropriation from the general fund of the state to examining boards governing the practices of medicine, nursing and pharmacy.

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

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 258, by Senators Redmond, Gluba and Coleman, a bill for an act relating to the system of appeal and review of cases in chancery and at law, and providing for the jurisdiction of the supreme court, creating a court of appeals and providing for its jurisdiction, providing for the personnel and administration of the system of judicial appeal and review, and providing for the procedures to be followed for appeal and review.

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

Senate File 259, by Senator Gallagher, a bill for an act requir-

ing an offer every five years to renegotiate the price or damages paid for an easement acquired for a public purpose and providing a penalty.

Read first time and passed on file.

Senate File 260, by Senators Bergman, Griffin, Shaff, Miller of Marshall, Lamborn, Kelly, DeKoster, Rabedeaux, Tieden and Curtis, 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 261, by Senator Kelly, a bill for an act relating to safety glazing material in hazardous locations and providing a penalty.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 20

By Committee on Transportation

Whereas, the Chicago, Rock Island and Pacific Railroad is one of the biggest and oldest lines serving Iowa; and

Whereas, the Rock Island Railroad is an essential provider of transportation services to Iowa; and

Whereas, the Rock Island railroad provides rail service to 64 of Iowa's 99 Counties and serves 125 Iowa cities that are not served by any other class I railroad; and

Whereas, the decline in natural gas supplies and in available supplies of petroleum will require that millions of tons of low-sulfur western coal be moved across Iowa to meet the energy needs of the Midwest; and

Whereas, the Rock Island's financial problems have been grievously aggravated by the intolerable delay of the Interstate Commerce Commission in deciding the merger application by the Rock Island and Union Pacific Railroad Company; and

Whereas, the Rock Island Railroad has been denied a $100 million loan requested from the United States Railway Association; and

Whereas, the Congress in passing Iowa Representative Neal Smith's amendment to the Regional Rail Reorganization Act clearly showed its intent that

the Rock Island be eligible for federal assistance; and

Whereas, agriculture is most important in our world balance of payments and the movement of Midwest agricultural products depends upon the effectiveness

of our rail system, and the Rock Island provides a vital link between our farms and the markets; and

Whereas, federal aid is essential for the Rock Island to continue to provide transportation services in Iowa and elsewhere; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, that the United States Railway Association reconsider its decision to deny loan funds to the Rock Island Railroad and that the President of the United States and the Secretary of Transportation give highest priority to insuring the continuation of services of the Rock Island Lines.

Be It Further Resolved, that a copy of this Resolution be immediately messaged to the United States Railway Association, the members of Iowa's Congressional Delegation, the President of the United States, and the Secretary of Transportation.

Read first time and placed on calendar.

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 133, a bill for an act appropriating funds to the service compensation fund and providing a publication clause.

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

Senate File 134, a bill for an act to repeal authorization for the standing appropriation of funds to the auditor of state to audit the department of transportation.

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

House Concurrent Resolution 18 urging that the United States Railway Association reconsider its decision to deny loan funds to support the operating and capital needs of the Rock Island Railroad.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 18

By Krause, Drake, Brunow and Hutchins

Whereas, the Chicago, Rock Island and Pacific Railroad Company provides rail transportation services to 64 of Iowa's 99 counties and serves 125 Iowa cities that are not served by any other Class 1 railroad; and

Whereas, the Rock Island Railroad provides an essential transportation service that carries Iowa's agricultural products to national and world markets; and

Whereas, the decline in natural gas supplies and in

available supplies of petroleum will require that millions of tons of low-sulfur western coal be moved across Iowa to meet the energy needs of the Midwest; and

Whereas, the easing of energy shortages requires that energy-efficient means of hauling bulk goods for long distances be preserved and protected; and

Whereas, the Rock Island's financial problems have been grievously aggravated by the intolerable delay of the Interstate Commerce Commission in deciding the merger application by the Rock Island and Union Pacific Railroad Co.; and

Whereas, the Rock Island Railroad has been denied a $100 million reconstruction loan requested from the United States Railway Association; and

Whereas, the Congress in passing Iowa Representative Neal Smith's amendment to the Regional Rail Reorganization Act clearly showed its intent that the Rock Island be eligible for federal assistance; and

Page 2

Whereas, federal aid and regulatory responsiveness is essential for the Rock Island to continue to provide transportation services in Iowa and elsewhere; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-sixth General Assembly of the State of Iowa urges that the United States Railway Association reconsider its decision to deny loan funds to support the operating and capital needs of the Rock Island Railroad; and

Be It Further Resolved, That the President and Congress give the highest priority to regulatory reform for the transportation industry (especially railroads) as advocated in the President's message of October 13, 1974, to free the industry from the waste of time and finances which have been a steady drain on the financial resources of railroad companies; and

Be It Further Resolved, That a copy of this resolution be immediately transmitted to the United States Railway Association, the President of the United States, and the members of Iowa's Congressional delegation.

Read first time and passed on file.

HOUSE AMENDMENTS CONSIDERED
SENATE REFUSED TO CONCUR

Senate File 5

Senator Curtis called up for consideration Senate File 5, a bill for an act relating to the membership and qualifications of the board of review, amended by the House, and moved that the Senate concur in the following amendment S—3188:

S—3188

Amend Senate File 5, as amended and passed by the Senate, as follows:

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

"Section 1. Section four hundred forty-one point thirty-three (441.33), Code 1975, is amended to read as follows:

441.33 SESSIONS OF BOARD OF REVIEW. The board of review shall be in session from May 1 to May 31, [both inclusive,] each year and for such additional period as may be required under section 441.37 and shall hold as many meetings as are necessary to discharge its duties. *A majority of the members shall be present before the board may conduct any of its business.* On June 1 in any year in which a session has not been extended as required under section 441.37, said board shall return all books, records and papers to the assessor except undisposed of protests and records pertaining thereto. If it has not completed its work prior to June 1, in those years in which the session has not been extended under section 441.37 the director of revenue may authorize the board of review to continue in session for such period as is necessary to complete its work, but in no event shall the director of revenue approve a continuance extending beyond August 1. On June 1 or on the final day of any extended session required under section 441.37 or authorized by the director of revenue as herein provided the board of review shall be adjourned until May 1 of the following year. It shall adopt its own rules of procedure, elect its own chairman from its membership, and keep minutes of its meetings. The board shall appoint a clerk who may be a member of such board or any other qualified person, except the assessor or any member of his staff. It may be reconvened by the director of revenue. All undisposed protests in its hands on August 1 shall be automatically overruled and returned to the assessor together with its other records.

Within fifteen days following the adjournment of any regular or special session, the board of review shall submit to the director of revenue, on forms prescribed by the director, a report of any actions taken during that session."

2. Amend the title, line 1, by striking the words "membership and qualifications" and inserting in lieu thereof the word "sessions".

A non-record roll call was requested.

The ayes were 17, nays 25.

The motion lost and the Senate **refused to concur in House** amendment S—3188 to **Senate File 5.**

Senate File 44

Senator Priebe called up for consideration Senate File 44, a bill for an act relating to the registration of motor trucks and trailers or semitrailers and making the Act retroactive, amended by the House as follows:

S—3187

1. Amend Senate File 44, as amended and passed by the Senate, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point one hundred twenty-three (321.123), subsection five (5), Code 1975, is amended to read as follows:

5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractor and the trailer or semitrailer; except that motor trucks registered for six tons or less [pulling trailers, as defined in section 321.1, subsection 9, registered as provided in this section shall not be subject to registration for the gross weight of such trailer], *not used for hire, pulling trailers or semitrailers used by a person engaged in farming to transport commodities produced by the owner or livestock owned by the owner, or to transport commodities or livestock purchased by the owner for use in his own farming operation or used by any person to transport horses shall not be subject to registration for the gross weight of such trailer or semitrailer provided the combined gross weight does not exceed twelve tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code.*

Sec. 2. Any person who has paid registration fees for a motor truck and trailer or semitrailer for the combined gross weight of the motor truck and trailer or semitrailer for the calendar year 1975 in an amount in excess of the registration fees computed on a motor truck and trailer or semitrailer pursuant to section one (1) of this Act may file an application for refund of the full amount of the excess fee with the county treasurer of the county in which the motor truck and trailer or semitrailer are registered. Claims for refund filed under the provisions of this section shall be filed with the county treasurer on forms provided by the department of public safety. Refunds paid under the provisions of this section shall be paid from the reimbursement fund of the department of public safety under subsection two (2) of section three hundred twenty-one point one hundred forty-five (321.145) of the Code.

Sec. 3. The provisions of sections one (1) and two (2) of this Act shall be retroactive to December 1, 1974 for registration fees collected for registration plates issued for the calendar year 1975.

Sec. 4. This Act, being deemed of immediate

Page 2

importance, shall take effect and be in force from and after its publication in The Swea City Herald, a newspaper published in Swea City, Iowa, and in The

Forest City Summit, a newspaper published in Forest City, Iowa."

2. Amend the title by striking all after the word "of" and inserting in lieu thereof the words "relating to certain farm or horse trailers which are not for hire and making the act retroactive."

Senator Priebe offered amendment S—3265 to House amendment S—3187:

S—3265

Amend the House amendment to Senate File 44, S—3187, by striking lines 5 through 27 and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point one hundred twenty-three (321.123), Code 1975, is amended by striking subsection five (5) and inserting in lieu thereof the following:

5. Motor trucks and truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractor and trailer or semitrailer, except as follows:

a. Motor trucks registered for six tons or less pulling trailers not used for hire shall not be subject to registration for the gross weight of such trailer.

b. Motor trucks pulling semitrailers not used for hire shall be subject to registration in accordance with the following schedule subject to any tolerance provided by law:

(1) For a combined gross weight not exceeding ten tons, the motor truck shall be registered for not less than four tons.

(2) For a combined gross weight exceeding ten tons but not exceeding eleven tons, the motor truck shall be registered for not less than five tons.

(3) For a combined gross weight exceeding eleven tons but not exceeding twelve tons, the motor truck shall be registered for not less than six tons.

(4) Motor trucks pulling semitrailers with a combined gross weight exceeding twelve tons shall be subject to registration for combined gross weight and shall not be subject to the provisions of paragraph b of this subsection."

Senator Heying took the chair at 4:03 p.m.

Senator Doderer asked unanimous consent that further action on Senate File 44 be deferred and that the bill retain its place on the calendar.

Objection was raised.

Senator Doderer moved that further action on Senate File 44 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 14, nays 29.

The motion lost.

Senator Priebe moved the adoption of amendment S—3265 to House amendment S—3187.

A record roll call was requested.

On the question "Shall amendment S—3265 to House amendment S—3187 be adopted?" (S.F. 44) the vote was:

Ayes, 30:

Andersen	Glenn	Nolin	Robinson
Bergman	Heying	Norpel	Rodgers
Burroughs	Kelly	Nystrom	Schwengels
Carr	Kinley	Orr	Scott
Coleman	Lamborn	Plymat	Shaff
Culver	Merritt	Priebe	Van Gilst
Curtis	Miller of Marshall	Rabedeaux	Winkelman
Doderer		Ramsey	

Nays, 12:

DeKoster	Hill of Jasper	Murray	Shaw
Gallagher	Miller of Des Moines	Nolting	Sovern
Gluba		Redmond	Taylor
Griffin			

Absent or not voting, 8:

Briles	Hill of Polk	Junkins	Tieden
Hansen	Hultman	Palmer	Willits

Amendment S—3265 to House amendment S—3187 was adopted.

On motion of Senator Priebe, the Senate concurred in House amendment S—3187 as amended.

Senator Priebe 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. 44) the vote was:

Ayes, 38:

Andersen	Heying	Murray	Robinson
Bergman	Hultman	Nolin	Rodgers
Burroughs	Kelly	Norpel	Schwengels
Carr	Kinley	Nystrom	Scott
Coleman	Lamborn	Orr	Shaff
Culver	Merritt	Palmer	Sovern
Curtis	Miller of Des Moines	Plymat	Tieden
DeKoster	Miller of Marshall	Priebe	Van Gilst
Gallagher		Rabedeaux	Winkelman
Glenn		Ramsey	
Griffin			

Nays, 6:

Doderer	Hill of Jasper	Shaw	Taylor
Gluba	Nolting		

Voting present, 1:

Redmond

Absent or not voting, 5:

Briles	Hill of Polk	Junkins	Willits
Hansen			

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 Neu presiding.

INTRODUCTION OF BILLS

Senate File 262, by Senators Taylor, Bergman, Briles, Winkelman, Rabedeaux, Burroughs, Nystrom, Miller of Marshall, Ramsey, Tieden and Shaff, a bill for an act restricting farming and ranching by corporations, authorizing certain domestic corporations to engage in farming and ranching, prohibiting farming by specified persons, providing for divestment of land, making exceptions, and providing penalties.

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

Senate File 263, by Senator Winkelman, a bill for an act to establish a rural physicians associate program and to provide an appropriation.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 248 State government
S. F. 249 Judiciary
S. F. 250 County government
S. F. 251 Education
S. F. 252 Judiciary
S. F. 253 Human resources
S. F. 254 Human resources
S. F. 255 Judiciary
S. F. 256 Natural resources

S. F. 257 Ways and means

H. F. 160 State government

H. F. 202 Transportation

H. F. 336 Commerce

REPORTS OF COMMITTEES

Senator Miller of Des Moines submitted the following reports:

MR. PRESIDENT: Your committee on county government to which was referred **Senate File 50,** a bill for an act relating to office facilities for county conservation boards, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHARLES P. MILLER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county government to which was referred **Senate File 124,** a bill for an act relating to the transfer of county funds, 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:**

S—3266

Amend Senate File 124, page 1, by striking lines 3 through 31, inclusive, and inserting in lieu thereof the following:

"24.6 EMERGENCY FUND—LEVY. Each municipality as defined herein, may include in the estimate herein required, an estimate for an emergency fund. Each such municipality shall have power to assess and levy a tax for such emergency fund at a rate not to exceed twenty-seven cents per thousand dollars of assessed value of taxable property of the municipality, provided that no such emergency tax levy shall be made [until such municipality shall have first petitioned the state board to make such levy and received its approval thereof] *unless such levy is authorized by a majority vote of the governing body of the municipality.* Transfers of moneys may be made from the emergency fund to any other fund of the municipality for the purpose of meeting deficiencies in any such fund arising from any cause, provided, however, that no such transfer shall be made [except upon the written approval of the state board, and then only when such approval is requested] *unless such transfer is authorized* by a [two-thirds] *majority* vote of the governing body of said municipality. Approval may be granted [by the state board upon an application approved] by a [two-thirds] *majority* vote of the board of supervisors of a county to use this fund for the

purpose of matching funds available to such county from federal programs including, but not limited to, crime control, public health, civil defense, highway safety, juvenile delinquency, narcotics control and pollution."

CHARLES P. MILLER, Chairman

Ordered passed on file.

Senator Heying submitted the following reports:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 93**, a bill for an act to permit severance of certain land from an established drainage or levee district if it is found that the land receives no material benefit from the district, begs leave to report it has had the same under consideration and recommends the same **do pass.**

H. L. HEYING, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on natural resources to which was referred **House File 48**, a bill for an act relating to lifetime fishing and hunting licenses for resident senior citizens, 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:**

S—3268

Amend House File 48, as passed by the House, as follows:

1. Page 1, line 7, by striking the figure "7.50" and inserting in lieu thereof the figure "6.00".

2. Page 1, line 8, by striking the figure "7.50" and inserting in lieu thereof the figure "6.00".

3. Page 1, line 9, by striking the figure "10.00" and inserting in lieu thereof the figure "8.00".

4. Page 1, line 9, by adding the following two new sections:

"Sec. 2. Section one hundred ten point one (110.1), lines 14 through 16, Code 1975, is amended to read as follows:

All persons legal residents of the state and sixty-five years of age or older, except as otherwise provided .....[3.00] *1.25*

Sec. 3. Section one hundred ten point one (110.1), lines 36 through 38, Code 1975, is amended to read as follows:

All persons legal residents of the state, and sixty-five years of age or older, except as otherwise provided .....[3.00] *1.25*"

5. By renumbering the sections and correcting internal references to conform with this amendment.

6. Amend the title, line 1, by inserting after the word "lifetime" the words "and annual".

H. L. HEYING, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3267

Amend Senate File 24 as follows:

1. Page 1, lines 5 and 6, by striking the words "[with a gross weight registration of eight through twelve tons, inclusive,] *but*" and inserting in lieu thereof the words "with a gross weight registration of eight through [twelve] *eighteen* tons[, inclusive],".

2. Page 1, line 13, by striking the words "one hundred" and inserting in lieu thereof the words "[one hundred] *eighty-five*".

3. Page 1, line 14, by striking the words ", nine, or ten" and inserting in lieu thereof the words "[, nine, or ten]".

4. Page 1, lines 14 through 16, by striking the words "and one hundred fifty dollars for a gross weight of eleven, [or] twelve *or* thirteen tons," and inserting in lieu thereof the words "[and one hundred fifty dollars for a gross weight of eleven or twelve tons]".

5. Page 1, line 17, by striking the word "*thirteen*" and inserting in lieu thereof the word "*eight*".

MINNETTE F. DODERER
W. R. RABEDEAUX
BERL E. PRIEBE

S—3264

Amend Senate File 31, page 1, as follows:

1. Line 7, by inserting after the word "Code" the words ", and if those activities are prohibited on those premises by paragraph a of subsection two (2) of section one hundred twenty-three point forty-nine (123.49) of the Code".

2. By striking lines 11 through 17, and inserting in lieu thereof the following:

"a. Knowingly permit any gaming, gambling, solicitation for immoral purposes, or immoral or disorderly conduct on the premises covered by the license or permit[. This paragraph shall not apply to]*: However,* games of skill, games of chance, or [raffle] *raffles* conducted pursuant to chapter 99B, or [to] devices lawful under section 99B.10 or [to] games lawful under section 726.12 *may be permitted on the premises if the licensee or permittee is a domestic corporation organized under the provisions of chapter five hundred four (504) or chapter five hundred four A (504A) of the Code.*

3. Line 25, by inserting after the word "person"

the words "other than a domestic corporation organized under the provisions of chapter five hundred four (504), or chapter five hundred four A (504A) of the Code".

CALVIN O. HULTMAN

S—3271

Amend Senate File 226 as follows:

1. Amend the title in line 1 by striking the word "prohibiting" and inserting in lieu thereof the word "taxing".

2. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. *NEW SECTION.* There is imposed on the sale of each studded tire sold by a wholesale distributor and on the service of installing or inserting studs into a tire by a retailer, a tax of ten dollars which shall be in addition to any other tax provided by law. "Studded tire" means a pneumatic tire with inserted ice grips or studs projecting not more than one-sixteenth of an inch beyond the tread of the traction surface of the tire.

Sec. 2. *NEW SECTION.* Any wholesaler who sells studded tires and any retailer installing or inserting studs in tires to be sold or already sold shall collect the tax imposed in section one (1) of this Act and remit it by the fifteenth of the month following its collection to the department of revenue. The department of revenue shall, by rule, provide for the issuance of permits, the filing of tax returns, the filing of fidelity bonds deemed necessary, the monthly remittance of the amount of the tax collected, and other administrative procedures. In prescribing the rules, the department shall follow the provisions of sections four hundred twenty-two point fifty-two (422.52) through four hundred twenty-two point fifty-seven (422.57) of the Code, insofar as applicable. The rules shall be adopted by the department as provided in chapter seventeen A (17A) of the Code.

Sec. 3. *NEW SECTION.* The department of revenue shall remit the tax received to the treasurer of state who shall credit the deposits to the road use tax fund.

Sec. 4. *NEW SECTION.*

1. Any person subject to the provisions of this Act, who fails to file a tax return or a corrected tax return, or to pay any tax within the time required by this Act or the rules adopted by the department, shall be subject to an interest penalty of five percent of the amount of the tax due plus one-half of one percent of the tax due for each month of delay or fraction thereof.

2. Any wholesaler who sells studded tires or any retailer who installs or inserts studs in tires to be sold or already sold, after his permit has been revoked or without procuring a permit within sixty days after the effective date of this Act, shall be guilty of a misdemeanor.

3. Any person subject to the provisions of this Act, who files any false or fraudulent tax return with intent

Page 2

to defeat or evade the assessment of the tax imposed by this Act, shall be guilty of a felony and shall, for each offense, be fined not less than five hundred dollars and not more than five thousand dollars, or be imprisoned in the penitentiary not exceeding one year, or be subject to both such fine and imprisonment.

E. KEVIN KELLY

S—3269

Amend Senate File 226 as follows:

1. Page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point four hundred forty-two (321.442), Code 1975, is amended by striking subsection three (3) and inserting in lieu thereof the following:

3. Pneumatic tires with inserted ice grips or tire studs of a type approved by the director pursuant to rules promulgated under chapter seventeen A (17A) of the Code, as being a type of stud designed to minimize wear to roads. Use of tires with inserted ice grips or tire studs shall be limited for use on emergency vehicles and other vehicles with a gross weight of less than ten thousand pounds and may be used only from November first of each year to April first of the following year."

2. Amend the title, lines 1 and 2, by striking the words "prohibiting the use of ice grips or tire studs on certain motor vehicles" and inserting in lieu thereof the words "to regulate the use of tires with inserted ice grips or tire studs".

CALVIN O. HULTMAN
CLIFTON C. LAMBORN

S—3270

Amend Senate File 257 as follows:

1. Page 1, lines 11 and 12, by striking the word *"coin-operated"* and inserting in lieu thereof the word *"self-service"*.

2. Amend the title by striking from line 1 the word "coin-operated" and inserting in lieu thereof the word "self-service".

HILARIUS L. HEYING

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Priebe, the Senate adjourned at 5:15 p.m., until 9:30 a.m., Wednesday, March 5, 1975.

JOURNAL OF THE SENATE

FIFTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MARCH 5, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Howard Dukelow, pastor of the First Presbyterian Church, Greene, Iowa.

The Journal of Tuesday, March 4, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. W. Beckman, Kalona, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Plymat for the day on request of Senator Curtis.

HOUSE AMENDMENT CONSIDERED
SENATE REFUSED TO CONCUR

Senate Concurrent Resolution 6

Senator Palmer called up for consideration Senate Concurrent Resolution 6, a resolution relating to the joint rules of the Senate and House, amended and adopted by the Senate on January 30, 1975, as found on pages 177-183, inclusive, of the House Journal, amended by the House, and moved that the Senate concur in the following amendment:

S—3091

Amend Senate Concurrent Resolution 6 as found on page 177 in the February 4, 1975 House Journal as follows:

1. Page 6, by striking lines 10, 11 and 12 and inserting in lieu thereof the following: "*appoint five members to a conference committee.* The papers shall".

2. Page 7, by striking lines 19, 20, 21 and 22 and inserting in lieu thereof the following:

"*majority leaders of the senate shall appoint five members all of whom shall not have previously*

served on a conference committee on the bill under consideration."

3. Page 8, by striking all of Rule 14.

4. Page 10, by striking lines 22, 23, 24 and 25 and inserting in lieu thereof the words *"to the bill."*.

The motion lost and the Senate **refused to concur** in the House amendment S—3091 to **Senate Concurrent Resolution 6.**

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Rabedeaux called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. James P. Fuller, Muscatine, Muscatine County, Iowa, for appointment as a member of the Energy Policy Council pursuant to Chapter 1113, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

W. R. RABEDEAUX, Chairman
ELIZABETH R. MILLER
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Rabedeaux moved the appointment of James P. Fuller as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Briles	Hill of Polk	Nolting	Scott
Burroughs	Hultman	Norpel	Shaff
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Priebe	Tieden
DeKoster	Merritt	Rabedeaux	Van Gilst
Doderer	Miller of Des Moines	Ramsey	Willits
Gallagher		Redmond	Winkelman
Glenn	Miller of Marshall	Robinson	
Gluba			

Nays, none.

Absent or not voting, 3:

Heying	Hill of Jasper	Plymat

President Neu declared the appointment of James P. Fuller as a member of the Energy Policy Council confirmed.

HOUSE AMENDMENTS CONSIDERED

Senate File 14

Senator Tieden called up for consideration Senate File 14, a bill for an act relating to the issuance of trapping licenses to aliens or nonresidents and making provisions of this act retroactive, amended by the House, and moved that the Senate concur in the following amendment:

S—3196

Amend Senate File 14, as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking lines 4 through 11 and inserting in lieu thereof the following:

"All fees collected prior to the effective date of this Act for nonresident or alien trapping licenses for the year 1975 shall be refunded and the licenses shall be cancelled. Beginning on the effective date of this Act, nonresident or alien licenses may be issued only to residents of states which sell similar licenses to residents of Iowa."

2. By renumbering the remaining section.

The motion prevailed and the Senate concurred in House amendment S—3196.

Senator Tieden 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. 14) the vote was:

Ayes, 46:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Griffin	Murray	Rodgers
Briles	Hansen	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			Winkelman

Nays, 2:

Hill of Polk Redmond

Absent or not voting, 2:

Heying Plymat

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

Senate File 13

Senator Van Gilst called up for consideration Senate File 13, a bill for an act relating to the issuance of special registration plates to owners of vehicles holding amateur radio licenses, amended by the House, and moved that the Senate concur in the following amendment:

S—3247

Amend Senate File 13 as follows:

1. Page 1, by inserting after line 16 the following section:

"Sec. ..... Chapter three hundred twenty-one (321), Code 1975, is amended by adding the following new section:

NEW SECTION. INDIVIDUALIZED REGISTRATION PLATES.

1. Upon application and the payment of a fee of twenty-five dollars, the director may issue to the owner of a motor vehicle, except a motor truck, which is registered in this state as provided in this chapter, a set of personalized registration plates marked with the initials, letters, or a combination of numerals and letters requested by the owner. Upon receipt of the personalized registration plates, the applicant shall surrender the regular registration plates to the director. Prior to transfer of title to the motor vehicle, the personalized registration plates shall be returned to the director and the owner shall be entitled to regular registration plates without additional fee. The fee for a set of personalized registration plates shall be in addition to the regular annual registration fee provided under section three hundred twenty-one point one hundred nine (321.109) of the Code.

2. The personalized registration plates shall be validated in the same manner as regular registration plates are validated under section three hundred twenty-one point thirty-four (321.34) of the Code.

3. The fees collected by the director under this section shall be paid to the treasurer of state and credited by him as provided in section three hundred twenty-one point one hundred forty-five (321.145) of the Code."

2. Title page, line 3, by inserting after the word "licenses" the words "and the issuance of personalized license plates for motor vehicles".

The motion prevailed and the Senate concurred in House amendment S—3247.

Senator Van Gilst 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. 13) the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin	Murray	Robinson
Briles	Hansen	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Priebe	Tieden
Gallagher	Lamborn	Rabedeaux	Van Gilst
Glenn			Winkelman

Nays, 4:

Merritt	Redmond	Rodgers	Willits

Absent or not voting, 4:

Doderer	Heying	Miller of Des Moines	Plymat

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

MR. PRESIDENT: I move to reconsider the vote by which Senate File 13 passed the Senate on March 5, 1975.

WILLIAM D. PALMER

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONSIDERATION OF BILLS

Senate File 24

On motion of Senator Priebe, Senate File 24, a bill for an act relating to the registration fees for special trucks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Priebe asked and received unanimous consent to withdraw amendment S—3192 filed by him on February 20, 1975, and found on page 422 of the Senate Journal.

Senator Doderer offered amendment S—3267 filed by Senators Doderer, Rabedeaux and Priebe:

S—3267

Amend Senate File 24 as follows:

1. Page 1, lines 5 and 6, by striking the words "[with a gross weight registration of eight through twelve tons, inclusive,] *but*" and inserting in lieu thereof the words "with a gross weight registration of eight through [twelve] *eighteen* tons[, inclusive],".

2. Page 1, line 13, by striking the words "one hundred" and inserting in lieu thereof the words "[one hundred] *eighty-five*".

3. Page 1, line 14, by striking the words ", nine, or ten" and inserting in lieu thereof the words "[, nine, or ten]".

4. Page 1, lines 14 through 16, by striking the words "and one hundred fifty dollars for a gross weight of eleven, [or] twelve *or* thirteen tons," and inserting in lieu thereof the words "[and one hundred fifty dollars for a gross weight of eleven or twelve tons]".

5. Page 1, line 17, by striking the word "*thirteen*" and inserting in lieu thereof the word "*eight*".

Senator Shaw took the chair at 3:08 p.m.

Senator Doderer moved the adoption of amendment S—3267.

A non-record roll call was requested.

The ayes were 45, nays 2.

Amendment S—3267 was adopted.

Senator Doderer offered amendment S—3273:

S—3273

Amend Senate File 24 as follows:

1. Page 1, by inserting after line 23 the following new section:

"Sec. ..... Section three hundred twenty-one point four hundred sixty-six (321.466), unnumbered paragraphs six (6) and seven (7), Code 1975, are amended to read as follows:

It shall be unlawful for any person to operate a motor truck, trailer, truck tractor, road tractor, semitrailer or combination thereof, or any such vehicle equipped with a transferable auxiliary axle or axles, on the public highways with a gross weight exceeding that for which it is registered by more than five percent of the gross weight for which it is registered[, provided, however, that any vehicle

or vehicle combination referred to herein, while carrying a load of raw farm products, soil fertilizers, including ground limestone, raw dairy products or livestock, live poultry, eggs, may be operated with a gross weight of twenty-five percent in excess of the gross weight for which it is registered].

[For the purposes of this section cracked or ground soybeans, sargo, corn, wheat, rye, oats or other grain shall be deemed to be raw farm products, provided that such products are being directly delivered to a farm, from the place where the whole grain had been delivered from a farm for the purpose of cracking or grinding and immediate delivery to the farm to which such cracked or ground products are being delivered.]"

2. Amend the title, line 1, by striking the words "fees for special" and inserting in lieu thereof the words "of motor".

Senator Hultman raised the point of order that amendment S—3273 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3273 in order.

Senator Doderer moved the adoption of amendment S—3273.

A non-record roll call was requested.

The ayes were 21, nays 28.

Amendment S—3273 lost.

Senator Priebe moved that the bill 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. 24) the vote was:

Ayes, 40:

Andersen	Griffin	Murray	Schwengels
Bergman	Hansen	Nolin	Scott
Briles	Heying	Norpel	Shaff
Burroughs	Hultman	Nystrom	Sovern
Carr	Junkins	Orr	Taylor
Coleman	Kelly	Palmer	Tieden
Culver	Kinley	Priebe	Van Gilst
Curtis	Lamborn	Rabedeaux	Willits
DeKoster	Merritt	Ramsey	Winkelman
Gallagher	Miller of Marshall	Rodgers	
Glenn			

Nays, 9:

Doderer	Hill of Polk	Nolting	Robinson
Gluba	Miller of Des Moines	Redmond	Shaw
Hill of Jasper			

Absent or not voting, 1:

Plymat

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 24 passed the Senate on March 5, 1975.

JAMES V. GALLAGHER

CONSIDERATION OF BILLS

House File 73

On motion of Senator Murray, House File 73, a bill for an act relating to the duties of the counsel of the transportation regulation board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman offered amendment S—3162 filed by him and moved its adoption:

S—3162
Amend House File 73, page 1, line 15, by striking the word "his" and inserting in lieu thereof the words "the counsel's".

Amendment S—3162 was adopted.

Senator Murray moved that the bill 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, 49:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 1:
Plymat

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 11

House Concurrent Resolution 11

On motion of Senator Priebe, House Concurrent Resolution 11, with the report of committee on agriculture recommending passage, was taken up, considered, and the report of the committee adopted:

HOUSE CONCURRENT RESOLUTION 11
By Committee on Agriculture

Whereas, the production and distribution of food necessary to provide adequate nutrition for an expanding population is one of the gravest problems facing the world, and

Whereas, the Iowa State University of Science and Technology for more than a century has asserted leadership through significant contributions to increased agricultural production and improved food quality and has made its new information and expertise available throughout the world, and

Whereas, the State of Iowa and its highly productive agricultural economy will continue to be vital to the world's food supply, and

Whereas, the Iowa State University of Science and Technology will bring together scientists and scholars from many nations for the World Food Conference of 1976 to share their knowledge and bring new vigor to the search for better methods of food production, distribution and preparation capable of meeting world food demands and nutritional needs, and

Whereas, the American Revolution Bicentennial Administration and the Iowa American Revolution Bicentennial Commission have endorsed the World Food Conference of 1976 as a Bicentennial project of national and international significance, *Therefore*,

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Be It Resolved, that the Sixty-sixth General Assembly of the State of Iowa commends the Iowa State University of Science and Technology for its initiative in taking up the challenge of world food problems and endorses the World Food Conference of 1976, to be held from June 27 through July 1, 1976, at the Iowa State Center in Ames.

On motion of Senator Priebe, House Concurrent Resolution 11 was adopted.

CONSIDERATION OF BILLS

Senate File 230

On motion of Senator Winkelman, Senate File 230, a bill for

an act relating to bonding requirements for contracts with commercial fishermen, was taken up for consideration.

Senator Winkelman moved that the bill 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. 230) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Plymat	Robinson

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

Senate File 231

On motion of Senator Sovern, Senate File 231, a bill for an act relating to the inspection of fishing bait, was taken up for consideration.

Senator Sovern moved that the bill 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. 231) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:
Plymat Robinson

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

CONSIDERATION OF RESOLUTION

Senate Resolution 7

On motion of Senator Rabedeaux, Senate Resolution 7, with report of the committee on agriculture recommending amendment and passage, was taken up, considered, and the report of the committee adopted:

SENATE RESOLUTION 7
By Rabedeaux, Briles and Winkelman

Whereas, the Iowa congressional delegation is scheduled to meet with the Iowa Legislature this Friday, February 14, 1975; and

Whereas, it is imperative that the members of the Iowa Senate express their concerns, and the concerns of their constituents, to the delegation; *Now Therefore*,

Be It Resolved by the Senate, That among their concerns the members of the Senate include the need for a guarantee of adequate fuel for agriculture; the need for accelerated research into energy alternatives; the need for low interest loans to farmers and ranchers unable to collect moneys due from American Beefpackers, Inc.; and the need for tax rebate, credit and reduction measures to stimulate our State's and our Nation's economies.

Be It Further Resolved, That copies of this resolution be presented to the members of the Iowa congressional delegation during their visit.

Senator Nolin offered amendment S—3230 by the committee on agriculture and moved its adoption:

S—3230

Amend Senate Resolution 7 as follows:

1. Page 1, lines 1 and 2, by striking the words "is scheduled to meet" and insert the word "met".

2. Page 1, line 2, by striking the words "this Friday".

3. Page 1, line 18, by striking the words "during their visit" and inserting in lieu thereof the words "and the United States secretary of agriculture and the president of the United States".

Amendment S—3230 was adopted.

Senator Hultman offered amendment S—3277:

S—3277

Amend Senate Resolution 7 as follows:
1. Line 13, by striking the word "and".
2. Line 15, inserting after the word "economies" the words "and the need for retention of U.S. Code Title 29, Chapter 7, Section 164 (b)".

Senator Nolting raised the point of order that amendment S—3277 was not germane to the resolution.

The Chair ruled the point not well taken and amendment S—3277 in order.

Senator Kinley asked unanimous consent that further action on Senate Resolution 7 be deferred.

Objection was raised.

Senator Hultman offered amendment S—3278 to amendment S—3277 and moved its adoption:

S—3278

Amend the Hultman amendment S—3277 to Senate Resolution 7 in line 2 after the word "the" by inserting the word "first".

Amendment S—3278 to amendment S—3277 was adopted.

Senator Kinley moved that Senate Resolution 7 be rereferred to the committee on agriculture.

Senator Lamborn moved as a substitute motion that Senate Resolution 7 be made a special order of business for Tuesday, March 11, 1975, at 1:30 p.m.

A record roll call was requested.

On the question "Shall the motion to make the resolution a special order of business be adopted?" (S.R. 7) the vote was:

Rule 25 was invoked.

Ayes, 23:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn		Winkelman

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 1:
Plymat

The motion lost.

Senator Lamborn moved that the Senate adjourn until 9:30 a.m., Thursday, March 6, 1975.

A record roll call was requested.

On the question "Shall the motion to adjourn be adopted?" the vote was:

Ayes, 23:

Andersen	Griffin	Miller of	Schwengels
Bergman	Hansen	Marshall	Shaff
Briles	Hill of Polk	Murray	Shaw
Burroughs	Hultman	Nystrom	Taylor
Curtis	Kelly	Rabedeaux	Tieden
DeKoster	Lamborn	Ramsey	Winkelman

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Absent or not voting, 1:
Plymat

The motion lost.

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

The Senate resumed session, Senator Shaw presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

Senator Kinley restated his motion to rerefer Senate Resolution 7 to the committee on agriculture.

A record roll call was requested.

On the question "Shall motion to rerefer the resolution to the committee on agriculture be adopted?" (S.R. 7) the vote was:

Ayes, 26:

Carr	Doderer	Gluba	Junkins
Coleman	Gallagher	Heying	Kinley
Culver	Glenn	Hill of Jasper	Merritt

Miller of Des Moines	Norpel	Redmond	Sovern
Nolin	Orr	Robinson	Van Gilst
Nolting	Palmer	Rodgers	Willits
	Priebe	Scott	

Nays, 23:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn		Winkelman

Absent or not voting, 1:

Plymat

The motion prevailed and **Senate Resolution** 7 was **rereferred** to the committee on **agriculture.**

INTRODUCTION OF BILLS

Senate File 264, by Senators DeKoster and Hill of Polk, a bill for an act to establish the office of public defender.

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

Senate File 265, by Senator Miller of Marshall, a bill for an act relating to the election of presidential electors.

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

Senate File 266, by Senator Robinson, a bill for an act relating to leaves of absence for persons who are elected to a municipal, county, state or federal office and providing penalties.

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

Senate File 267, by Senator Redmond, a bill for an act relating to the use of trotlines or throw lines.

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

Senate File 268, by Senators Redmond and Gluba, a bill for an act relating to the labeling of prescription drugs, requiring that certain information regarding prescription drugs be made available to the board of pharmacy examiners and to pharmacists and practitioners in this state, and clarifying the right of a wholesale drug salesman to possess prescription drugs.

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

Senate File 269, by Senators Miller of Des Moines, Briles and Glenn, a bill for an act creating an Iowa rural development commission and providing tax rebates.

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

Senate File 270, by Senators Willits and Palmer, a bill for an act relating to the restraint of dogs.

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

Senate File 271, by Senator Willits, a bill for an act relating to reducing speeds when approaching slow moving vehicles and allowing garbage collection vehicles to display slow moving vehicle reflective devices.

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

Senate File 272, by Senators Willits, Robinson, Griffin, Rodgers and Scott, a bill for an act relating to payment of salaries, vacation, and sick leave for state employees.

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

Senate File 273, by Senators Doderer, DeKoster, Schwengels and Kelly, a bill for an act relating to the issuance of a summons and notice by the juvenile court.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 258 Judiciary

S. F. 259 Commerce

S. F. 260 Ways and means

S. F. 261 Commerce

S. F. 262 Agriculture

S. F. 263 Appropriations

H. F. 230 Ways and means

H. F. 286 County government

H. F. 333 Appropriations

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and pre-

sented to the Governor for his approval on this 5th day of March, 1975: **Senate Files 70, 115 and 116.**

CLARK R. RASMUSSEN
Secretary of the Senate

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Jack H. Bedell of Spirit Lake, Dickinson County, Iowa, for reappointment as a member of the Iowa Board of Parole pursuant to Section 247.1, 1975 Code of Iowa, for the regular six-year term commencing July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
MILO MERRITT
NORMAN G. RODGERS
IRVIN L. BERGMAN
CLIFF BURROUGHS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Elsie Grant, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman
LOWELL JUNKINS
E. KEVIN KELLY
JOHN NYSTROM
EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Joan McKean of Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners under the provisions of Section 147.14 (7), Code 1975, for the regular three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LOUIS CULVER
WILLARD R. HANSEN
ELIZABETH MILLER
RICHARD J. NORPEL, SR.

SPONSORS WITHDRAWN

MR. PRESIDENT: I request that my name be withdrawn as a sponsor of Senate File 171.

CLIFF BURROUGHS

MR. PRESIDENT: I request that my name be withdrawn as a sponsor of Senate File 171.

W. R. RABEDEAUX

REQUEST TO WITHDRAW NAME FROM INVESTIGATING COMMITTEE REPORT

MR. PRESIDENT: I request that my name be withdrawn from the report of the investigating committee recommending confirmation of the appointment of William F. McGrath of Melrose, Monroe County, Iowa, as a member of the State Transportation Committee.

JOAN ORR

EXPLANATIONS OF VOTES

Members of the appropriations subcommittee on human resources were excused from the afternoon session on March 3, 1975, to make a trip to the Juvenile Home at Toledo in connection with the appropriation of state funds for that facility.

For that reason, Senators Tieden, Gluba, Culver and Priebe were not recorded as voting on Senate Files 74, 132, 193, 203, 107 and 119, nor on House Files 225, 81, 16 and 205.

BERL E. PRIEBE, Chairman
Appropriations Subcommittee
on Human Resources

MR. PRESIDENT: On Monday and Tuesday, March 3 and 4, I was attending the National School Finance Conference as a representative of the Iowa Legislature. Had I been present in the Senate, I would have voted "aye" on Senate Files 44, 77, 90, 107, 119, 132, 165, 193, and 203, and House Files 16, 81, 99, 205, 225, and 251. I would have voted "nay" on Senate File 74 and amendment S—3262 to Senate File 132.

WILLARD R. HANSEN

MR. PRESIDENT: I was absent from the Senate chamber on March 4, 1975, because of illness when the vote was taken on the Priebe amendment S—3265, to the House amendment to Senate File 44 and the final passage of Senate File 44. Had I been present, I would have voted "aye" on the amendment and the bill.

LOWELL JUNKINS

REPORTS OF COMMITTEE

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 50**, a bill for an act relating to the definition of snow tires, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 90**, a bill for an act relating to emergency vehicles, 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:**

S—3275
1 Amend House File 90, as amended and passed by
2 the House, by inserting after line 17 the follow-
3 ing:
4 *"3. May proceed in the direction opposite*
5 *to the designated direction for traffic movement*
6 *on a one-way street."*

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 105**, a bill for an act relating to registration and registration fees for airmen, aeronautics instructors, and aircraft used for the application of herbicides and pesticides, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 127**, a bill for an act to revise and repeal obsolete provisions of the railroad 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:**

S—3276
1 Amend House File 127, page 10, line 15, by
2 striking the word "charge" and inserting in lieu
3 thereof the word "change".

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3272
1 Amend Senate amendment S—3269 to Senate
2 File 226, line 15, by inserting after the words
3 "emergency vehicles" the words ", school buses".

RAY TAYLOR

S—3274
1 Amend House File 90, as amended and passed by
2 the House, by inserting after line 17 the following:

"3. May proceed in the direction opposite to the designated direction for traffic movement on a one-way street."

WILLIAM D. PALMER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

Senator Kinley moved that the Senate adjourn until 9:30 a.m., Thursday, March 6, 1975.

A record roll call was requested.

On the question "Shall the motion to adjourn be adopted?" the vote was:

Ayes, 31:

Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Hultman	Norpel	Schwengels
Culver	Junkins	Nystrom	Scott
Doderer	Kinley	Orr	Shaw
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Tieden
Gluba	Des Moines	Redmond	Van Gilst
Hansen	Nolin	Robinson	Willits

Nays, 12:

Andersen	Hill of Polk	Miller of	Ramsey
Bergman	Kelly	Marshall	Taylor
Curtis	Lamborn	Rabedeaux	Winkelman
DeKoster			

Voting present, 1:

Heying

Absent or not voting, 6:

Briles	Griffin	Plymat	**Shaff**
Burroughs	Murray		

The motion prevailed and the Senate adjourned at 5:50 p.m., until 9:30 a.m., Thursday, March 6, 1975.

JOURNAL OF THE SENATE

FIFTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MARCH 6, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Harry Ryan, pastor of the St. Patrick's Catholic Church, Burlington, Iowa.

The Journal of Wednesday, March 5, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Roger Boulden, Lenox, Iowa.

PETITIONS

The following petitions were presented and placed on file:

By Senator Culver from fourteen residents of Harrison County favoring an amendment to the constitution of the state of Iowa to allow counties to adopt charters and provide home rule.

By Senator Priebe from twenty-six residents of Kossuth County favoring cost of living salary increases to merit system employees.

By Senator Priebe from three hundred seventy-one residents of Kossuth County and adjoining counties favoring pari-mutuel betting.

COMMUNICATION

The following communication from the Governor was presented:

March 5, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. William H. Huff III of Des Moines, Polk County, Iowa, for reappointment as Commissioner of Insurance for the State of Iowa under the provisions of Section 505.2, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1975 and ending June 30, 1979.

Sincerely,
ROBERT D. RAY
Governor

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 274, by Senators Culver, Andersen, Briles, Griffin, Nolin, Hultman, Murray, Coleman, Merritt, Scott and Curtis, a bill for an act making an appropriation from the general fund of the state to the state conservation commission for the dredging of certain specified lakes.

Read first time and passed on file.

Senate File 275, by Senators Miller of Marshall, Murray, Orr, Plymat, Coleman, Priebe, Redmond, Taylor and Willits, a bill for an act to regulate the use of beverage containers and providing penalties.

Read first time and passed on file.

Senate File 276, by Senator Hill of Polk, a bill for an act relating to the grounds for suspension or revocation of a license to practice law.

Read first time and passed on file.

Senate File 277, by Senator DeKoster, a bill for an act relating to juvenile court employees and officers.

Read first time and passed on file.

Senate File 278, by Senator Shaw, a bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations.

Read first time and passed on file.

Senate File 279, by Senators Priebe, Bergman, Culver, Briles, Nolin, Hultman, Heying, Merritt, Schwengels, Scott, Norpel and Gallagher, a bill for an act relating to determining the market value of agricultural property for tax purposes.

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 123, a bill for an act relating to the inclusion of nursing and pharmacy within the definition of profession for purposes of the Iowa Professional Corporation Act.

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

Senate File 153, a bill for an act relating to the disposition of seized cigarettes.

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

House File 131, a bill for an act relating to a committee supervising steel trade practice.

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

House File 264, a bill for an act to allow the destruction of abandoned animals by veterinarians, boarding and commercial kennels.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 131, a bill for an act relating to a committee supervising steel trade practice.

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

House File 264, a bill for an act to allow the destruction of abandoned animals by veterinarians, boarding and commercial kennels.

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

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

DEFERRED

Senator Kinley asked and received unanimous consent that action on Senate File 226 be deferred and that the bill retain its place on the calendar.

ADOPTION OF CONCURRENT RESOLUTION

House Concurrent Resolution 10

On motion of Senator Scott, House Concurrent Resolution 10, with report of committee on agriculture recommending passage, was taken up, considered, and the report of the committee adopted.

HOUSE CONCURRENT RESOLUTION 10
By Schroeder

Whereas, Iowa farmers and ranchers have incurred great financial losses because of the recent disastrous snow storm; and

Whereas, American Beefpackers, Incorporated is not able to meet financial obligations to many farmers and ranchers and such farmers and ranchers are suffering economic losses and may be forced out of business; and

Whereas, the disastrous snow storm coupled with the inability of American Beefpackers, Incorporated to meet its financial obligations is jeopardizing the economy of the state of Iowa; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the Congress and the President of the United States are urged to establish a program for the purpose of making loans to qualified farmers and ranchers who have not been able to collect moneys due to them by American Beefpackers, Incorporated, which program would provide for low interest loans to farmers and ranchers payable in no more than eight years or at such time as American Beefpackers, Incorporated is able to meet its financial obligations; and

Be It Further Resolved, That copies of this resolution be forwarded to members of the Iowa Congressional delegation and the President of the United States.

On motion of Senator Scott, House Concurrent Resolution 10 was adopted.

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

The Senate resumed session, President Neu presiding.

CONSIDERATION OF BILLS

Senate File 63

On motion of Senator Gallagher, Senate File 63, a bill for an act to increase penalties for the unlawful hunting or taking of protected species of wildlife, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Heying offered amendment S—3240 by the committee on natural resources and moved its adoption:

S—3240
Amend Senate File 63 as follows:
1. Page 2, lines 12 and 13, by striking the words "[less than ten dollars nor]" and inserting in lieu thereof the words "less than [ten] *one hundred* dollars nor."

Amendment S—3240 was adopted.

Senator Norpel withdrew amendment S—3185 filed by him on February 19, 1975, and found on page 400 of the Senate Journal.

Senator Gallagher moved that the bill 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, 27:

Bergman	Heying	Murray	Scott
Burroughs	Hultman	Nolting	Shaff
Carr	Junkins	Norpel	Sovern
Culver	Kinley	Orr	Tieden
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of Marshall	Robinson	Winkelman
Gluba		Rodgers	
Hansen			

Nays, 21:

Andersen	Hill of Jasper	Nolin	Ramsey
Coleman	Hill of Polk	Nystrom	Schwengels
Curtis	Kelly	Palmer	Shaw
DeKoster	Lamborn	Plymat	Taylor
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Griffin			

Voting present, 1:

Redmond

Absent or not voting, 1:

Briles

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 63 passed the Senate on March 6, 1975.

LOWELL JUNKINS

CONSIDERATION OF BILLS

Senate File 50

On motion of Senator Norpel, Senate File 50, a bill for an act relating to office facilities for county conservation boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond asked unanimous consent that action on Senate File 50 be temporarily deferred for the preparation of an amendment.

Objection was raised.

Senator Redmond moved that action on Senate File 50 be temporarily deferred for the preparation of an amendment.

(Senate File 50 pending on adjournment.)

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

SCHOOL BUDGET REVIEW COMMITTEE

The report of the School Budget Review Committee covering the years 1973 to 1975, pursuant to Section 442.13, Code 1975.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Don Charles Uthus of Des Moines, Polk County, Iowa, for reappointment as the Commerce Counsel under the provisions of Chapter 475, Code 1975, for the regular four-year term beginning July 1, 1975 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
PHILIP B. HILL
JOAN ORR
ROGER J. SHAFF
BASS VAN GILST

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 264 Judiciary

S. F. 265 State government

S. F. 266 Labor and industrial relations

S. F. 267 Natural resources

S. F. 268 Commerce

S. F. 269 State government

S. F. 270 Human resources

S. F. 271 Transportation

S. F. 272 State government

S. F. 273 Judiciary

REPORTS OF COMMITTEES

Senator Miller of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on county government to which was referred House File 286, a bill for an act relating to the duties, responsibilities and powers of the state department of transportation and the counties regarding secondary 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:

S—3283

Amend House File 286 as follows:

1. Page 1, line 2, by striking the words "and four (4)".

2. Page 1, by striking lines 8 through 12 and inserting in lieu thereof the following:

"Sec. 2. Section three hundred seven A point two (307A.2) is amended by striking subsection four (4)."

3. By renumbering the remaining sections in accordance with this amendment.

CHARLES P. MILLER, Chairman

Ordered passed on file.

Senator Glenn submitted the following reports:

MR. PRESIDENT: Your committee on judiciary to which was referred Senate File 121, a bill for an act relating to compensation of the clerk of the grand jury, begs leave to report it has had the same under consideration and recommends the same do pass.

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 233,** a bill for an act relating to claims against the estates of decedents arising from assistance granted under a previous categorical assistance program, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Senator Heying submitted the following reports:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 82,** a bill for an act relating to civil damages for unlawfully taking certain protected species of wildlife, begs leave to report it has had the same under consideration and recommends the same **do pass.**

H. L. HEYING, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on natural resources to which was referred **House Concurrent Resolution 12,** a resolution urging the United States Corps of Engineers to provide funding and cooperation to the State Conservation Commission for restocking fish in the Coralville Reservoir, begs leave to report it has had the same under consideration and recommends the same **be adopted.**

H. L. HEYING, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **House File 6, a bill for an act relating to political affiliations of** highway safety patrol personnel, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 38,** a bill for an act relating to the tax rate for nonowned cemetery 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:**

S—3281

Amend Senate File 38, page 1, line 4, by striking the words *"twenty-seven"* and inserting in lieu thereof the words ***"thirteen and one-half"***.

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3284

Amend Senate File 50, page 1, by striking lines 25 through 28 and inserting in lieu thereof the following: *"by the board of supervisors.* [Such records shall be subject to public inspection at all reasonable hours and under such regulations as the county conservation board may prescribe. Said] *The county conservation".*

JAMES M. REDMOND

S—3280

Amend Senate File 197, page 1, in lines 13 and 14 by striking the words "fourteen (14)" and inserting in lieu thereof the words "fifteen (15)".

JAMES W. GRIFFIN, SR.

S—3282

Amend House File 48, as passed by the House, as follows:

1. Page 1, by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section one hundred ten point one (110.1), lines one (1) to forty-four (44), inclusive, Code 1975, are amended to read as follows:

Except as otherwise provided in this chapter, no person shall fish, trap, hunt, pursue, catch, kill or take in any manner, or use or have possession of, or sell or transport all or any portion of any wild animal, bird, game or fish, the protection and regulation of which is desirable for the conservation of the resources of the state, without first procuring a license or certificate so to do and the payment of a fee as follows:

Fishing licenses:

All persons legal residents of the state, except as otherwise provided $4.00

All persons legal residents of the state and sixty-five years of age or older, except as otherwise provided ..... [3.00] *none*

No person, resident or nonresident, required to have a fishing license, shall have in his possession, trout, unless at the time of such possession he has on his person an unexpired special trout license stamp validated by his signature written across the face of the stamp in ink or a receipt or other evidence showing that such trout was acquired lawfully. A person who has not reached his sixteenth birthday is not required to have a trout license stamp.

Special trout license stamp 5.00

The proceeds from the sale of this stamp shall be used exclusively to restock the 'trout waters' designated by the state conservation commission.

Hunting licenses:

All persons legal residents of the state
except as otherwise provided 5.00
All persons legal residents of the state,
and sixty-five years of age or older,
except as otherwise provided .....[3.00] *none*
Hunting and fishing combined licenses:
All persons legal residents of the state,
except as otherwise provided 8.00
All persons legal residents of the state,
and sixty-five years of age, or older,
except as otherwise provided .....[5.00] *none*

Sec. 2. Chapter one hundred ten (110), Code 1975, is amended by adding the following new section:

NEW SECTION.

Page 2

1. The state conservation commission shall apply to the state comptroller for reimbursement of funds not received because of providing free hunting and fishing licenses to Iowa residents sixty-five years of age or older. The reimbursement shall be at the rate of three dollars for each fishing license, three dollars for each hunting license, and five dollars for each combined hunting and fishing license. Funds received as reimbursement shall be deposited in the state fish and game protection fund.

2. There is appropriated from the general fund of the state to the state comptroller an amount sufficient to carry out the purposes of this section."

3. By amending the title, by striking lines 1 and 2 and inserting in lieu thereof the following:

"An act to provide hunting and fishing licenses without charge to Iowa residents sixty-five years of age or older and making an appropriation."

DALE L. TIEDEN

S—3279

Amend House File 264, as passed by the House, as follows:

1. Page 1, by striking lines 3 through 11 and inserting in lieu thereof the following:

"*NEW SECTION.* Whenever any animal is left with a veterinarian, boarding kennel, or commercial kennel pursuant to a written agreement and the owner does not claim the animal by the agreed date, the animal shall be deemed abandoned, and a notice of abandonment and its consequences shall be sent within seven days by certified mail to the last known address of the owner. For fourteen days after mailing of the notice the owner shall have the right to reclaim the animal upon payment of all reasonable charges, and after the fourteen days the owner shall be deemed to have waived all rights to the abandoned animal. If despite diligent effort an owner cannot be found for the abandoned animal within another seven days, the

veterinarian, boarding kennel, or commercial kennel may humanely destroy the abandoned animal."

WILLIAM E. GLUBA

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Friday, March 7, 1975.

JOURNAL OF THE SENATE

FIFTY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MARCH 7, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Frank E. Bognanno, Renewal Coordinator, Des Moines Catholic Diocese, Des Moines, Iowa.

The Journal of Thursday, March 6, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joseph Peraud, Des Moines, Iowa.

CONSIDERATION OF BILLS

Senate File 93

On motion of Senator Taylor, Senate File 93, a bill for an act to permit severance of certain land from an established drainage or levee district if it is found that the land receives no material benefit from the district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

DEFERRED

Senator Coleman moved that further action on **Senate File 93** be **deferred** and that the bill be placed on the calendar under **unfinished business**, which motion prevailed.

CONSIDERATION OF BILLS

Senate File 124

On motion of Senator Heying, Senate File 124, a bill for an act relating to transfer of county funds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Heying offered amendment S—3266 by the committee on county government and moved its adoption:

S—3266

Amend Senate File 124, page 1, by striking lines 3 through 31, inclusive, and inserting in lieu thereof the following:

"24.6 EMERGENCY FUND—LEVY. Each municipality as defined herein, may include in the estimate herein required, an estimate for an emergency fund. Each such municipality shall have power to assess and levy a tax for such emergency fund at a rate not to exceed twenty-seven cents per thousand dollars of assessed value of taxable property of the municipality, provided that no such emergency tax levy shall be made [until such municipality shall have first petitioned the state board to make such levy and received its approval thereof] *unless such levy is authorized by a majority vote of the governing body of the municipality.* Transfers of moneys may be made from the emergency fund to any other fund of the municipality for the purpose of meeting deficiencies in any such fund arising from any cause, provided, however, that no such transfer shall be made [except upon the written approval of the state board, and then only when such approval is requested] *unless such transfer is authorized* by a [two-thirds] *majority* vote of the governing body of said municipality. Approval may be granted [by the state board upon an application approved] by a [two-thirds] *majority* vote of the board of supervisors of a county to use this fund for the purpose of matching funds available to such county from federal programs including, but not limited to, crime control, public health, civil defense, highway safety, juvenile delinquency, narcotics control and pollution."

Amendment S—3266 was adopted.

Senator Hill of Polk withdrew amendment S—3079 filed by him on February 10, 1975, and found on pages 269 and 270 of the Senate Journal.

Senator Heying moved that the bill 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. 124) the vote was:

Ayes, 39:

Andersen	DeKoster	Heying	Miller of Des Moines
Bergman	Doderer	Hill of Polk	Miller of Marshall
Burroughs	Gallagher	Hultman	Murray
Carr	Glenn	Junkins	Nolting
Coleman	Gluba	Kinley	
Curtis	Hansen	Merritt	

Nystrom	Ramsey	Schwengels	Tieden
Orr	Redmond	Shaw	Van Gilst
Palmer	Robinson	Sovern	Willits
Plymat	Rodgers	Taylor	Winkelman
Rabedeaux			

Nays, 8:

Culver	Lamborn	Norpel	Scott
Hill of Jasper	Nolin	Priebe	Shaff

Absent or not voting, 3:

Briles	Griffin	Kelly

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

House File 90

On motion of Senator Gallagher, House File 90, a bill for an act relating to emergency vehicles, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

DEFERRED

Senator Gallagher asked and received unanimous consent that further action on **House File 90** be **deferred** and that the bill be placed on the calendar under **unfinished business.**

CONSIDERATION OF BILLS

House File 105

On motion of Senator Shaff, House File 105, a bill for an act relating to registration and registration fees for airmen, aeronautics instructors, and aircraft use for the application of herbicides and pesticides, 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. 105) the vote was:

Ayes, 43:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of	Rabedeaux	Willits
Gallagher	Des Moines	Ramsey	Winkelman
Glenn	Miller of	Redmond	
Gluba	Marshall		

Nays, none.

Absent or not voting, 7:

Briles	Kelly	Norpel	Tieden
Griffin	Lamborn	Robinson	

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

House File 127

On motion of Senator Nolin, House File 127, a bill for an act to revise and repeal obsolete provisions of the railroad laws, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman offered amendment S—3276 by the committee on transportation and moved its adoption:

S—3276

Amend House File 127, page 10, line 15, by striking the word "charge" and inserting in lieu thereof the word "change".

Amendment S—3276 was adopted.

Senator Nolin moved that the bill 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. 127) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Merritt	Plymat	Taylor
Doderer	Miller of Des Moines	Priebe	Tieden
Gallagher		Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman

Nays, none.

Absent or not voting, 4:

Briles	Griffin	Kelly	Lamborn

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 127 passed the Senate.

CHARLES P. MILLER

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 127 passed the Senate on March 7, 1975.

JAMES M. REDMOND

CONSIDERATION OF BILLS

House File 48

On motion of Senator Gluba, House File 48, a bill for an act relating to lifetime fishing and hunting licenses for resident senior citizens, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Tieden offered amendment S—3282 filed by him:

S—3282

Amend House File 48, as passed by the House, as follows:

1. Page 1, by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section one hundred ten point one (110.1), lines one (1) to forty-four (44), inclusive, Code 1975, are amended to read as follows:

Except as otherwise provided in this chapter, no person shall fish, trap, hunt, pursue, catch, kill **or take in any manner, or use or have possession of,** or sell or transport all or any portion of any wild animal, bird, game or fish, the protection and regulation of which is desirable for the conservation of the resources of the state, without first procuring a license or certificate so to do and the payment of a fee as follows:

Fishing licenses:

All persons legal residents of the state, except as otherwise provided $4.00

All persons legal residents of the state and sixty-five years of age or older, except as otherwise provided ..... **[3.00]** ***none***

No person, resident or nonresident, required to have a fishing license, shall have in his possession, trout, unless at the time of such possession he has on his person an unexpired special trout license stamp validated by his signature written across the face of the stamp in ink or a receipt or other evidence showing that such trout was acquired lawfully. A person who has not reached his sixteenth birthday is not required to have a trout license stamp.

Special trout license stamp 5.00

The proceeds from the sale of this stamp shall be used exclusively to restock the "trout waters" designated by the state conservation commission.

Hunting licenses:

All persons legal residents of the state

except as otherwise provided 5.00
All persons legal residents of the state,
and sixty-five years of age or older,
except as otherwise provided .....[3.00] *none*
Hunting and fishing combined licenses:
All persons legal residents of the state,
except as otherwise provided 8.00
All persons legal residents of the state,
and sixty-five years of age, or older,
except as otherwise provided .....[5.00] *none*

Sec. 2. Chapter one hundred ten (110), Code 1975, is amended by adding the following new section:

NEW SECTION.

Page 2

1. The state conservation commission shall apply to the state comptroller for reimbursement of funds not received because of providing free hunting and fishing licenses to Iowa residents sixty-five years of age or older. The reimbursement shall be at the rate of three dollars for each fishing license, three dollars for each hunting license, and five dollars for each combined hunting and fishing license. Funds received as reimbursement shall be deposited in the state fish and game protection fund.

2. There is appropriated from the general fund of the state to the state comptroller an amount sufficient to carry out the purposes of this section."

3. By amending the title, by striking lines 1 and 2 and inserting in lieu thereof the following:

"An act to provide hunting and fishing licenses without charge to Iowa residents sixty-five years of age or older and making an appropriation."

President Neu took the chair at 11:25 a.m.

Senator Tieden moved the adoption of amendment S—3282 and requested a record roll call.

On the question "Shall amendment S—3282 be adopted?" (H.F. 48) the vote was:

Ayes, 17:

Andersen	Hultman	Nystrom	Shaff
Burroughs	Lamborn	Rabedeaux	Shaw
DeKoster	Miller of Marshall	Ramsey	Taylor
Hansen	Murray	Schwengels	Tieden
Hill of Polk			

Nays, 30:

Bergman	Gluba	Nolin	Robinson
Carr	Heying	Nolting	Rodgers
Coleman	Hill of Jasper	Norpel	Scott
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Van Gilst
Doderer	Merritt	Plymat	Willits
Gallagher	Miller of Des Moines	Priebe	Winkelman
Glenn		Redmond	

Absent or not voting, 3:

Briles	Griffin	Kelly

Amendment S—3282 lost.

Senator Heying offered amendment S—3268 by the committee on natural resources:

S—3268

Amend House File 48, as passed by the House, as follows:

1. Page 1, line 7, by striking the figure "7.50" and inserting in lieu thereof the figure "6.00".

2. Page 1, line 8, by striking the figure "7.50" and inserting in lieu thereof the figure "6.00".

3. Page 1, line 9, by striking the figure "10.00" and inserting in lieu thereof the figure "8.00".

4. Page 1, line 9, by adding the following two new sections:

"Sec. 2. Section one hundred ten point one (110.1), lines 14 through 16, Code 1975, is amended to read as follows:

All persons legal residents of the state and sixty-five years of age or older, except as otherwise provided .....[3.00] *1.25*

Sec. 3. Section one hundred ten point one (110.1), lines 36 through 38, Code 1975, is amended to read as follows:

All persons legal residents of the state, and sixty-five years of age or older, except as otherwise provided .....[3.00] *1.25*"

5. By renumbering the sections and correcting internal references to conform with this amendment.

6. Amend the title, line 1, by inserting after the word "lifetime" the words "and annual".

Senator Gluba offered amendment S—3285 to amendment S—3268, by Senators Gluba and Priebe and moved its adoption:

S—3285

Amend the amendment (S—3268) to House File 48 as follows:

1. Page 1, line 21, by striking the figure "38" and inserting in lieu thereof the figure "44".

2. Page 1, after line 25 insert the following:

"Hunting and fishing combined licenses:

All persons legal residents of the state, except as otherwise provided 8.00

All persons legal residents of the state, and sixty-five years of age or older, except as otherwise provided .....[5.00] *2.50*"

Amendment S—3285 to amendment S—3268 was adopted.

On motion of Senator Heying, amendment S—3268 as amended was adopted.

Senator Gluba moved that the bill 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:

Ayes, 42:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolting	Rodgers
Burroughs	Hill of Polk	Norpel	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Sovern
Culver	Kinley	Palmer	Tieden
DeKoster	Lamborn	Plymat	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of Des Moines	Rabedeaux	Winkelman
Glenn			
Gluba			

Nays, 5:

Curtis	Ramsey	Shaff	Shaw
Nolin			

Absent or not voting, 8:

Griffin	Kelly	Taylor

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

SENATE FILES WITHDRAWN

Senator Gluba asked and received unanimous consent that **Senate File 47** be **withdrawn** from further consideration of the Senate.

Senator Palmer asked and received unanimous consent that **Senate File 29** be **withdrawn** from further consideration of the Senate.

Senator Norpel asked and received unanimous consent that **Senate File 15** be **withdrawn** from further consideration of the Senate.

MOTIONS TO RECONSIDER WITHDRAWN

Senator Palmer withdrew the motion to reconsider the vote by which **Senate File 13** passed the Senate filed by him on March 5, 1975.

Senator Gallagher withdrew the motion to reconsider the vote by which **Senate File 24** passed the Senate filed by him on March 5, 1975.

INTRODUCTION OF BILLS

Senate File 280, by Senator Norpel, a bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict.

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

Senate File 281, by Senators Gluba, Gallagher, Carr and Plymat, a bill for an act to contract with the national railroad passenger corporation for railroad passenger service between the city of Davenport and the city of Council Bluffs and the city of Dubuque and the city of Council Bluffs and making an appropriation therefor.

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

Senate File 282, by committee on appropriations, a bill for an act making an appropriation to the commission on the status of women and the board of parole and relating to the creation of a parolee security fund.

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

Senate File 283, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state to the Spanish-American war veterans and the committee on the employment of the handicapped.

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

Senate File 284, by Senator Murray, a bill for an act relating to conveyances of real estate.

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

Senate File 285, by committee on appropriations, a bill for an act relating to the administration of state records and providing an appropriation.

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

Senate File 286, by committee on energy, a bill for an act relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

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

Senate File 287, by Senator Heying, a bill for an act relating to the motor vehicles subject to inspection.

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

SENATE CONCURRENT RESOLUTION 21

By Ramsey, Shaw, Miller of Marshall, Lamborn, Willits, Orr and Doderer

Whereas, Iowa recognizes the equality of women and their contributions as indicated by the laws of Iowa and the increased participation of women in government and private business; and

Whereas, Iowa was one of the first states to ratify the Equal Rights Amendment; and

Whereas, it is the desire of the general assembly to continue to recognize women and their rights and accomplishments; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the general assembly recognize March 8, 1975 as International Women's Day, as declared by the United Nations.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 22

By Gluba and Kinley

Whereas, food is a worldwide concern of major proportions; and

Whereas, vast populations of the world are suffering from lack of food and food-producing skills; and

Whereas, Iowa is located in the heart of the best food-producing regions of the world; and

Whereas, there will be a world food conference held at Iowa State University during the 1976 Bicentennial year; and

Whereas, the youth of the world hold the key to the world's future; and

Whereas, knowledge and education are effective tools for promoting peaceful change; and

Whereas, Iowa has one of the highest literacy rates in the world; and

Whereas, the youth as well as the older citizens of Iowa could benefit from close personal contact with youth from other nations around the world; and

Whereas, there has never been a World Youth Festival held in the Western World or in the United States; and

Whereas, there has been widespread interest in the idea of a World Youth Festival in Iowa; and

Whereas, there are several organizations willing to assist in organizing and implementing a Youth Festival; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Iowa general assembly direct the Iowa bicentennial commission to organize and implement a "World Youth Festival" to be held in conjunction with the 1976 bicentennial year

celebration, and

Be It Further Resolved, That the purposes of the Youth Festival are to improve the education of selected youth from

Page 2

the developing nations of the world especially in the areas of food, food production and processing, and

Be It Further Resolved, That the bicentennial commission seek the support and assistance of various private and public agencies and individuals with experience in youth festivals and exchange programs in setting up the World Youth Festival.

Read first time and passed on file.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 274 Appropriations

S. F. 275 Energy

S. F. 276 Judiciary

S. F. 277 Judiciary

S. F. 278 Judiciary

S. F. 279 Ways and means

H. F. 131 Commerce

H. F. 264 Human resources

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 7, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 70—Relating to road machinery.

S. F. 115—Providing for payment of the lieutenant governor's salary and expenses from funds specifically appropriated to the office of the lieutenant governor.

S. F. 116—Relating to the compensation paid to members of the board of law examiners and temporary examiners appointed by the supreme court.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Donald S. Willis of Des Moines, Polk County, Iowa, for appointment as a member of the State Judicial Nominating Commis-

sion under the provisions of Section 46.1, Code 1975, for the regular six-year term beginning July 1, 1973 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
ROBERT M. CARR
RICHARD J. NORPEL, SR.
WILLIAM N. PLYMAT
DALE L. TIEDEN

EXPLANATION OF VOTE

MR. PRESIDENT: I was in Legislative Research working on an amendment to another bill when the vote was taken on House File 105. Had I been present in the Senate chamber I would have voted "aye".

DALE L. TIEDEN

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 4
State Government
Glenn, Chairman
Doderer
Andersen

Senate Joint Resolution 5
State Government
Glenn, Chairman
Redmond
Nystrom

Senate File 180
Cities
Carr, Chairman
Nolting
Nystrom

Senate File 185
State Government
Nolin, Chairman
Coleman
Winkelman

Senate File 189
State Government
Nolin, Chairman
Gluba
Curtis

Senate File 195
Human Resources
Kelly, Chairman
Scott
Palmer

Senate File 196
Transportation
Miller of Marshall, Chairman
Orr
Doderer

Senate File 197
Human Resources
Kelly, Chairman
Miller of Des Moines
Hill of Jasper

Senate File 200
State Government
Doderer, Chairman
Gluba
Winkelman

Senate File 204
Transportation
Nolin, Chairman
Coleman
Shaff

Senate File 207
Human Resources
Gluba, Chairman
Palmer
Kelly

Senate File 211
State Government
Coleman, Chairman
Doderer
Miller of Marshall

Senate File 213
Commerce
Bergman, Chairman
Rodgers
Curtis

Senate File 220
State Government
Gluba, Chairman
Redmond
Curtis

Senate File 221
Commerce
Junkins, Chairman
Curtis
Rodgers

Senate File 222
Agriculture
Merritt, Chairman
Tavlor
Tieden

Senate File 223
State Government
Nolin, Chairman
Glenn
Miller of Marshall

Senate File 224
Human Resources
Murray, Chairman
Hill of Jasper
Ramsey

Senate File 229
Commerce
Glenn, Chairman
Rabedeaux
Bergman

Senate File 232
State Government
Glenn, Chairman
Nolin
Schwengels

Senate File 234
Natural Resources
Miller of Marshall, Chairman
Sovern
Winkelman

Senate File 235
Judiciary
Willits, Chairman
Ramsey
Rodgers

Senate File 236
State Government
Coleman, Chairman
Nolin
Nystrom

Senate File 238
Judiciary
Ramsey, Chairman
Hill of Polk
Carr

Senate File 239
State Government
Nolin, Chairman
Glenn
Miller of Marshall

Senate File 240
Natural Resources
Bergman, Chairman
Culver
Norpel

Senate File 243
County Government
Briles, Chairman
Robinson
Taylor

Senate File 244
Judiciary
Coleman, Chairman
Miller of Des Moines
Shaw

Senate File 246
State Government
Nolin, Chairman
Glenn
Miller of Marshall

Senate File 247
State Government
Coleman, Chairman
Glenn
Andersen

Senate File 249
Judiciary
Hill of Polk, Chairman
Willits
Rodgers

Senate File 251
Education
Willits, Chairman
Merritt
Plymat

Senate File 252
Judiciary
Carr, Chairman
Kelly
Doderer

Senate File 255
Judiciary
Carr, Chairman
Kelly
Doderer

Senate File 257
Ways and Means
Van Gilst, Chairman
Gluba
Curtis

Senate File 260
Ways and Means
Kinley, Chairman
Junkins
Curtis

Senate File 266
Labor and Industrial Relations
Glenn, Chairman
Robinson
DeKoster

Senate Concurrent Resolution 19
Agriculture
Scott, Chairman
Merritt
Shaff

House File 24
Cities
Carr, Chairman
Nolting
Nystrom

House File 77
Cities
Miller of Des Moines, Chairman
Palmer
Hansen

House File 177
State Government
Coleman, Chairman
Doderer
Miller of Marshall

House File 230
Ways and Means
Burroughs, Chairman
Lamborn
Nolting

House File 267
Appropriations
Natural Resources

House File 275
Education
Norpel, Chairman
Carr
Shaw

House File 286
County Government
Scott, Chairman
Robinson
Briles

House File 287
Education
Norpel, Chairman
Carr
Shaw

House File 333
Appropriations
Human Resources

House Concurrent Resolution 12
Natural Resources
Sovern, Chairman
Bergman
Culver

REPORTS OF COMMITTEE

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 228**, a bill for an act relating to the payment of witnesses by the labor commissioner, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 229**, a bill for an act relating to the payment of expenses of presidential electors, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 267**, a bill for an act making an appropriation for use of the Herbert Hoover Birthplace Foundation, Incorporated, the Mississippi River Parkway Commission, the Midwest Nuclear Compact, and the Iowa American Revolution Bicentennial Commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 333**, a bill for an act making an appropriation from the general fund of the state to examining boards governing the practices of medicine, nursing and pharmacy, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3286

Amend House File 90, as amended and passed by the House, as follows:

1. Page 1, line 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point two hundred thirty-one (321.231), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

321.231 AUTHORIZED EMERGENCY VEHICLES.

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.

2. The driver of any authorized emergency vehicle may:

a. Park or stand an authorized emergency vehicle, irrespective of the provisions of this chapter.

b. Disregard laws or regulations governing direction of movement or turning in specified directions.

3. The driver of a fire department vehicle, police vehicle or ambulance may:

a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

b. Exceed the maximum speed limits so long as the driver does not endanger life or property.

4. The exemptions granted to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of section three hundred twenty-one point four hundred thirty-three (321.433) of the Code, or a visual signaling device approved by the department except that use of an audible or visual signaling device shall not be required under the following circumstances:

a. The vehicle is not equipped with such device, and is not required to be so equipped.

b. The vehicle is operated by a peace officer, pursuing a suspected violator of the speed restrictions imposed by or pursuant to this chapter, for the purpose of determining the speed of travel of such suspected violator.

c. The vehicle is stopped, standing, or parked.

5. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of

Page 2

all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

Sec. 2. Sections three hundred twenty-one point two hundred thirty-two (321.232) and three hundred twenty-one point two hundred ninety-six (321.296), Code 1975, are repealed."

CALVIN O. HULTMAN

On motion of Senator Kinley, the Senate adjourned at 12:09 p.m., until 10:00 a.m., Monday, March 10, 1975.

JOURNAL OF THE SENATE

FIFTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MARCH 10, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend John Kerr, pastor of the United Presbyterian Church, Rockwell City, Iowa.

The Journal of Friday, March 7, 1975, was approved.

LEGISLATIVE PHYSICIANS FOR THE DAY

Dr. Tony R. Kunz, Des Moines, Iowa.

Dr. Leonard Masters, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nolting for the day on request of Senator Kinley; Senator Redmond for the day on request of Senator Kinley; Senator Heying for the afternoon session on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty students from Nora Springs High School, Nora Springs, Iowa, accompanied by their instructor, Frank Altman. Senator Merritt.

Fifty-five students from Stowe Elementary School, Des Moines, Iowa, accompanied by Mrs. Wynant and Mr. Faltonson. Senator Palmer.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kinley from four hundred seventy-one residents of Polk and Warren Counties favoring pari-mutuel betting.

By Senator Nolting from seventy-four residents of Black Hawk

County opposing legislation that requires persons on motorcycles to wear protective headgear.

By Senator Junkins from one hundred seventy-eight residents of Des Moines County and adjoining counties favoring pari-mutuel betting.

By Senator Norpel from two hundred twenty residents of Jackson County and adjoining counties favoring pari-mutuel betting.

By Senator Culver from three hundred fourteen residents of Pottawattamie County and adjoining counties favoring pari-mutuel betting.

By Senator Culver from twenty-four residents of Woodbury and Monona Counties favoring legislation which prohibits certain corporations from engaging in farming operations and from owning farm lands except under specified conditions.

By Senator Gallagher from forty-nine residents of Benton County favoring an increase in the eight percent allowable growth rate in the school aid law.

By Senator Tieden from one hundred forty-one residents of Dubuque County and adjoining counties favoring pari-mutuel betting.

INTRODUCTION OF BILLS

Senate File 288, 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 289, by committee on energy, a bill for an act to create an energy research and development fund within the energy policy council and making an appropriation.

Read first time and referred to committee on **appropriations** (under Senate Rule 38).

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 90, a bill for an act to increase the tax levy in certain townships for fire protection.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 90

S—3287

Amend Senate File 90, page 2, by inserting after line 9 the following new section:

"Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Clinton Herald, a newspaper published in Clinton, Iowa, and in the State Center Enterprise, a newspaper published in State Center, Iowa."

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Miller of Des Moines called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Jack H. Bedell of Spirit Lake, Dickinson County, Iowa, for reappointment as a member of the Iowa Board of Parole pursuant to Section 247.1, 1975 Code of Iowa, for the regular six-year term commencing July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
MILO MERRITT
NORMAN G. RODGERS
IRVIN L. BERGMAN
CLIFF BURROUGHS

The motion prevailed and the report was adopted.

Senator Miller of Des Moines moved the appointment of Jack H. Bedell as a member of the Iowa Board of Parole be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			

Nays, 2:

Gluba	Heying	

Absent or not voting, 3:

Nolting	Redmond	Winkelman

President pro tempore Doderer declared the appointment of Jack H. Bedell as a member of the Iowa Board of Parole confirmed for the regular six-year term ending June 30, 1981.

UNFINISHED BUSINESS

Senate File 2

On motion of Senator Rodgers, Senate File 2, a bill for an act to prohibit the underground storage of gas within the corporate limits of a city, was taken up for further consideration.

Senator Rodgers offered amendment S—3289 by Senators Rodgers, et al.:

S—3289

Amend Senate File 2 by striking lines 3 through 8 and inserting in lieu thereof the following:

NEW SECTION. The underground storage of gas in the subsurface stratum or formation of the earth within or beneath the corporate limits of a city is prohibited. The underground storage of gas in the subsurface stratum or formation of the earth in an area adjacent to a city is prohibited if there is evidence that gas will escape through the subsurface stratum or formation of earth into the area within or beneath the corporate limits of the city.

Senator Glenn took the chair at 11:04 a.m.

Senator Rabedeaux offered amendment S—3295 to amendment S—3289 by Senators Rabedeaux and Taylor, moved its adoption and requested a non-record roll call:

S—3295

Amend the Rodgers, et al., amendment S—3289 to Senate File 2 by striking lines 3 through 6 and inserting in lieu thereof the words "*NEW SECTION.* The underground storage of gas in the".

The ayes were 26, nays 22.

Amendment S—3295 to amendment S—3289 was adopted.

(Senate File 2 pending on recess.)

INTRODUCTION OF BILLS

Senate File 290, by Senator Doderer, a bill for an act creating

state park advisory committees, providing for the election of members, and specifying their duties.

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

Senate File 291, by Senator Hultman, a bill for an act relating to the bonding of operators of slaughterhouses.

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

Senate File 292, by Senator Lamborn, a bill for an act establishing an Iowa building code, including a housing code and fire safety regulations, and providing penalties for violations.

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

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

UNFINISHED BUSINESS

Senate File 2

The Senate resumed consideration of Senate File 2 and amendment S—3289 as amended.

Senator Shaff offered amendment S—3296 to amendment S—3289, moved its adoption and requested a record roll call:

S—3296

Amend the Rodgers, et al., amendment S—3289 to Senate File 2 by inserting after line 11 the following new paragraph:

"The city council of any city may permit the underground storage of gas in the subsurface stratum or formation of the earth in an area adjacent to the city provided the pipe-line company shall agree to provide residents within the corporate limits of such city with natural gas prior to any other customers."

On the question "Shall amendment S—3296 to amendment S—3289 be adopted?" (S.F. 2) the vote was:

Ayes, 19:

Andersen	Griffin	Miller of Marshall	Shaw
Bergman	Hansen	Rabedeaux	Taylor
Briles	Hultman	Schwengels	Tieden
Burroughs	Lamborn	Shaff	Winkelman
Coleman	Miller of Des Moines		
DeKoster			

Nays, 28:

Carr	Hill of Polk	Nolting	Ramsey
Culver	Junkins	Norpel	Robinson
Curtis	Kelly	Nystrom	Rodgers
Doderer	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Murray	Plymat	Van Gilst
Gluba	Nolin	Priebe	Willits

Absent or not voting, 3:

Heying	Hill of Jasper	Redmond

Amendment S—3296 to amendment S—3289 lost.

On motion of Senator Rodgers, amendment S—3289 as amended was adopted.

Senator Rodgers offered amendment S—3299:

S—3299

Amend Senate File 2, by amending the title by striking from lines 1 and 2 "within the corporate limits of the city" and inserting in lieu thereof the words "in an area adjacent to a city".

Senator Rodgers offered amendment S—3301 to amendment S—3299 and moved its adoption:

S—3301

Amend the Rodgers amendment S—3299 to Senate File 2 in line 3 by striking the word "the" and inserting in lieu thereof the word "a".

Amendment S-3301 to amendment S-3299 was adopted.

Senator Rodgers moved the adoption of amendment S—3299 as amended.

A non-record roll call was requested.

The ayes were 34, nays 14.

Amendment S—3299 as amended was adopted.

Senator Rodgers moved that the bill 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. 2) the vote was:

Ayes, 36:

Andersen	Gluba	Murray	Redmond
Bergman	Hill of Polk	Nolin	Robinson
Briles	Junkins	Nolting	Rodgers
Carr	Kelly	Norpel	Scott
Coleman	Kinley	Orr	Sovern
Culver	Lamborn	Palmer	Tieden
Curtis	Merritt	Plymat	Van Gilst
Doderer	Miller of Des Moines	Priebe	Willits
Gallagher		Ramsey	Winkelman
Glenn			

Nays, 18:

Burroughs	Hill of Jasper	Nystrom	Shaff
DeKoster	Hultman	Rabedeaux	Shaw
Griffin	Miller of Marshall	Schwengels	Taylor
Hansen			

Absent or not voting, 1:

Heying

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

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2 passed the Senate on March 10, 1975.

BERL E. PRIEBE

UNFINISHED BUSINESS

Senate File 50

The Senate resumed consideration of Senate File 50, a bill for an act relating to office facilities for county conservation boards, and the Redmond motion to defer.

Senator Kinley asked and received unanimous consent that the motion to defer be withdrawn.

Senator Redmond offered amendment S—3284 filed by him and moved its adoption:

S—3284

Amend Senate File 50, page 1, striking lines 25 through 28 and inserting in lieu thereof the following: *"by the board of supervisors.* [Such records shall be subject to public inspection at all reasonable hours and under such regulations as the county conservation board may prescribe. Said] *The county conservation".*

Amendment S—3284 was adopted.

Senator Norpel moved that the bill 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. 50) the vote was:

Ayes, 25:

Andersen	Hansen	Murray	Robinson
Briles	Junkins	Norpel	Rodgers
Carr	Kelly	Nystrom	Schwengels
Coleman	Kinley	Orr	Sovern
Culver	Merritt	Palmer	Tieden
Gallagher	Miller of Des Moines	Redmond	Willits
Gluba			

Nays, 23:

Bergman	Hill of Jasper	Nolin	Scott
Burroughs	Hill of Polk	Nolting	Shaff
Curtis	Hultman	Plymat	Taylor
DeKoster	Lamborn	Priebe	Van Gilst
Doderer	Miller of Marshall	Rabedeaux	Winkelman
Glenn		Ramsey	
Griffin			

Absent or not voting, 2:

Heying	Shaw

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Senators Doderer, Murray, Hill of Polk, Hansen, Kelly, Carr and Orr, a joint resolution to continue the governor's task force on early childhood development and making an appropriation.

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

Senate File 293, by Senator Robinson, a bill for an act relating to quorum at meetings of the board of directors of development corporations.

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

Senate File 294, by Senators Gluba, Murray, Kinley, Lamborn, Palmer, Miller of Marshall, Andersen, Doderer, Hill of Polk, Carr, Coleman, Culver, Gallagher, Heying, Junkins, Merritt, Miller of Des Moines, Nolting, Orr, Redmond, Robinson, Rodgers, Scott, Sovern and Willits (Cusack, Higgins, Fitzgerald, Jesse, Avenson, Oakley, Varley, Drake, Hargrave, Small, Bina, Dyrland, Norland, Dunton, Wells, Crawford, Bittle, Middleswart, Harvey, Byerly, Monroe, Connors, Clark, Newhard, Patchett, Horn, Rinas, O'Halloran, Lipsky, Middleton, Harper, Griffee, Caffrey, Hines, Readinger, Krause, Husak, Mennenga, Walter, Jochum, Howell, Miller of Cerro Gordo, Svoboda, Poncy, Brandt, Miller of Buchanan, Hutchins, Hennessey, Gentleman, Gilloon, Baker, Lonergan, Pavich, Dieleman, Perkins, Hinkhouse, Wulff, Woods, Halvorson, Tauke and Junker), a bill for an act establishing the Iowa housing finance authority, and prescribing its powers and duties.

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

Senate File 295, by Senators Miller of Des Moines, Carr, Robinson, Orr, Briles 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 state department of transportation, and to provide penalties for violations.

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

Senate File 296, by committee on state government, a bill for an act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties.

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

Senate File 297, by Senators Miller of Des Moines, Hansen, Orr, Priebe, Scott, Kelly, Burroughs and Nystrom, a bill for an act relating to the licensing and regulation of social workers, and master social workers, the deposit of license fees for purposes of administration, and providing penalties for violations.

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

SENATE CONCURRENT RESOLUTION 23

By Carr, Plymat, Junkins, Curtis, Murray, Redmond, Sovern, Orr, Lamborn, Palmer, Doderer, Robinson, Kelly, Willits, Norpel, Gluba, Bergman, Kinley, Miller of Des Moines, Heying, Priebe, Nystrom, Nolin and Van Gilst

Whereas, there are serious differences of opinion among citizens and experts regarding the safe use of civilian nuclear fission power plants; and

Whereas, concerns regarding the safe use of civilian nuclear fission power plants relate to the safety and environmental hazards associated with the entire nuclear fuel cycle compared with benefits derived from the civilian nuclear fission power plants; the economic effect of a commitment to nuclear fission power plants, particularly in relation to long-term cost and availability of raw materials and the costs of all necessary safeguards; and also relate to the central question of proliferation of nuclear fission power plants in comparison to possible alternatives; and

Whereas, the concerns and differences of opinion will not be resolved without a concentrated and comprehensive study and gathering of facts relating to the use, benefits, disadvantages, and possible dangers associated with the use of nuclear fission power plants; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the General Assembly of the state of Iowa strongly urges the United States Congress to direct the Office of Technology Assessment to immediately undertake a comprehensive study and investigation of the entire nuclear cycle from mining through fuel reprocessing and waste management to determine the safety and environmental hazards of this cycle and such study shall include but not be limited to:

1. The safety of existing nuclear fission power plants;
2. The safety of routine emissions from nuclear fission

power plants and nuclear fuel reprocessing facilities with projections of future health effects if such plants continue

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to increase in numbers;

3. The indefinite storage of high level radioactive waste and potential dangers of such storage;

4. The transportation of nuclear materials from civilian nuclear fission power plants and the safety hazards inherent in such transportation;

5. The possibilities for diversion of nuclear materials and sabotage throughout the entire nuclear fuel cycle; and

6. An evaluative assessment of prospects and problems and the ultimate net energy yield in the production of electric power through the use of nuclear energy; and

Be It Further Resolved, That the Congress of the United States provide that during the study by the Office of Technology Assessment the licensing of nuclear fission power plants be carried on only on a very small scale and under such conditions as the Congress shall determine; and

Be It Further Resolved, That the Congress of the United States shall direct the Office of Technology Assessment to complete the investigation and study in an expeditious manner and submit a final report to Congress and periodic reports during the study, and that the information contained in such reports be made available to the public and that if information contained in the reports merits it, public hearings be held concerning the information and the progress of the study; and

Be It Further Resolved, That copies of this resolution be forwarded to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Iowa Congressional delegation.

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 insisted on the House amendment to the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 6, relating to the Joint Rules of the House and Senate for the Sixty-sixth General Assembly. Conferees on the part of the House are: the Representative from Webster, Mr. Fitzgerald, chairman; the Representative from Polk, Mr. Nielsen; the Representative from Van Buren, Mr. Millen.

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 the taxation of cigarettes by providing for the sale and exchange of cigarette stamps and defining cigarette and package of cigarettes.

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

House File 368, a bill for an act appropriating funds to the department of transportation to be used to match federal funds available for state and local projects.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 317, a bill for an act relating to the taxation of cigarettes by providing for the sale and exchange of cigarette stamps and defining cigarette and package of cigarettes.

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

House File 368, a bill for an act appropriating funds to the department of transportation to be used to match federal funds available for state and local projects.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 280 Ways and means

S. F. 281 Appropriations

S. F. 284 Judiciary

S. F. 287 Transportation

S.C.R. 21 State government

S.C.R. 22 Human resources

EXPLANATIONS OF VOTES

MR. PRESIDENT: Due to my accompanying the Reverend John Kerr of Rockwell City to the rostrum of the House of Representatives to deliver the opening prayer, I missed the vote on the confirmation of Jack H. Bedell as a member of the Iowa Board of Parole. Had I been present, I would have voted in favor of his confirmation.

WILLIAM P. WINKELMAN

MR. PRESIDENT: I was attending a meeting of the IPERS Advisory Commission at the Iowa Employment Security Commission on Friday, March 7, 1975. Had I been present I would have voted "aye" on the following bills: Senate File 124 and House Files 105, 127 and 48.

JAMES W. GRIFFIN, SR.

REPORT OF COMMITTEE

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **Senate File 205, a bill for an act relating to the issuance, continuation, and termination of teachers' contracts, 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:**

S—3302

Amend Senate File 205 as follows:

1. Page 1, line 9, by striking the word "such" and inserting in lieu thereof the word "any".

2. Page 1, by striking line 10 and inserting in lieu thereof the words "including but not limited to sabbatical leaves and reimbursement for tuition paid by the teacher".

3. Page 1, line 11, by striking the words "paid by the teacher".

4. Page 1, line 26, by inserting after the word "teacher" the words "or as terminated in accordance with the provisions specified in this chapter".

5. Page 1, line 30, by striking the word "June" and inserting in lieu thereof the word "May".

6. Page 2, line 7, by inserting after the word "writing," the words "either by receipted personal service or".

7. Page 2, line 9, by inserting after the period the following: "If the notice has been by certified mail, the notice shall be complete upon mailing."

8. Page 3, line 2, by inserting after the period the following: "No school board member shall be liable for any damages to any teacher if any statement at the conference is determined to be erroneous as long as the statement was made in good faith."

9. Page 3, line 15, by inserting after the first word "mail" the words "to the teacher".

10. Page 3, line 17, by inserting after the period the following: "However, no teacher who has been employed by the board of directors as a teacher for less than two consecutive school years shall have the right to appeal a termination of employment under this section unless the termination is for an alleged violation of a constitutionally guaranteed right or an alleged violation of public employee rights under section twenty point ten (20.10) of the Code."

11. Page 3, lines 27 and 28, by striking the words "select an arbitrator from lists maintained by that board" and inserting in lieu thereof the following: "submit to the school board and the teacher a list of five names of available arbitrators from lists maintained by the public employee relations board. The school board and the teacher shall strike names from the list until only one name remains, and that person shall serve as the arbitrator. The party

entitled to strike the first name shall be determined by lot. The secretary of the board shall inform the chairman of the public employee relations board of the name of the arbitrator selected".

12. Page 4, line 11, by striking the words "the

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interested parties" and inserting in lieu thereof the words "either party".

13. Page 4, line 13, by inserting after the word "shared" the word "equally".

14. Page 4, by inserting after line 14 the following new unnumbered paragraph:

"If either party is aggrieved by the arbitrator's decision, the decision may be appealed within twenty days to the district court in the county in which the hearing was held. Notice of the appeal must be made in writing to the other party when the appeal is filed. The arbitrator's award may be modified, reversed, or set aside only if the court determines that the arbitrator acted without or in excess of his authority, that the arbitrator's findings of fact are not supported by a preponderance of the competent evidence on the record considered as a whole, or that the arbitrator's award was procured by fraud or is contrary to law. The assessments of costs and attorney fees in such appeals shall be at the discretion of the court."

15. Page 4, line 20, by striking the word "partiality,".

16. Page 4, line 20, by inserting after the word "any" the word "other".

17. Page 4, by inserting after line 35 the following new unnumbered paragraph:

"If either party is aggrieved by the arbitrator's decision, the decision may be appealed within twenty days to the district court in the county in which the hearing was held. Notice of the appeal must be made in writing to the other party when the appeal is filed. The arbitrator's award may be modified, reversed, or set aside only if the court determines that the arbitrator acted without or in excess of his authority, that the arbitrator's findings of fact are not supported by a preponderance of the competent evidence on the record considered as a whole, or that the arbitrator's award was procured by fraud or is contrary to law. The assessments of costs and attorney fees in such appeals shall be at the discretion of the court."

JOAN ORR, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3291

Amend Senate Concurrent Resolution 20 as

found on page 540 of the Senate Journal by striking lines 15 through 19.

RAY TAYLOR

S—3292

Amend Senate File 53, page 12, by inserting after line 30 the following new paragraph:

"The provisions of this Act which require successful completion of a real estate education course before being licensed as a real estate apprentice salesman shall not apply within six months of the effective date of this Act to persons who have taken an examination prior to the effective date of this Act who have not successfully passed the required examination."

LOWELL JUNKINS

S—3294

Amend Senate File 53, page 12, by inserting before line 31 the following section:

"Sec. ..... The Code editor is directed to strike all references to 'salesman' or 'salesmen' in chapter one hundred seventeen (117) of the Code and insert in lieu thereof the word 'salesperson' or the word 'salespersons', whichever is applicable."

WILLIAM E. GLUBA

S—3303

Amend Senate File 93 as follows:

1. Page 1, by striking lines 32 through 35, and page 2, by striking lines 1 through 12, and inserting in lieu thereof the following:

"shall be promptly investigated by the board. Unless the board concludes that the allegations made in the petition are entirely without merit, it shall appoint an engineer with the qualifications specified in this chapter to examine the lands described in the petition and to make a survey and plat thereof showing their relation, elevation and condition of drainage with reference both to the district of which they are a part, and to any other established district by which these lands are being benefited. The engineer shall make and file with the auditor a report as provided in this chapter for the original establishment of a district, which report shall specify the character of any benefits received by those lands, and the district or districts, if any, from which benefits are received.

3. If the engineer's report confirms the allegations made in the petition, the board shall:

a. So notify the petitioning".

2. Page 2, by inserting after line 20 the following:

"b. Send notice of the fact to the board of any other district from which the engineer's report shows that these lands are receiving benefit. The board

of each district which receives such a notice shall initiate proceedings to annex the appropriate lands, in the manner prescribed by law."

3. Page 2, by inserting after line 35 the following:

"Sec. 2. Section four hundred fifty-five point one hundred twenty-eight (455.128), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Upon receiving notice from the board of any other district that an engineer's report, prepared in accordance with section one (1) of this Act, shows that lands not currently a part of the district are in fact receiving benefits from the district, the board may adopt a resolution of necessity for annexation of those lands without obtaining an engineer's report as otherwise required by this section."

C. JOSEPH COLEMAN
RAY TAYLOR
WILLIAM P. WINKELMAN
BERL E. PRIEBE

S—3305

Amend Senate File 205, page 1 as follows:

1. Line 7, by striking the word "excluding" and inserting in lieu thereof the word "including".

2. Line 18, by striking the words "when tendered,".

3. Line 19, by striking the words "and after it is signed by the teacher the contract" and inserting in lieu thereof the following: "and teacher and".

4. Line 21, by inserting after the word "contract." the sentence "The term of the contract shall not exceed the ensuing school year."

JAMES W. GRIFFIN, SR.

S—3298

Amend Senate File 282, page 1, line 12, by striking "35,075", and inserting "$53,760".

JOHN S. MURRAY

S—3297

Amend Senate File 283, page 1, line 14, by striking "$91,684", and inserting "$94,684".

JOHN S. MURRAY

S—3290

Amend Senate File 286 as follows:

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

"Sec. ..... Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand one hundred thirteen (1113), section fourteen (14), is repealed."

CALVIN O. HULTMAN

S—3293

Amend House Concurrent Resolution 18 by striking lines 15 through 18.

KARL NOLIN

S—3304

Amend House Concurrent Resolution 18 as found on page 480 of the House Journal by striking all of lines 15 through 18.

RAY TAYLOR

S—3288

Amend House File 90 as passed by the House as follows:

1. Page 1, by adding after line 25 the following:

"Sec. 2. Section three hundred twenty-one point four hundred twenty-three (321.423), subsections two (2) through five (5), Code 1975, are amended to read as follows:

2. A motor vehicle operated by a member of an organized fire department *or ambulance service*, paid or volunteer, may be equipped with a lamp of any type or device thereon displaying a blue light when such motor vehicle is duly authorized as hereinafter provided and while such motor vehicle is in actual use at a fire or other [fire] emergency such as operating an emergency rescue unit or an ambulance and the use of any type blue light or device shall be restricted to fire *or ambulance* service vehicles only.

3. No fire fighter *or ambulance attendant* shall be permitted to display a blue light upon a motor vehicle as hereinbefore provided except while actually en route to the scene of a fire or other [fire] emergency requiring his services as a fire fighter *or ambulance attendant* and unless he shall be an active member of an organized fire department *or ambulance service* and shall have been authorized in writing to so display a blue light by the director.

4. The director [is hereby empowered to] *may* authorize the display of a blue light of any type upon a privately owned light delivery truck, panel delivery truck, pickup, station wagon or passenger type motor vehicle, owned or usually operated by a fire fighter *or ambulance attendant*, and to issue a certificate of authorization therefor, upon written request being made on forms provided by the department and showing necessity for such authorization. Such written request shall be accompanied by a statement in writing by the chief of the fire department *or owner of the ambulance service* of which the applicant is a member certifying that the applicant is an active member in good standing in said fire department *or ambulance service* and recommending that such

authorization be granted. Such certificate of authorization issued by the director shall be at all times carried with the certificate of registration of the vehicle to which it refers and shall expire at midnight on the thirty-first day of December five years from the year in which it was issued. The director may at any time revoke such certificate of authorization upon a showing of abuse thereof or

Page 2

upon notification by the certifying fire chief *or owner* that applicant has ceased to be an active member of the fire department *or ambulance service respectively.*

5. The provisions of subsection 1 of this section shall not apply to the use of a blue light on a motor vehicle so authorized by the director, but such blue light shall not be used except when such motor vehicle is actually en route to the scene of a fire or other emergency requiring the services of a fire fighter *or ambulance attendant.*

RICHARD J. NORPEL, SR.
DALE L. TIEDEN

S—3300

Amend House File 267 as follows:

1. Page 1, by inserting after line 14 the following new paragraph:

"5. Riverfront Communities Development Foundation
For support, maintenance and miscellaneous purposes $60,000"

2. Amend the title, line 3, by striking the word "and".

3. Amend the title, line 4, by inserting after the word "Commission" the words "and Riverfront Communities Development Foundation".

JAMES W. GRIFFIN, SR.
LOUIS P. CULVER
CALVIN O. HULTMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 4:27 p.m., until 9:30 a.m., Tuesday, March 11, 1975.

JOURNAL OF THE SENATE

FIFTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MARCH 11, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend William Temple, pastor of the First Baptist Church, Leon, Iowa.

The Journal of Monday, March 10, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joseph Spearing, Harlan, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-five students from Gilmore City-Bradgate Junior-Senior High School, Gilmore City, Iowa, accompanied by Mrs. Juelfs. Senator Coleman.

Eighty students from Greenwood Elementary School, Des Moines, Iowa, accompanied by Mrs. Carlson. Senator Hill of Polk.

PETITION

The following petition was presented and placed on file:

By Senator Hill of Jasper from the "My Right To Be A Woman" group and the "Iowa Women Against the Equal Rights Amendment" containing signatures of four thousand eighty-seven residents of Iowa, urging rescission of Iowa's ratification of the Equal Rights Amendment to the Constitution of the United States.

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 334, a bill for an act appropriating funds to the Iowa state commerce commission and the department of public defense and providing for the deposit of receipts of such departments in the general fund of the state.

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 to appropriate for programs under the jurisdiction of the Iowa commission for the blind, the bonus board, and the educational radio and television division of the department of general services.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 334, a bill for an act appropriating funds to the Iowa state commerce commission and the department of public defense and providing for the deposit of receipts to such departments in the general fund of the state.

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

House File 399, a bill for an act to appropriate for programs under the jurisdiction of the Iowa commission for the blind, the bonus board, and the educational radio and television division of the department of general services.

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

WITHDRAWN

Senator Miller of Des Moines asked and received unanimous consent that **Senate File 185** be **withdrawn** from further consideration of the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced that Majority Leader Kinley had appointed the following **conference committee** on **Senate Concurrent Resolution 6,** on the part of the Senate: Senators Palmer, chairman; Glenn and Rabedeaux.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Gallagher called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character

and qualifications of Mrs. Elsie Grant, Des Moines, Polk County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman
LOWELL JUNKINS
E. KEVIN KELLY
JOHN NYSTROM
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Gallagher moved the appointment of Elsie Grant as a member of the Iowa State Board of Psychology Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Hansen	Murray	Robinson
Bergman	Hill of Polk	Nolin	Rodgers
Briles	Hultman	Nolting	Schwengels
Burroughs	Junkins	Norpel	Scott
Carr	Kelly	Nystrom	Shaw
Coleman	Kinley	Orr	Sovern
Curtis	Lamborn	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			
Griffin			

Nays, none.

Absent or not voting, 5:

Culver	Hill of Jasper	Priebe	Shaff
Heying			

President pro tempore Doderer declared the appointment of Elsie Grant as a member of the Iowa State Board of Psychology Examiners confirmed for the initial two-year term ending June 30, 1977.

Senator Van Gilst called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Joan McKean of Cedar Falls, Black Hawk County, Iowa, for appointment as a member of the State Board of Psychology Examiners under the provisions of Section 147.14 (7), Code 1975, for the regular three-year term beginning July 1, 1975, and ending June

30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LOUIS CULVER
WILLARD R. HANSEN
ELIZABETH MILLER
RICHARD J. NORPEL, SR.

The motion prevailed and the report was adopted.

Senator Van Gilst moved the appointment of Joan McKean as a member of the Iowa State Board of Psychology Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

President pro tempore Doderer declared the appointment of Joan McKean as a member of the Iowa State Board of Psychology Examiners confirmed for the regular three-year term ending June 30, 1978.

Senator Junkins called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Don Charles Uthus of Des Moines, Polk County, Iowa, for reappointment as the Commerce Counsel under the provisions of Chapter 475, Code 1975, for the regular four-year term beginning July 1, 1975 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
PHILIP B. HILL
JOAN ORR
ROGER J. SHAFF
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Junkins moved the appointment of Don Charles Uthus as the Commerce Counsel be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolting	Rodgers
Burroughs	Hill of Jasper	Norpel	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Coleman	Hultman	Orr	Shaff
Culver	Junkins	Palmer	Shaw
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 3:

Kelly	Nolin	Sovern

President pro tempore Doderer declared the appointment of Don Charles Uthus as the Commerce Counsel confirmed for the regular four-year term ending June 30, 1979.

Senator Junkins called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Donald S. Willis of Des Moines, Polk County, Iowa, for appointment as a member of the State Judicial Nominating Commission under the provisions of Section 46.1, Code 1975, for the regular six-year term beginning July 1, 1973 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
ROBERT M. CARR
RICHARD J. NORPEL, SR.
WILLIAM N. PLYMAT
DALE L. TIEDEN

The motion prevailed and the report was adopted.

Senator Junkins moved the appointment of Donald S. Willis as a member of the State Judicial Nominating Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Kelly	Sovern

President pro tempore Doderer declared the appointment of Donald S. Willis as a member of the State Judicial Nominating Commission confirmed for the regular six-year term ending June 30, 1979.

On motion of Senator Kinley, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Robinson presiding.

INTRODUCTION OF BILLS

Senate File 298, by committee on natural resources, a bill for an act relating to the use of underwater light for fishing.

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

Senate File 299, by Senator Andersen, a bill for an act relating to the use of school buildings for other than school purposes.

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

Senate File 300, by Senator Curtis, a bill for an act relating to the computation of the charges which state mental health institutes are required to make for care of patients thereof.

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

Senator File 301, by Senator Rodgers, a bill for an act relating to the composition of judicial election districts.

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

Senate File 302, by Senators Lamborn, Rodgers and Priebe, a bill for an act relating to the exclusion of banks from membership sales licensing requirements of the Code.

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

Senate File 303, by Senator Lamborn, a bill for an act relating to the composition and appointment of members of the Iowa crime commission.

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

Senate File 304, by Senator Culver, a bill for an act relating to water resources.

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

Senate File 305, by Senators Nystrom, Coleman and Curtis, a bill for an act to establish a separate monthly retirement allowance for conservation peace officers under the Iowa public employees' retirement system.

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

Senate File 306, by Senator Rabedeaux, a bill for an act to provide for the publication of a summary of a proposed city budget.

Read first time and **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 passed the following bill in which the concurrence of the Senate is asked:

House File 292, a bill for an act to abolish certain liens and provide procedures for determining liability for payment of charges for care and treatment at certain institutions or facilities.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 292, a bill for an act to abolish certain liens and provide procedures for determining liability for payment of charges for care and treatment at certain institutions or facilities.

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

MOTION TO RECONSIDER

I move to reconsider the vote by which Senate File 50 failed to pass the Senate on March 10, 1975.

JAMES W. GRIFFIN, SR.

President pro tempore Doderer took the chair at 4:40 p.m.

MOTION TO RECONSIDER WITHDRAWN

Senator Miller of Des Moines withdrew the motion to reconsider the vote by which **House File 127** passed the Senate filed by him on March 7, 1975.

RETURNED TO COMMITTEE

Senator Lamborn asked and received unanimous consent that **Senate File 174** be returned to the committee on **ways and means.**

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 7, by Senator Hill of Jasper, a joint resolution rescinding ratification of the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 6 Appropriations

S. F. 288 State government

S. F. 290 State government

S. F. 291 Agriculture

S. F. 292 State government

S. F. 293 Commerce

S. F. 294 Human resources

S. F. 295 Transportation

S. F. 297 State government

S.C.R. 23 Energy

H. F. 368 Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Charles O'Connor, of Des Moines, Polk County, Iowa, for reappointment as a member of the City Finance Committee under the provisions of Section 384.13, Code 1975, for the regular four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LOUIS P. CULVER
LEONARD C. ANDERSEN
W. R. RABEDEAUX
EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Vinton Rowley, Ph.D., of Iowa City, Johnson County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners under the provisions of Section 147.14 (7), Code 1975, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
MINNETTE DODERER
FRED W. NOLTING
PHILIP B. HILL
WILLIAM P. WINKELMAN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Allan T. Thoms, Dubuque, Dubuque County, Iowa, for reappointment to the State Transportation Commission pursuant to Section 307.3, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1975 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM D. PALMER, Chairman
RICHARD J. NORPEL, SR.
BERL E. PRIEBE
PHILIP B. HILL
FORREST V. SCHWENGELS

EXPLANATION OF VOTE

MR. PRESIDENT: Due to my absence from the Senate chamber on the morning of March 10, I missed the vote on the confirmation of Jack H. Bedell as a member of the Iowa Board of Parole. Had I been present, I would have voted in favor of his confirmation.

FRED W. NOLTING

REPORTS OF COMMITTEES

Senator Nolin submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 54, a bill for an act changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts and for filling certain nonpartisan offices at the general election, begs leave to report it has had the same under consideration and recommends the same do pass.**

KARL NOLIN, Chairman

Ordered passed on file.

Senator Glenn submitted the following report:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 217, a bill for an act relating to agency meetings in closed session, 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:**

S—3311

Amend Senate File 217 as follows:

1. Page 1, by inserting before line 1 the following:

Section twenty-eight A point three (28A.3), Code 1975, is amended to read as follows:

28A.3 CLOSED SESSION BY VOTE OF MEMBERS. Any public agency may hold a closed session by affirmative *public* vote of two-thirds of its members present, when necessary to prevent irreparable and needless injury to the reputation of an individual whose employment, performance or discharge is under consideration, or to prevent premature disclosure of information on real estate proposed to be purchased, or for [some other exceptional reason so compelling as to override the general public policy in favor of public meetings] *negotiating sessions pursuant to subsection three (3) of section twenty point seventeen (20.17) of the Code, or consultations with legal counsel concerning any prospective or pending litigation before any court, administrative agency, or arbitration proceedings at which the public agency is or may be a party.* The vote of each member on the question of holding the closed session and the reason for the closed session shall be entered in the *public* minutes, but the statement of such reason need not state the name of any individual or the details of the matter *to be* discussed in the closed session. Any final action on any matter shall be taken in a public meeting and not in closed session, unless some other provision of the Code expressly permits such action to be taken in a closed

session. No regular or general practice or pattern of holding closed sessions shall be permitted.

2. Page 1, line 9, by striking the words "to determine if" and by striking all of lines 10 through 15 and inserting in lieu thereof the following: "in camera to determine what part, if any, of the minutes should be disclosed, weighing the prejudicial effects of such disclosure with reference to the standards of section 28A.3 against the probative value of their admission as evidence. If an".

3. Page 1, line 24, by inserting after the word "for" the word "reasonable".

4. Page 1, line 25, by inserting after the word "rendered" the words "on the merits".

GENE W. GLENN, Chairman

Ordered passed on file.

Senator Robinson submitted the following report:

MR. PRESIDENT: Your committee on labor and industrial relations to which was referred **Senate File 266**, a bill for an act relating to leaves of absence for persons who are elected to a municipal, county, state or federal office 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:**

S—3309

Amend Senate File 266, page 1, line 2, by inserting after the word "office" the words "and who is employed by an employer of four or more persons".

CLOYD E. ROBINSON, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3310

Amend Senate File 205, page 1, line 6, by inserting after the word "district" the words ", the Iowa Braille and Sight Saving School, the Iowa School for the Deaf, the Training School for Boys, and the Training School for Girls,".

EARL M. WILLITS
ROBERT M. CARR

S—3307

Amend Senate File 205 as follows:

1. Page 1, line 7, by striking the word "excluding" and inserting in lieu thereof the word "including".

2. Page 1, line 35, by inserting after the word "teacher." the sentence "If the contract with the superintendent is being considered for termination

the board shall notify the superintendent.".
3. Page 3, lines 3 and 4, by striking the word "superintendent" and inserting in lieu thereof the words "board or its representative".
4. Page 1, line 18, by striking the words "when tendered,".
5. Page 1, line 19, by striking the words "and after it is signed by the teacher the contract" and inserting in lieu thereof the following "and teacher and".
6. Page 1, line 21, by inserting after the word "contract." the sentence "The term of the contract shall not exceed the ensuing school year.".

JAMES W. GRIFFIN, SR.

S—3308

Amend Senate File 277, page 1, line 15, by striking the words "fourteen thousand dollars per year" and inserting in lieu thereof the words "[fourteen thousand dollars per year] sixty percent of the salary of such judge".

LUCAS J. DeKOSTER

S—3306

Amend House File 90 as passed by the House as follows:
1. Page 1, by adding after line 25 the following:
"Sec. 2. Section three hundred twenty-one point four hundred twenty-three (321.423), Code 1975, is amended by adding the following new subsection:
NEW SUBSECTION. The director may authorize the use of a flashing amber light for display on a motor vehicle operated by a member of an organized ambulance service, paid or volunteer, while such motor vehicle is en route to the location of the ambulance or to the destination of the ambulance. The use of the flashing amber light shall be subject to the same restrictions and limitations provided by this section for the use of a blue light by members of an organized fire department."

DALE L. TIEDEN
RICHARD J. NORPEL, SR.

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:09 p.m., until 9:30 a.m., Wednesday, March 12, 1975.

JOURNAL OF THE SENATE

FIFTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MARCH 12, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Hume Ward, pastor of the Windsor Presbyterian Church, Des Moines, Iowa.

The Journal of Tuesday, March 11, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. D. C. Weideman, Vinton, Iowa.

DISTINGUISHED VISITOR

President Neu presented the Honorable Gerard Collins, member of the Dail Eireann (Parliament), from County Limerick, Ireland, who was visiting the Senate as a guest of Senator Priebe. Mr. Collins addressed the Senate briefly about his favorable impressions of Iowa, and extended greetings and good wishes from the people of Ireland.

PETITION

The following petition was presented and placed on file:

By Senator Nolting from seventy-three residents of Black Hawk County opposing legislation that requires persons on motorcycles to wear protective headgear.

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 307, by Senator Hill of Polk, a bill for an act

exempting loans of one hundred thousand dollars or more from the provisions of the Iowa usury law.

Read first time and **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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 18 relating to a joint session on April 10, 1975, Pioneer Lawmakers.

DAVID L. WRAY, Chief Clerk

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

The Senate resumed session, President Neu **presiding.**

INTRODUCTION OF BILLS

Senate File 308, by committee on commerce, a bill for an act relating to the definition of finance charge in consumer credit transactions and providing an exception thereto.

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

Senate File 309, by Senator Willits, a bill for an act relating to the reproduction and duplication of sound recordings and providing a penalty.

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

Senate File 310, by Senators Willits, Griffin, Norpel, Briles, Coleman and Scott, a bill for an act to establish a subvention program and a tuition grant program for certain students at the college of osteopathic medicine and surgery in Des Moines, Iowa, and to make an appropriation.

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

Senate File 311, by Senator Gluba, a bill for an act relating to standards for water well construction and pumping equipment installation; to the certification and regulation of contractors involved in these fields and to provide penalties and an appropriation.

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

Senate File 312, by Senator Gluba, a bill for an act relating to sex discrimination in retirement programs.

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

Senate File 313, by committee on ways and means, a bill for an act correcting the amount of the farm equipment tax exemption.

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

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

The Senate resumed session, President Neu presiding.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 7	Judiciary
S. F. 299	Education
S. F. 300	Human resources
S. F. 301	Judiciary
S. F. 302	Commerce
S. F. 303	State government
S. F. 304	Natural resources
S. F. 305	State government
S. F. 306	Cities
H. F. 292	Human resources
H. F. 317	Ways and means
H. F. 334	Appropriations
H. F. 399	Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John W. Menne, Ph.D., Cambridge, Story County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners under the provisions of Section 147.14 (7), Code 1975, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978,

begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
BERL E. PRIEBE
STEVE SOVERN
JAMES E. BRILES
JOHN S. MURRAY

REPORTS OF COMMITTEES

Senator Palmer submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 368**, a bill for an act appropriating funds to the department of transportation to be used to match federal funds available for state and local projects, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Gallagher submitted the following report:

MR. PRESIDENT: Your committee on energy to which was referred **Senate File 214**, a bill for an act relating to the membership of the energy policy council, begs leave to report it has had the same under consideration and recommends the same do pass.

JAMES V. GALLAGHER, Chairman

Ordered passed on file.

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred **Senate File 106**, a bill for an act prohibiting smoking in certain public areas, 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:

S—3313

Amend Senate File 106 by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. *NEW SECTION.* SMOKING DEFINED. As used in this Act, the word "smoking" means inhaling or exhaling the smoke of, or the possession or control of, a lighted cigarette, pipe, cigar, or little cigar as defined in section ninety-eight point forty-two (98.42), subsection sixteen (16) of the Code.

Sec. 2. *NEW SECTION.* SMOKING PROHIBITED IN CERTAIN AREAS. Smoking is prohibited in:

1. Any elevator, indoor theater, library, art museum, concert hall, auditorium or other similar

facility which is open to the public. However, those in custody of buildings or facilities housing indoor theatres, libraries, art museums, concert halls and other similar facilities open to the public may make available smoking areas adjacent to such facilities within the same structure where smoking is not prohibited by any statute, ordinance or lawful rule of this state or any of its political subdivisions and where the words "smoking permitted" are posted.

2. Any railroad passenger coach, passenger bus, passenger airplane or other common carrier which provides departures originating in this state, except in those areas, not exceeding fifty percent of the passenger seating capacity, where smoking is not prohibited by any other statute, ordinance or lawful rule of the United States, this state or any of its political subdivisions and where the words "smoking permitted" are posted.

3. Any waiting room, rest room, lobby or hallway of any hospital, clinic, medical laboratory or other similar facility, except in areas designated by the person in custody or control of the facility as smoking areas.

4. Any public building owned by or under the control of this state or any of its political subdivisions, except in areas designated by the controlling governmental body, officer or agency as smoking areas.

5. Any waiting room of the office of any physician and surgeon, osteopath, osteopathic physician and surgeon, nurse, dentist, dental hygienist, psychologist, physical therapist, podiatrist, chiropractor, optometrist or optician if the practitioner or group of practitioners in custody or control of the waiting room elect to be covered by the prohibition and penalties prescribed by this Act.

Page 2

6. Any building or portion of a building occupied by any business engaged in the retail sale of tangible personal property or taxable services if the person in custody or control of that building or portion of a building elects to have applied to it the prohibition and penalties prescribed by this Act.

Sec. 3. *NEW SECTION.* NO SMOKING AREAS POSTED. The person or persons having custody or control of any of the facilities in which smoking is prohibited under section two (2) of this Act shall cause to be posted within the facility, or within the area or areas of the facility the prohibition against smoking is in effect, one or more conspicuous signs bearing the words "smoking prohibited by law", or words of similar effect.

Sec. 4. *NEW SECTION.* ENFORCEMENT OF SMOKING

PROHIBITION. The person in custody or control of any of the facilities in which smoking is prohibited under section two (2) of this Act, or any employee of any such facility who is on duty therein, who observes any person smoking in that facility in violation of this Act shall inform that person that smoking is prohibited by law in that facility or that area of the facility, as the case may be.

Sec. 5. *NEW SECTION.* PENALTY FOR VIOLATION. Any person who violates section two (2), three (3) or four (4) of this Act is guilty of a misdemeanor and, upon conviction, shall be fined not less than ten nor more than one hundred dollars.

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **House File 69**, a bill for an act to change the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto, 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:**

S—3322

Amend House File 69, as amended and passed by the House, page 1, line 70, by striking the words "The Annie Wittenmeyer Home," and inserting in lieu thereof the words "[The Annie Wittenmeyer Home,]".

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 74**, a bill for an act to require cities to give notice of annexation to the state department of transportation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 202**, a bill for an act relating to maintenance of law enforcement communications with local law enforcement agencies and duties and powers of officers in district headquarters, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3315

Amend Senate File 205 as follows:

1. Page 2, line 10, by striking the words "for just" and inserting in lieu thereof the following: ": Incompetency, inattention to duty, unsatisfactory performance, physical disability or sickness which interferes with performance of duty and as shown by competent medical evidence and following one year's leave of absence, partiality, discrimination, insubordination or other good cause, or factors which require a reduction or realignment of the teacher staff."

2. Page 2, by striking lines 11 and 12.

CLIFTON C. LAMBORN
ROGER J. SHAFF

S—3317

Amend Senate File 205 as follows:

1. Page 2, by striking lines 13, 14 and 15.

2. Page 2, line 16, by striking the words "alleged deficiencies in performance of contracted duties".

LEONARD C. ANDERSEN

S—3318

Amend Senate File 205 as follows:

1. Page 2, line 15, by striking the words "all written and documented evidence of any".

2. Page 2, by striking line 16.

3. Page 2, line 17 by striking the words "has allowed the teacher".

LEONARD C. ANDERSEN

S—3319

Amend Senate File 205 as follows:

1. Page 2, line 16, by striking the word "and" and inserting in lieu thereof a period ".".

2. Page 2, by striking lines 17 and 18.

LEONARD C. ANDERSEN

S—3316

Amend the Griffin amendment S—3307 to Senate File 205 by striking lines 9 through 11 and inserting in lieu thereof the following:

"3. Page 3, lines 3 and 4, by striking the words 'the superintendent' and inserting in lieu thereof the words 'a representative of the board'."

JAMES W. GRIFFIN, SR.

S—3314

Amend S—3302 to Senate File 205 by striking lines 28 through 36 and inserting in lieu thereof

the following: "10. Page 3, line 17, by inserting after the period the following: 'However, no teacher shall have the right to appeal the action of the board until after employment as a teacher for three consecutive years by the school district, unless the dismissal is for an alleged violation of a constitutionally guaranteed right'."

RAY TAYLOR

S—3321

Amend House File 69, as amended and passed by the House, as follows:

1. Page 1, line 11, by striking the word "section" and inserting in lieu thereof the word "sections".

2. Page 1, line 11, by inserting after the figure "(210)" the words and figure "and six hundred ten (610)".

ELIZABETH R. MILLER

S—3320

Amend House File 368 as follows:

1. Page 1, by inserting after line 16 the following new section:

"Sec. 3. There is appropriated from the general fund of the state to the state department of transportation the sum of five million (5,000,000) dollars to the primary road fund for use in that portion of the state north of highway twenty (20) and east of highway sixty-three (63)."

2. By renumbering the remaining sections in accordance with this amendment.

HILARIUS L. HEYING

On motion of Senator Kinley, the Senate adjourned at 5:55 p.m., until 9:30 a.m., Thursday, March 13, 1975.

JOURNAL OF THE SENATE

SIXTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MARCH 13, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Monsignor A. W. Behrens, pastor of the St. John's Catholic Church, Bancroft, Iowa.

The Journal of Wednesday, March 12, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wayne Rouse, Boone, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Doderer for the morning session on request of Senator Kinley.

PRESENTATION OF VISITORS

President Neu welcomed the following Senators who were present in the Senate chamber:

The Honorable Pearle P. DeHart, former member of the Senate from Story County.

The Honorable Ralph Potter, former member of the Senate from Linn County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Ten students from the Iowa City Catholic Grade School, Iowa City, Iowa, accompanied by Mrs. Barbara Nicknish. Senator Doderer.

Twelve students from the Cherokee, Aurelia, Primghar, and Meriden-Cleghorn Community School Districts, accompanied by Mrs. Joe Dessel. Senator Curtis.

PETITIONS

The following petitions were presented and placed on file:

By Senator Shaw from ninety-six residents of Scott County favoring legislation requiring persons seeking to be real estate salesmen to first be licensed as real estate apprentice salesmen.

By Senator Kinley from one hundred ninety-two residents of Polk County and adjoining counties favoring increased unemployment compensation, the injured worker's right to choose a doctor, and elimination of the one week waiting period for both unemployment and workmen's compensation.

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **Senate File 205** be made a **special order** of business for Tuesday, March 25, 1975, at 1:30 p.m.

CONSIDERATION OF BILLS

Senate File 38

On motion of Senator Lamborn, Senate File 38, a bill for an act relating to the tax rate for nonowned cemetery property, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff offered amendment S—3281 by the committee on ways and means and moved its adoption:

S—3281
Amend Senate File 38, page 1, line 4, by striking the words "*twenty-seven*" and inserting in lieu thereof the words "*thirteen and one-half*".

Amendment S—3281 was adopted.

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 bill pass?" (S.F. 38) the vote was:

Ayes, 47:

Andersen	Glenn	Kelly	Nolin
Bergman	Gluba	Kinley	Nolting
Briles	Griffin	Lamborn	Norpel
Burroughs	Hansen	Merritt	Nystrom
Carr	Heying	Miller of Des Moines	Orr
Coleman	Hill of Jasper	Miller of Marshall	Palmer
Culver	Hill of Polk	Murray	Plymat
Curtis	Hultman		Priebe
DeKoster	Junkins		Rabedeaux

Ramsey	Scott	Sovern	Van Gilst
Redmond	Shaff	Taylor	Willits
Rodgers	Shaw	Tieden	Winkelman
Schwengels			

Nays, none.

Absent or not voting, 3:

Doderer	Gallagher	Robinson

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 90

Senator Palmer called up for consideration Senate File 90, a bill for an act to increase the tax levy in certain townships for fire protection, amended by the House, and moved that the Senate concur in the following amendment:

S—3287

Amend Senate File 90, page 2, by inserting after line 9 the following new section:

"Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Clinton Herald, a newspaper published in Clinton, Iowa, and in the State Center Enterprise, a newspaper published in State Center, Iowa."

The motion prevailed and the Senate concurred in House amendment S—3287.

Senator Palmer 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. 90) the vote was:

Ayes, 47:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Rabedeaux	Willits
Gluba	Miller of Marshall	Ramsey	Winkelman
Griffin		Redmond	
Hansen			

Nays, none.

Absent or not voting, 3:
Doderer Gallagher Shaw

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

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

INTRODUCTION OF BILLS

Senate File 314, by committee on energy, a bill for an act relating to the regulation of surface coal mining, imposing additional fees and providing a penalty for violation of the act.

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

Senate File 315, by Senator Gluba, a bill for an act relating to the annual compensation of county officers and employees in certain counties.

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

Senate File 316, by Senator Gluba, a bill for an act relating to the registration of vehicles owned and used for activities for churches and religious organizations.

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

Senate File 317, by committee on natural resources, a bill for an act relating to fish and game licenses and providing a penalty.

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

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 73, a bill for an act relating to the duties of the counsel of the transportation regulation board.

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 actions for breach of contract to marry.**

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 172, a bill for an act relating to actions for breach of contract to marry.

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

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 368.

House File 368

On motion of Senator Norpel, House File 368, a bill for an act appropriating funds to the department of transportation to be used to match federal funds available for state and local projects, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lamborn offered amendment S—3325 and called for a division of the amendment as follows:

S—3325

Amend House File 368, as passed by the House, as follows:

Division S—3325A

1. Page 1, line 11, by striking the words "to be available to provide loans".

2. Page 1, line 12, by striking the words "at no interest".

3. Page 1, line 14, by inserting after the period the words "Any county which receives a greater share of these appropriated and distributed funds than it would have pursuant to the present farm to market road fund distribution formula shall, during the succeeding three fiscal years, have the excess amount deducted from its farm to market allocations. Said deductions shall then be distributed to those counties which did not receive their said formula share of these appropriated funds."

Division S—3325B

4. Page 1, by striking lines 17 through 25 and inserting in lieu thereof the following:

"Sec. ..... There is appropriated from the general fund of the state to the state department of transportation the sum of fourteen million three hundred

thousand (14,300,000) dollars to be distributed in the following manner:

1. To the primary road fund for highway and bridge projects $7,100,000

2. To the secondary road fund of the counties for allocation as provided by law to the counties for secondary road and bridge projects 5,200,000

3. To the street construction fund to be allocated to cities as provided by law for street and bridge projects 2,000,000

Funds appropriated pursuant to this section may be used as matching funds for road and bridge projects which will be eligible to receive federal funds from funds which are being released to the states.

Sec. ..... Notwithstanding the provisions of chapter eight (8) of the Code, all unencumbered or unobligated balances of appropriations made under section two (2) of this Act shall on August 31, 1976 be credited to the farm to market road fund."

Senator Lamborn moved the adoption of division S—3325A.

A record roll call was requested.

On the question "Shall division S—3325A of the amendment be adopted?" (H.F. 368) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Division S—3325A of the amendment lost.

Senator Hill of Polk offered amendment S—3329 to division S—3325B and moved its adoption:

S—3329

Amend the Lamborn amendment S—3325 to House File 368 by striking lines 17 through 32 and inserting in lieu thereof the following:

"4. Page 1, by striking lines 17 through 25 and inserting in lieu thereof the following:

Sec. ..... There is appropriated from the general fund of the state to the state department of transportation the sum of two million (2,000,000) dollars for the street construction fund to be allocated to cities as provided by law for street and bridge projects."

A record roll call was requested.

On the question "Shall amendment S—3329 to division S—3325B be adopted?" (H.F. 368) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Amendment S—3329 to division S—3325B lost.

Senator Lamborn moved the adoption of division S—3325B of the amendment and requested a record roll call.

On the question "Shall division S—3325B of the amendment be adopted?" (H.F. 368) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Division S—3325B of the amendment lost.

Senator Heying withdrew amendment S—3320 filed by him on March 12, 1975, and found on page 634 of the Senate Journal.

Senator Hill of Polk withdrew amendment S—3327:

S—3327

Amend House File 368 as follows:

1. Page 1, by inserting after line 16 the following new section:

"Sec. 3. There is appropriated from the general fund of the state to the state department of transportation the sum of two million (2,000,000) dollars to the street construction fund of cities."

2. By renumbering the remaining sections in accordance with this amendment.

3. Amend the title by striking line 2.

4. Amend the title in line 3 by striking the words "local projects".

Senator Kelly offered amendment S—3332 by Senators Kelly and Hultman, moved its adoption and requested a record roll call:

S—3332

Amend House File 368, as follows:

1. Page 1, by inserting before line 17 the following new section:

"Sec. 3. There is appropriated from the general fund of the state to the department of transportation the sum of one million five hundred thousand (1,500,000) dollars, or so much thereof as is necessary, to be available to provide loans at no interest to cities for use as matching funds for road and bridge projects which will be eligible to receive federal funds from funds which are being released to states. The department of transportation shall promulgate rules for carrying out the provisions of this section.

2. By renumbering the remaining sections in accordance with this amendment.

On the question "Shall amendment S—3332 be adopted?" (H.F. 368) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Gallagher	Hill of Jasper	Miller of Des Moines
Coleman	Glenn	Junkins	Nolin
Culver	Gluba	Kinley	Nolting
Doderer	Heying	Merritt	

Norpel	Priebe	Rodgers	Van Gilst
Orr	Redmond	Scott	Willits
Palmer	Robinson	Sovern	

Amendment S—3332 lost.

Senator Hansen offered amendment S—3337:

S—3337

Amend House File 368 as follows:

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

"Sec. 3. There is appropriated from the general fund of the state to the state department of transportation the sum of fourteen million three hundred thousand (14,300,000) dollars to the primary road fund for use in the construction of a four lane highway to the nearest interstate highway from any metropolitan area having over one hundred thousand (100,000) population that is located north of interstate highway eighty (80), south of highway three (3), east of highway fourteen (14), and west of highway one hundred fifty (150), and that is situated more than fifty (50) miles from an interstate highway.

2. By renumbering the remaining sections in accordance with this amendment.

Senator Norpel raised the point of order that amendment S—3337 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3337 in order.

Senator Hansen moved the adoption of amendment S—3337.

A record roll call was requested.

On the question "Shall amendment S—3337 be adopted?" (H.F. 368) the vote was:

Ayes, 23:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Plymat	Taylor
Curtis	Kelly	Rabedeaux	Tieden
DeKoster	Lamborn		Winkelman

Nays, 27:

Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Doderer	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of Des Moines	Priebe	Van Gilst
Gluba		Ramsey	Willits

Amendment S—3337 lost.

Senator Ramsey withdrew amendment S—3333:

S—3333
Amend House File 368, as passed by the House, as follows:
1. Page 1, line 4, by inserting after the word "necessary," the words "to be available to provide loans at no interest".
2. Page 1, line 7, by inserting after the word "projects." the sentence "The department of transportation shall promulgate rules for carrying out the provisions of this section."

Senator Kelly offered amendment S—3338 and moved its adoption:

S—3338
Amend House File 368 as follows:
1. Page 1, line 12, by inserting after the word "counties" the words "and cities".
2. Page 1, line 22, by inserting after the word "counties" the words "and cities".

A record roll call was requested.

On the question "Shall amendment S—3338 be adopted?" (H.F. 368) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Amendment S—3338 lost.

Senator Griffin offered amendment S—3339 by Senators Griffin and Rabedeaux:

S—3339
Amend House File 368 as follows:
1. Page 1, by inserting after line 25 the following new section:
"Sec. 4. The transportation commission shall adopt rules and regulations which permit vehicles and

combinations of vehicles in excess of the length limitations imposed under section three hundred twenty-one point four hundred fifty-seven (321.457) of the Code, but not exceeding sixty-five feet in length, which may be moved on the highways of this state. Such rules and regulations shall be exempt from the provisions of chapter seventeen A (17A) of the Code."

2. By renumbering the remaining section in accordance with this amendment.

3. In the title, line 3 after the word "projects" by inserting the words "and providing for the length of vehicles on the highways".

Senator Kinley raised the point of order that amendment S—3339 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3339 out of order.

Senator Lamborn moved that further action on House File 368 be deferred until Monday, March 24, 1975.

A non-record roll call was requested.

The ayes were 24, nays 26.

The motion lost.

Senator Norpel moved that the bill 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. 368) the vote was:

Ayes, 28:

Andersen	Heying	Nolin	Robinson
Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Hultman	Norpel	Scott
Culver	Junkins	Orr	Sovern
Doderer	Kinley	Palmer	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of Des Moines	Redmond	
Gluba			

Nays, 22:

Bergman	Hansen	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Kelly	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Miller of Marshall	Ramsey	Winkelman
Griffin		Schwengels	

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

Senator Norpel moved that the vote by which House File 368 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?" (H.F. 368) the vote was:

Ayes, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Nays, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

The motion prevailed.

INTRODUCTION OF BILLS

Senate File 318, by Senators Gluba and Robinson (Jochum), a bill for an act relating to migrant workers.

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

Senate File 319, by Senators Andersen and Shaw (Junker), a bill for an act relating to subrogation of disability benefits paid to policemen and firemen.

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

Senate File 320, by Senators Doderer, Willits, Sovern, Shaw, Hill of Polk, Hansen, Culver, Redmond, Carr, Plymat, Orr, Norpel, Palmer and Gluba, a bill for an act relating to publication of names of persons subscribing to telephone service.

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

Senate File 321, by Senators Junkins, Burroughs and Plymat (Egenes, Harper and Miller of Cerro Gordo), a bill for an act relating to continuing education requirements as a condition of a professional or occupational license renewal or inactive licensee reentry, providing for legislative review of professional and occupational examining board activities, delegating rule-making authority to professional and occupational examining boards, and eliminating mandatory annual renewal of professional and occupational licenses.

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

Senate File 322, by Senators Robinson and Murray, a bill for an act relating to the collection, use, storage and dissemination of information relating to consumers, and providing penalties.

Read first time and **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 passed the following bill in which the concurrence of the Senate is asked:

House File 238, a bill for an act relating to the use of polygraph examination in regard to employment and providing a penalty.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 238, a bill for an act relating to the use of polygraph examination in regard to employment and providing a penalty.

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

SENATE CONCURRENT RESOLUTION 24
By Murray

Whereas, energy waste is evident in most aspects of our industrial and residential environment; and

Whereas, energy conservation is an immediate remedy for impending energy shortages; and

Whereas, Iowa's energy consumption rose only two percent instead of the expected four percent increase for 1974, primarily because of decreased highway speeds; and

Whereas, significant energy savings can be achieved in other sectors of our economy without detracting from Iowa's economic well-being; and

Whereas, leadership and clearly defined state objectives are lacking in the area of energy and energy use; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That Iowa initiate a comprehensive energy program to inform the public of the need and intent to promote energy conservation as a state policy with the goal of achieving and maintaining a level of zero energy growth; and

Be It Further Resolved, That the governor, the Iowa Energy Policy Council and all other state agencies be instructed to evaluate their programs and policies in light of a zero energy growth objective and that they immediately initiate such measures as are required, within their current authority, to achieve a zero energy growth rate by January 1, 1976.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 307 Commerce

S. F. 309 Judiciary

S. F. 310 Appropriations

S. F. 311 State government

S. F. 312 Judiciary

ANNOUNCEMENT OF INVESTIGATING COMMITTEE FOR GOVERNOR'S APPOINTMENT

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to an investigating committee:

As Commissioner of Insurance for the State of Iowa.

William H. Huff, III, Des Moines, Polk County, Iowa, for reappointment to a four-year term commencing July 1, 1975 and ending June 30, 1979.

Senator Gallagher, Chairman
Senator Doderer
Senator Merritt
Senator Nystrom
Senator Plymat

REPORTS OF COMMITTEE

Senator Glenn submitted the following reports:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 184**, a bill for an act increasing the mileage rate paid to jurors and witnesses, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 276**, a bill for an act relating to the grounds for suspension or revocation of a license to practice law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3330

Amend the human resources committee amendment, S—3313, to Senate File 106 on page 2, line 12, by inserting after the word "facility" the word "where".

WILLIAM E. GLUBA

S—3331

Amend S—3313 to Senate File 106, page 2, by inserting in line 14 after the word "words" the words "or any symbol".

WILLIAM E. GLUBA

S—3326

Amend Senate File 205, page 2, by striking lines 2, 3, and 4 and inserting in lieu thereof the words ". Within five days".

FORREST V. SCHWENGELS

S—3324

Amend Senate File 205 as follows:

1. Page 2, line 14, by striking the word "provided".
2. Page 2, by striking line 15.
3. Page 2, line 16, by striking the words "alleged deficiencies in performance of contracted duties" and inserting in lieu thereof the words "discusses the alleged deficiencies with the teacher".

LEONARD C. ANDERSEN

S—3336

Amend Senate File 205 as follows:

1. Page 3, by striking lines 16 through 35, inclusive.
2. Page 4, by striking lines 1 through 35, inclusive, and inserting in lieu thereof the following:

"6. A teacher may within thirty days after notification by the board of discontinuance of the contract appeal to the district court of the county in which the administrative office of the school district is located. No teacher shall have the right to appeal the action of the board to terminate a contract until after employment as a teacher for three consecutive years by the school district, unless the dismissal is for an alleged violation of a constitutionally guaranteed right."

ROGER J. SHAFF
FORREST V. SCHWENGELS
ELIZABETH R. MILLER
IRVIN L. BERGMAN
DALE L. TIEDEN

S—3334

Amend Senate File 220 as follows:

1. Page 1, by striking lines 32 and 33 and

inserting in lieu thereof the following:
"threat of personal injury or death, and is punishable by fine or imprisonment, or both, or would be so punishable but for".
2. Page 7, line 33, by striking the word "fifty" and inserting in lieu thereof the word "ten".

MINNETTE F. DODERER

S—3335
Amend Senate File 321 on page 5, line 26, by striking the words "committee or".

LOWELL L. JUNKINS

S—3323
Amend House File 127 as amended and passed by the House, as follows:
1. Page 12, line 11, by striking the words "four hundred seventy-four point twenty-two (474.22),".
2. Page 2, by inserting after line 9 the following new section:
"Sec. 6. Section four hundred seventy-four point twenty-two (474.22), Code 1975, is amended to read as follows:
474.22 EXAMINATION OF RATES. The department shall, upon the application of the mayor and council of any city or the [trustees of any township] *board of supervisors of any county for those portions of the county outside of any city*, make an examination of the rate of passenger fare or freight tariff charged by any railroad company, and of the condition or operation of any railroad, any part of whose location lies within the limits of such city or [township] *county*; and if twenty-five or more voters in any city or *county* shall, by written petition, request the mayor and council of such city or the [trustees of such township] *board of supervisors of such county*, to make the said complaint and application, and they refuse, they shall state the reason therefor in writing upon the petition, and return the same to the petitioners, who may thereupon, within ten days from the date of such refusal and return, present the same to the department which shall, if it thinks the public good demands the examination, proceed to make it in the same manner as if called upon by the mayor and council of any city or the [trustees of any township] *board of supervisors of any county.* Before proceeding to make such examination, it shall give to the petitioners and the corporation reasonable notice, in writing, of the time and place of entering upon the same. If, upon such an examination, it shall appear to the department that the complaint is well founded, it shall, within ten days, inform the corporation operating such railroad of its finding, and shall report its doings to the governor."
3. By renumbering the remaining sections in accordance with this amendment.

4. Page 12, line 11, by striking the second word "four".
5. Page 12, by striking lines 12 through 30.
6. Page 12, line 31, by striking the number "(476.26),".
7. Page 13, line 8, by striking the words "four hundred seventy-".
8. Page 13, by striking line 9.
9. Page 13, line 11, by striking the words and figure "forty-three (477.43),".

Page 2

10. Page 13, line 12, by striking the words "four hundred seventy-seven point forty-five".
11. Page 13, by striking lines 13 through 18.
12. Page 13, line 19, by striking the words and figure "fifty-two (477.52),".
13. Page 13, line 21, by striking the words and figure "four hundred seventy-eight point nine (478.9),".
14. Page 13, line 24, by striking the words "four hundred seventy-eight point seventeen".
15. Page 13, by striking line 25.
16. Page 13, line 26, by striking the words and figure "four hundred seventy-eight point thirty (478.30),".
17. Page 13, line 34, by striking the words "four hundred seventy-".
18. Page 13, by striking line 35.
19. Page 14, by striking lines 1 through 5.
20. Page 14, line 6, by striking the words and figure "hundred seventy-nine point eighty-eight (479.88),".
21. Page 14, line 12, by striking the words and figure "four hundred eighty point seven (480.7),".
22. Page 14, line 17, by inserting after the figure "(484)," the word "and".
23. Page 14, line 18, by striking the words and figure "and four hundred eighty-six (486),".

JAMES M. REDMOND

S—3328

Amend the Redmond amendment S—3323 to House File 127 by inserting in line 10 after the word "RATES" the words "AND OPERATIONS".

JAMES M. REDMOND

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:05 p.m., until 9:00 a.m., Friday, March 14, 1975.

JOURNAL OF THE SENATE

SIXTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MARCH 14, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Frank L. Greenwood, pastor of the United Methodist Church, Sigourney, Iowa.

The Journal of Thursday, March 13, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. D. J. Walter, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Curtis for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty students from Sigourney High School, Sigourney, Iowa, accompanied by Mr. Gilliland. Senator Schwengels.

The girls basketball team and cheerleaders from the Lake View-Auburn High School, Lake View, Iowa, accompanied by Coach Bud McCrea and Mr. Peterson. Senator Winkelman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Junkins from thirty residents of Lee County favoring rescission of the Equal Rights Amendment.

By Senator Sovern from eleven residents of Linn County favoring rescission of the Equal Rights Amendment.

By Senator Sovern from twenty-one residents of Linn County opposing rescission of the Equal Rights Amendment.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 12, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Richard R. Ayres, Spirit Lake, Dickinson County, Iowa, for appointment as a member of the Natural Resources Council pursuant to Section 455A.4, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Mabel E. Miller, Keosauqua, Van Buren County, Iowa, for reappointment as a member of the Natural Resources Council pursuant to Section 455A.4, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of John T. Pelton, Clinton, Clinton County, Iowa, for appointment as a member of the Natural Resources Council pursuant to Section 455A.5, 1975 Code of Iowa, to fill an unexpired term ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Hugh A. Templeton, Knoxville, Marion County, Iowa, for reappointment to the Natural Resources Council pursuant to Section 455A.4, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

March 13, 1975

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Dolph Pulliam, Des Moines, Polk County, Iowa, for reappointment as a member of the Council on Social Services for the State of Iowa pursuant to Section 217.2, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

CONSIDERATION OF BILLS

Senate File 282

On motion of Senator Priebe, Senate File 282, a bill for an act making an appropriation to the commission on the status of women and the board of parole and relating to the creation of a parolee security fund, was taken up for consideration.

Senator Murray offered amendment S—3298 filed by him, moved its adoption and requested a record roll call:

S—3298

Amend Senate File 282, page 1, line 12, by striking "35,075", and inserting "$53,760".

On the question "Shall amendment S—3298 be adopted?" (S.F. 282) the vote was:

Ayes, 16:

Bergman	Griffin	Lamborn	Nystrom
Briles	Hansen	Miller of Marshall	Plymat
Burroughs	Heying	Murray	Robinson
DeKoster	Hill of Polk		Schwengels
Doderer			

Nays, 32:

Andersen	Junkins	Orr	Shaff
Carr	Kinley	Palmer	Shaw
Coleman	Merritt	Priebe	Sovern
Culver	Miller of Des Moines	Rabedeaux	Taylor
Gallagher	Nolin	Ramsey	Tieden
Glenn	Nolting	Redmond	Van Gilst
Gluba	Norpel	Rodgers	Willits
Hill of Jasper		Scott	Winkelman
Hultman			

Absent or not voting, 2:

Curtis	Kelly

Amendment S—3298 lost.

Senator Priebe moved that the bill 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, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba	Miller of Marshall	Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Curtis	Kelly

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

Senate File 283

On motion of Senator Priebe, Senate File 283, a bill for an act making an appropriation from the general fund of the state to the Spanish-American war veterans and the committee on the employment of the handicapped, was taken up for consideration.

Senator Murray offered amendment S—3297 filed by him:

S—3297
1 Amend Senate File 283, page 1, line 14, by
2 striking "$91,684", and inserting "$94,684".

President pro tempore Doderer took the chair at 9:58 a.m.

Senator Murray moved the adoption of amendment S—3297 and requested a record roll call.

On the question "Shall amendment S—3297 be adopted?" (S.F. 283) the vote was:

Rule 25 was invoked.

Ayes, 21:

Bergman	Hansen	Murray	Redmond
Briles	Heying	Nystrom	Robinson
Burroughs	Hill of Polk	Plymat	Schwengels
DeKoster	Lamborn	Rabedeaux	Shaw
Doderer	Miller of Marshall	Ramsey	Tieden
Griffin			

Nays, 27:

Andersen	Hill of Jasper	Nolin	Scott
Carr	Hultman	Nolting	Shaff
Coleman	Junkins	Norpel	Sovern
Culver	Kinley	Orr	Taylor
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Rodgers	Winkelman

Absent or not voting, 2:

Curtis Kelly

Amendment S—3297 lost.

Senator Priebe moved that the bill 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. 283) the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Curtis Kelly

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

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 285 be deferred** and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

House File 228

On motion of Senator Willits, House File 228, a bill for an act relating to the payment of witnesses by the labor commissioner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 228) the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba	Miller of Marshall	Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Curtis	Kelly

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

House File 229

On motion of Senator Willits, House File 229, a bill for an act relating to the payment of expenses of presidential electors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 229) the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba	Miller of Marshall	Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Curtis	Kelly

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

House File 267

On motion of Senator Junkins, House File 267, a bill for an act making an appropriation for use of the Herbert Hoover Birthplace Foundation, Incorporated, the Mississippi River Parkway Commission, the Midwest Nuclear Compact, and the Iowa American Revolution Bicentennial Commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin offered amendment S—3300 filed by Senators Griffin, Culver and Hultman:

S—3300

Amend House File 267 as follows:

1. Page 1, by inserting after line 14 the following new paragraph:

"5. Riverfront Communities Development Foundation
For support, maintenance and miscellaneous purposes $60,000"

2. Amend the title, line 3, by striking the word "and".

3. Amend the title, line 4, by inserting after the word "Commission" the words "and Riverfront Communities Development Foundation".

Senator Junkins raised the point of order that amendment S—3300 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3300 out of order.

Senator Junkins moved that the bill 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. 267) the vote was:

Ayes, 44:

Andersen	Heying	Nolting	Rodgers
Bergman	Hill of Jasper	Norpel	Schwengels
Briles	Hill of Polk	Nystrom	Scott
Burroughs	Junkins	Orr	Shaff
Carr	Kinley	Palmer	Shaw
Coleman	Lamborn	Plymat	Sovern
DeKoster	Miller of Des Moines	Priebe	Taylor
Doderer		Rabedeaux	Tieden
Gallagher	Miller of Marshall	Ramsey	Van Gilst
Glenn		Redmond	Willits
Gluba	Murray	Robinson	Winkelman
Hansen	Nolin		

Nays, 4:

Culver	Griffin	Hultman	Merritt

Absent or not voting, 2:

Curtis	Kelly

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

House File 333

On motion of Senator Priebe, House File 333, a bill for an act making an appropriation from the general fund of the state to examining boards governing the practices of medicine, nursing and pharmacy, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Priebe moved that the bill 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. 333) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
DeKoster	Merritt	Plymat	Taylor
Doderer	Miller of Des Moines	Priebe	Tieden
Gallagher	Miller of Marshall	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 3:

Curtis	Kelly	Lamborn

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 63

Senator Junkins called up the following motion to reconsider filed by him on March 6, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 63 passed the Senate on March 6, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 63) the vote was:

Ayes, 44:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
DeKoster	Kinley	Palmer	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, 1:

Taylor

Absent or not voting, 5:

Curtis	Lamborn	Plymat	Robinson
Kelly			

The motion prevailed.

Senator Coleman moved to reconsider the vote by which Senate File 63 went to its last reading, which motion prevailed.

On motion of Senator Junkins, Senate File 63, a bill for an act to increase penalties for the unlawful hunting or taking of protected species of wildlife, was taken up for reconsideration.

REREFERRED TO COMMITTEE

Senator Gallagher moved that **Senate File 63** be **rereferred** to the committee on **natural resources,** 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 393, a bill for an act relating to reports filed by the holder of a commercial fishing license.

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

House File 394, a bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 165, a bill for an act relating to the report commonly known as the state salary book.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 165

S—3341

Amend Senate File 165, as amended and passed by the Senate as follows:

Page 1, lines 21 and 22 by striking the words *"one dollar"* and inserting in lieu thereof the words *"five dollars"*.

HOUSE MESSAGES CONSIDERED

House File 393, a bill for an act relating to reports filed by the holder of a commercial fishing license.

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

House File 394, a bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities.

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

INTRODUCTION OF BILLS

Senate File 323, by committee on energy, a bill for an act relating to a change in contracting procedures for the purchase of coal.

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

Senate File 324, by Senators Gluba and Murray (Higgins and Caffrey), a bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties for violations.

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

Senate File 325, by Senators Briles and Coleman, a bill for an act to establish an educational tuition grant or cash allowance payable to members of the national guard and making an appropriation.

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

Senate File 326, by committee on natural resources, a bill for an act creating a "green thumb" program to be administered by the state conservation commission and making an appropriation.

Read first time and referred to the committee on **appropriations** (under Senate Rule 38).

Senate File 327, by Senator Van Gilst, a bill for an act imposing

a tax on coal sold in Iowa and establishing a fund for rehabilitation of surface-mined land.

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

Senate File 328, by Senator Priebe, a bill for an act relating to the Iowa state fair board and convention.

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

Senate File 329, by committee on judiciary, a bill for an act relating to the disbursement of costs in actions on appeal to the supreme court.

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

Senate File 330, by Senators Shaw and Willits, a bill for an act relating to mechanics' liens.

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

Senate File 331, by Senators Gluba and Carr, a bill for an act relating to employment security benefits.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 14, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

H. F. 16—Authorizing counties to provide facilities and services for handicapped persons.

H. F. 81—Relating to the payment of transportation expenses for moving household goods for employees of the highway division of the state department of transportation.

H. F. 205—Requiring any person operating a railroad in this state to construct and maintain catwalks and handrails on railway bridges and trestles.

H. F. 225—Relating to the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory.

H. F. 251—Making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 315 County government
S. F. 316 Transportation
S. F. 318 Labor and industrial relations
S. F. 319 Labor and industrial relations
S. F. 320 Commerce
S. F. 321 State government
S. F. 322 Commerce
S.C.R. 24 Energy
H. F. 172 Judiciary
H. F. 238 Judiciary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of March, 1975: Senate Files 13, 14, 77, 128, 133, 134 and 153.

CLARK R. RASMUSSEN
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 7
Judiciary
Carr, Chairman
Coleman
Shaw

Senate File 225
Appropriations
Hill of Jasper, Chairman
Lamborn
Van Gilst

Senate File 227
Appropriations
Hill of Jasper, Chairman
Lamborn
Van Gilst

Senate File 228
Transportation
Miller of Marshall, Chairman
Orr
Norpel

Senate File 241
Appropriations
Plymat, Chairman
Robinson
Sovern

Senate File 242
Appropriations
Culver, Chairman
Murray
Van Gilst

Senate File 245
Commerce
Glenn, Chairman
Briles
Bergman

Senate File 248
State Government
Kinley, Chairman
Glenn
Curtis

Senate File 253
Human Resources
Kelly, Chairman
Scott
Gluba

Senate File 254
Human Resources
Hill of Polk, Chairman
Kelly
Hill of Jasper

Senate File 256
Natural Resources
Priebe, Chairman
Sovern
Miller of Marshall

Senate File 258
Judiciary
Glenn, Chairman
Hill of Polk
Willits

Senate File 259
Commerce
Briles, Chairman
Carr
Bergman

Senate File 261
Commerce
Rodgers, Chairman
Carr
Rabedeaux

Senate File 263
Appropriations
Van Gilst, Chairman
Andersen
Junkins

Senate File 264
Judiciary
Willits, Chairman
Ramsey
Coleman

Senate File 265
State Government
Doderer, Chairman
Redmond
Nystrom

Senate File 267
Natural Resources
Hultman, Chairman
Priebe
Culver

Senate File 268
Commerce
Rodgers, Chairman
Priebe
Bergman

Senate File 269
State Government
Nolin, Chairman
Coleman
Andersen

Senate File 270
Human Resources
Kelly, Chairman
Scott
Miller of Des Moines

Senate File 271
Transportation
Gallagher, Chairman
Nolin
Murray

Senate File 272
State Government
Nolin, Chairman
Glenn
Miller of Marshall

Senate File 273
Judiciary
Carr, Chairman
Doderer
Kelly

Senate File 274
Appropriations
Hill of Jasper, Chairman
Robinson
Bergman

Senate File 275
Energy
Robinson, Chairman
Gallagher
Tieden

Senate File 277
Judiciary
Rodgers, Chairman
Miller of Des Moines
Shaw

Senate File 278
Judiciary
Hill of Polk, Chairman
Kelly
Redmond

Senate File 279
Ways and Means
Van Gilst, Chairman
Taylor
Culver

Senate File 280
Ways and Means
Lamborn, Chairman
Van Gilst
Junkins

Senate File 284
Judiciary
DeKoster, Chairman
Carr
Coleman

Senate File 287
Transportation
Doderer, Chairman
Orr
Miller of Marshall

Senate File 288
State Government
Glenn, Chairman
Coleman
Schwengels

Senate File 290
State Government
Nolin, Chairman
Glenn
Miller of Marshall

Senate File 292
State Government
Kinley, Chairman
Glenn
Nystrom

Senate File 294
Human Resources
Gluba, Chairman
Murray
Miller of Des Moines

Senate File 297
State Government
Nolin, Chairman
Coleman
Winkelman

Senate File 300
Human Resources
Miller of Des Moines, Chairman
Murray
Sovern

Senate File 301
Judiciary
DeKoster, Chairman
Willits
Ramsey

Senate File 304
Natural Resources
Sovern, Chairman
Miller of Marshall
Norpel

Senate Concurrent Resolution 21
State Government
Coleman, Chairman
Nolin
Schwengels

Senate Concurrent Resolution 22
Human Resources
Gluba, Chairman
Palmer
Murray

Senate Concurrent Resolution 23
Briles, Chairman
Scott
Culver

House File 131
Commerce
Bergman, Chairman
Briles
Gallagher

House File 156
Natural Resources
Norpel, Chairman
Winkelman
Culver

House File 160
State Government
Doderer, Chairman
Redmond
Nystrom

House File 262
Natural Resources
Bergman, Chairman
Culver
Norpel

House File 264
Human Resources
Gluba,Chairman
Kelly
Palmer

House File 292
Human Resources
Miller of Des Moines, Chairman
Murray
Sovern

House File 317
Ways and Means
Lamborn, Chairman
Culver
Hill of Jasper

House File 334
Appropriations
Transportation

House File 336
Commerce
Carr, Chairman
Rabedeaux
Glenn

House File 368
Appropriations
Transportation

House File 399
Appropriations
Education

AMENDMENTS FILED

S—3342

Amend S—3302 by the committee on education amending Senate File 205 as follows:

1. Page 1, line 33, by striking the words "termination is for" and inserting in lieu thereof the words "appeal is based upon".

2. Page 1, line 34, by inserting after the word "right" the words "of the teacher".

3. Page 1, line 35, by inserting after the word "rights" the words "of the teacher".

ROBERT M. CARR

S—3340

Amend Senate File 285 as follows:

1. Page 1, by adding after line 19 the following sections:

Sec. 3. Section sixty-eight A point one (68A.1), Code 1975, is repealed and the following enacted in lieu thereof:

68A.1 DEFINITIONS. Whenever used in this chapter the terms defined in this section shall have the following meanings:

1. "Public records" includes all records and documents of or belonging to a lawful custodian.

2. "Personal information" includes all information and data on individuals which is kept or is intended to be kept on a permanent or semipermanent basis by a lawful custodian regardless of whether it is a public record.

3. "Lawful custodian" means the state and any county, city, township, school corporation, political subdivision, or tax supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.

4. "State custodian" means any branch, department, board, bureau, commission. council, or committee of the state government but not including the political subdivisions.

5. "Summary data" means statistical records derived from personal information from which the identity of an individual cannot be ascertained.

6. "Commission" means the state records commission established in section three hundred four point three (304.3) of the Code.

Sec. 4. Chapter sixty-eight A (68A), Code 1975, is amended by adding section five (5) through nine (9) of this Act.

Sec. 5. *NEW SECTION.* On or before December first of each year commencing on December 1, 1976 the commission shall prepare a report to the general assembly containing the following:

1. A list of the title, name, and address of all state custodians of personal information.

2. A list of the categories by which the state custodian has organized the personal information, and including the following:

a. The number of individuals in the category.

b. The method by and source from which personal information is obtained for the category.

c. Who has access to the category and whether the category is accessible by computer.

d. The nature and purpose of the personal information in each category.

Page 2

e. Whether in the opinion of the commission the category is a public record.

3. The policies and practices of the council regarding the duration of storage and disposal of personal information.

4. The procedures, practices, rules, and regulations adopted pursuant to section six (6) of this Act.

5. Any recommendations concerning appropriate legislation.

Sec. 6. *NEW SECTION.* The commission shall promulgate rules and regulations applicable to all state custodians in accordance with chapter seventeen A (17A) of the Code to implement the following objectives:

1. The collection and method and period of retention of personal information shall be limited to that necessary for the administration of programs enacted by the general assembly or local governing body.

2. The state custodian shall document and file with the commission the information required by section five (5) of this Act.

3. The use of personal information by other than the state custodian, including the sharing of personal information by mechanical, manual, or electronic means, may be permitted only when required by law, where clearly necessary to the health, safety, or welfare of the public, or clearly in the interest of the individual.

4. The use of summary data shall be permitted

upon written request stating the intended use and approved by the state custodian if summarized under the direction of the state custodian or by a person having a written agreement with the state custodian prohibiting the disclosure of personal information.

5. The state custodian shall establish reasonable and appropriate safeguard for the collection, storage, dissemination and use of personal information to assure that it is accurate, complete and current. Emphasis shall be placed on the security of personal information stored or transmitted by computer or telecommunications.

Sec. 7. *NEW SECTION.* A state custodian shall not request or retain personal information unless the state custodian complies with the following:

1. The purpose for which the personal information is requested or retained is filed in writing with the commission.

2. The individual requested to supply personal

Page 3

information is informed of the purpose of the intended use.

3. The individual is informed whether he is legally required to supply the requested personal information and of any consequences of supplying or refusing to supply the requested personal information.

4. The individual may, upon request to the state custodian, be informed that he is the subject of personal information held by the state custodian.

5. The individual may contest the accuracy or completeness of the personal information by written notice to the state custodian describing the disagreement with and the change sought in the personal information. The state custodian shall within thirty days correct the personal information if it is determined to be inaccurate or incomplete and attempt to notify past recipients of the personal information. The determination of the state custodian shall be appealable as an agency action if the custodian is an agency as defined in chapter seventeen A (17A) of the Code; if not, the individual may within thirty days petition the district court of the county of the state custodian for an order to correct the personal information on the grounds that it is inaccurate or incomplete.

Sec. 8. *NEW SECTION.* Personal information shall not be used for any purpose other than that filed with the commission unless the state custodian makes an additional filing of the new purpose with the commission, the general assembly by statute permits such use, or individual gives his informed consent. Personal information which is being contested shall not be disclosed by the state custodian unless the individual's description of the disagreement and change sought and the requesting party demonstrates

its need for the personal information, and then only when accompanied by the individual's statement of disagreement.

Sec. 9. *NEW SECTION.* This Act shall not apply to personal information relating to intelligence data as defined in chapter seven hundred forty-nine B (749B) of the Code. Nothing in this Act shall be construed to restrict or modify the right of citizens to examine public records guaranteed in section sixty-eight A point two (68A.2) of the Code.

Sec. 10. Section sixty-eight A point five (68A.5), Code 1975, is amended to read as follows:

68A.5 ENFORCEMENT OF RIGHTS. The provisions of this chapter and all rights of citizens under this chapter may be enforced by mandamus or injunction,

Page 4

whether or not any other remedy is also available. In the alternative, rights under this chapter also may be enforced by an action for judicial review according to the provisions of the Iowa administrative procedure Act, if the records involved are records of an "agency" as defined in that Act.

Any state custodian who violates this chapter shall be liable to a person who suffers any damages as a result of the violation, and that person may bring an action against the state custodian to recover damages, costs, and reasonable attorney's fees. For a willful violation of this chapter, the violator shall also be liable for exemplary damage of not less than one hundred dollars nor more than one thousand dollars.

Sec. 11. Section sixty-eight A point six (68A.6), Code 1975, is amended to read as follows:

68A.6 PENALTY. It shall be unlawful for any person to deny or refuse any citizen of Iowa any right under this chapter, or to cause any such right to be denied or refused. Any person knowingly violating or attempting to violate any provision of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars. *Any public employee who willfully violates this chapter may be suspended without pay or discharged.*

2. Page 6, line 27, by striking the words "highway commission" and inserting in lieu thereof the words [highway commission] *department of transportation*".

3. Page 6, line 29, by inserting after the word "manual" the words ", *sections five (5) through nine (9) of this Act,*".

4. By renumbering the sections in accordance with this amendment.

PHILIP B. HILL

S—3343

Amend the Hill amendment S—3340 to Senate File 285 as follows:

1. Page 4, after line 30 by inserting the following:

"3. Page 6, line 30, by striking the words 'highway commission' and inserting in lieu thereof the words '[highway commission] *department of transportation*'."

2. By renumbering the remaining sections.

EARL M. WILLITS

S—3344

Amend the Redmond amendment S—3323 to House File 127, on page 1 by striking lines 49 and 50 and inserting in lieu thereof the following:

"9. Page 13, line 10, by striking the words and figure "point thirty-six (477.36),".

JAMES M. REDMOND

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, and pursuant to Senate Concurrent Resolution 7, duly adopted, the Senate adjourned at 10:55 a.m., until 10:00 a.m., Monday, March 24, 1975.

JOURNAL OF THE SENATE

SEVENTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MARCH 24, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Carl J. Manternach, pastor of the Saint Peter and Paul Catholic Church, Ames, Iowa.

The Journal of Friday, March 14, 1975, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Plymat for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty students from Stowe Elementary School, Des Moines, Iowa, accompanied by Marlene Doby, Mrs. Shillings, and Mrs. Walden. Senator Palmer.

Thirty Campfire girls from Marion, Iowa, accompanied by their leaders, Mrs. Richard Van Wey, Mrs. Jim Reed, Mary Stuelke, Shirley Novi, Gloria Warner, and Charlene Vigness. Senator Sovern.

PETITIONS

The folowing petitions were presented and placed on file:

By Senator Bergman from twenty residents of Emmet County favoring revision of the continuing contracts law for teachers.

By Senator Tieden from thirty residents of Allamakee and Clayton Counties opposing legislation allowing all liquor licensees and beer permit holders to operate on Sunday.

By Senator Tieden from twenty-seven residents of Allamakee and Clayton Counties favoring Senate File 122, which would pro-

hibit gambling on premises issued a liquor control license or retail beer permit other than Class "A" or "D."

By Senator Nolting from six hundred fifty-four residents of Black Hawk and adjoining counties opposing legislation requiring motorcyclists to wear protective headgear.

By Senator Hill of Jasper from ninety-one residents of the state of Iowa favoring the rescission of the Equal Rights Amendment.

By Senator Heying from twenty-nine residents of Fayette and Clayton Counties opposing legislation which permits Sunday liquor and beer sales and allows liquor and beer establishments to operate between 11:30 a.m. Sunday and 2 a.m. Monday.

By Senator Heying from twenty-five residents of Fayette and Clayton Counties favoring Senate File 122, which would prohibit gambling on premises issued a liquor control license or retail beer permit other than Class "A" or "D."

By Senator Gallagher from eighteen employees of the Iowa Department of Social Services favoring legislation to implement automatic cost-of-living salary increases under the merit pay plan.

By Senator Coleman from three hundred forty-one residents of Webster County favoring continuation of the North Central Alcoholism Research Foundation, Inc., in Fort Dodge and surrounding towns.

The following petitions requesting that pari-mutuel betting be debated by the Iowa General Assembly were received and placed on file by:

Senator Redmond from fifty-seven residents of Linn County.

Senator Curtis from eighty-six residents of Buena Vista and O'Brien Counties.

Senator Doderer from twenty-nine residents of Johnson County.

Senator Griffin from forty-three residents of Pottawattamie County.

Senator Bergman from ninety-four residents of Clay County.

Senator Schwengels from five hundred twelve residents of Jefferson County and adjoining counties.

Senator Heying from one hundred seven residents of Fayette and Bremer Counties.

Senator Orr from two hundred fifteen residents of Poweshiek County.

The following petitions favoring pari-mutuel betting were received and placed on file by:

Senator Kinley from eleven thousand residents of Iowa.

Senator Redmond from two hundred twenty-four residents of Linn County.

Senator Nolting from one hundred thirty-five residents of Black Hawk County.

Senator DeKoster from one hundred forty-one residents of Lyon, Sioux and Plymouth Counties.

INTRODUCTION OF BILLS

Senate File 332, by Senators Nystrom, Coleman and Curtis, a bill for an act relating to improvement of certain benefits for members of the peace officers' retirement, accident and disability system.

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

Senate File 333, by Senators Nystrom, Coleman and Curtis, a bill for an act relating to the Iowa public employees' retirement system and providing for changes in the rates of contribution, benefits, methods of payment, and to make an appropriation.

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

Senate File 334, by Senators Nystrom, Coleman and Curtis, a bill for an act relating to improvement of certain benefits for members of police and fire retirement systems.

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

Senate File 335, by Senator Hultman, a bill for an act relating to the number of offices allowed certain banks.

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

Senate File 336, by Senator Nystrom, a bill for an act relating to the conservation commission.

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

Senate File 337, by Senator Murray, a bill for an act to appropriate from the general fund of the state to the department of public safety for drunk-driving enforcement programs.

Read first time and passed on file.

Senate File 338, by committee on natural resources, a bill for an act relating to the membership of the Iowa natural resources council.

Read first time and placed on calendar.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 13, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Joan Ballantyne, Cherokee, Cherokee County, Iowa, for reappointment to the Iowa Beer and Liquor Control Council pursuant to Section 123.6, 1975 Code of Iowa, for a regular five-year term commencing July 1, 1975 and ending June 30, 1980.

Sincerely,
ROBERT D. RAY
Governor

March 19, 1975

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Arthur Earnest Dahl, Muscatine, Muscatine County, Iowa, for appointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System (IPERS) pursuant to Section 97B.8, 1975 Code of Iowa, for an unexpired term ending June 30, 1975, and for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. George R. Duvall, Ames, Story County, Iowa, for reappointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System (IPERS) pursuant to Section 97B.8, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Miss Jolene Stevens, Sioux City, Woodbury County, Iowa, for reappointment as a member of the Campaign Finance Disclosure Commission pursuant to Section 56.9, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

GOVERNOR'S VETO MESSAGE

The following veto message from the Governor was presented:

March 18, 1975

The Honorable Arthur A. Neu
President of the Senate
Sixty-sixth General Assembly
State Capitol Building
Local

Dear Governor Neu:

I am returning herewith Senate File 77, an Act "relating to county contracts requiring bids", disapproved and without my signature to the Senate in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

At the outset, I would say that it would have been more appropriate to entitle this bill an Act "relating to county contracts *not* requiring bids."

I can readily understand the rationale for the legislature's action which raises the present $2,000 maximum exemption on the requirement to take bids to $5,000. We are in a period of inflated construction costs.

However, I think it important we also recognize that a bidding procedure provides protection for public officials who are constantly subject to scrutiny by the people as well as to taxpayers who must have assurance that their tax dollars are wisely and honestly used.

This bill would allow substantial sums to be spent in the construction or repair of a building *without* using any bidding procedures.

Even though I have vetoed this bill, I am not suggesting that at all times a strictly formal bidding procedure must be followed by counties.

Acceptable to me would be provisions for informal bidding under certain conditions, flexibility in accepting the most desirable bids even if not the lowest, and exceptions altogether in cases of emergencies.

For the reasons I have outlined above, I hereby respectfully disapprove of this Senate File 77.

Sincerely,
ROBERT D. RAY
Governor

PROCEDURE FOR THE NONCONTROVERSIAL CALENDAR

Senator Kinley announced the following procedure for the preparation of the noncontroversial 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 Kinley, or the Minority Leader, Senator Lamborn. The request shall be submitted no later than twelve o'clock noon on Tuesday, in order to be considered that week for the noncontroversial calendar.

2. The Majority Leader and the Minority Leader shall prepare a proposed noncontroversial calendar once each week following the Tuesday noon deadline. Only bills and resolutions on the Senate Calendar shall be eligible.

3. The proposed noncontroversial calendar shall be printed in the Senate Calendar, with a statement of the deadline for striking bills and resolutions from the proposed noncontroversial calendar.

4. Any Senator may strike a bill or resolution from the proposed noncontroversial calendar by written request to the Secretary of the Senate on the same day it first appears. The request should be in the Secretary's office no later than 3:00 p.m.

5. After the deadline for striking has expired, the remaining bills and resolutions on the proposed noncontroversial calendar shall be placed on the noncontroversial calendar and removed from the regular calendar. They shall be eligible for consideration on the legislative day after the deadline for striking. Following the deadline for striking, a bill or resolution may be stricken from the noncontroversial calendar only by action of the Senate. If stricken, it shall be restored to its former place on the Senate calendar.

6. Bills and resolutions on the noncontroversial calendar may be called up when directed by the Majority Leader of the Senate or by a vote of the full Senate.

CONSIDERATION OF BILLS

Senate File 285

On motion of Senator Willits, Senate File 285, a bill for an act relating to the administration of state records and providing an appropriation, was taken up for consideration.

Senator Hill of Polk offered amendment S—3340 filed by him on March 14, 1975, and found on pages 665-668, inclusive, of the Senate Journal.

Senator Willits called for a division of amendment S—3340, lines 28, 29 and 30 on page 4 to be considered as division S—3340B; the remainder of the amendment to be considered as division S—3340A.

Senator Willits raised the point of order that division S—3340A of the amendment was not germane to the bill.

The Chair ruled the point not well taken and division S—3340A of the amendment in order.

Senator Hill of Polk moved the adoption of division S—3340A of the amendment and requested a non-record roll call.

The ayes were 20, nays 26.

Division S—3340A of the amendment lost.

Senator Willits offered amendment S—3343 to division S—3340B, filed by him and moved its adoption:

S—3343

Amend the Hill amendment S—3340 to Senate File 285 as follows:

1. Page 4, after line 30 by inserting the following:

"3. Page 6, line 30, by striking the words 'highway commission' and inserting in lieu thereof the words '[highway commission] *department of transportation*'."

2. By renumbering the remaining sections.

Amendment S—3343 to division S—3340B was adopted.

On motion of Senator Hill of Polk, division S—3340B of the amendment as amended was adopted.

President pro tempore Doderer took the chair at 10:48 a.m.

Senator Willits moved that the bill 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. 285) the vote was:

Ayes, 44:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin	Murray	Redmond
Briles	Hansen	Nolin	Robinson
Burroughs	Heying	Nolting	Rodgers
Carr	Hill of Jasper	Norpel	Schwengels
Coleman	Hill of Polk	Nystrom	Scott
Culver	Junkins	Orr	Taylor
Curtis	Kinley	Palmer	Tieden
DeKoster	Lamborn	Priebe	Van Gilst
Doderer	Merritt	Rabedeaux	Willits
Gallagher	Miller of Des Moines		Winkelman
Glenn			

Nays, none.

Absent or not voting, 6:

Hultman	Plymat	Shaw	Sovern
Kelly	Shaff		

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 339, by Senators Griffin, DeKoster, Andersen and Palmer, a bill for an act relating to licensing of insurance agents.

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

Senate File 340, by Senator Griffin, a bill for an act relating to the Iowa Uniform Gifts to Minors Act.

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

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 341, by Senators Palmer, Coleman, Doderer, Gallagher, Glenn, Hill of Jasper and Willits (Small, Krause, Avenson, Schroeder, Readinger, Bennett, Svoboda, Connors, Hansen, Wyckoff, Spencer and Drake), a bill for an act relating to the bonding of governmental employees.

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

Senate File 342, by Senators Griffin, DeKoster, Andersen and Palmer, a bill for an act relating to placement of insurance by licensed agents.

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

Senate File 343, by Senators Curtis, Hansen, Briles, Gallagher, Griffin and Lamborn (Bittle and Brunow), a bill for an act relating to the creation of a county budget review committee, specifying the powers and duties of the committee, providing for the consolidation of county funds and the limitation of certain budget expenditures for counties.

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

Senate File 344, by Senators Griffin, DeKoster, Andersen and Palmer, a bill for an act relating to the licensing of insurance consultants, and providing penalties.

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

Senate File 345, by Senator DeKoster, a bill for an act relating to the method used by judges of election to select and certify potential jurors.

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

Senate File 346, by Senator DeKoster, a bill for an act relating to workmen's compensation for loss of hearing.

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

Senate File 347, by Senators Gluba and Doderer (O'Halloran), a bill for an act relating to rights of persons seeking health care.

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

Senate File 348, by Senator Heying, a bill for an act establishing within the judicial department medical malpractice panels for the review of pending malpractice actions.

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

Senate File 349, by Senator Glenn, a bill for an act relating to licensing, implied consent and financial responsibility requirements for snowmobile operation, and providing for the suspension or revocation of licenses or certificates for certain violations.

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

Senate File 350, by Senator Glenn, a bill for an act to permit compensation of school board treasurers.

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

Senate File 351, by committee on state government, a bill for an act relating to the time for publishing the Iowa administrative code.

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

Senate File 352, by Senators Coleman and Lamborn, a bill for an act relating to the limitation of certain damage actions against architects, contractors, engineers and surveyors, arising out of improvements or work upon real property.

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

Senate File 353, by Senators Coleman, Murray, Rodgers, Winkelman and Schwengels, a bill for an act making an appropriation from the general fund of the state to the Iowa American revolution bicentennial commission.

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

Senate File 354, by Senator Coleman, a bill for an act relating to the consolidation for investment of retirement system funds.

Read first time and **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 passed the following bill in which the concurrence of the Senate is asked:

House File 351, a bill for an act relating to the payment of wages and expenses by an employer and providing a civil money penalty.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 351, a bill for an act relating to the payment of wages and expenses by an employer and providing a civil money penalty.

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

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 226** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

House File 50

On motion of Senator Miller of Marshall, House File 50, a bill for an act relating to the definition of snow tires, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Miller of Marshall moved that the bill 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. 50) the vote was:

Ayes, 48:

Andersen	Coleman	Gallagher	Heying
Bergman	Culver	Glenn	Hill of Jasper
Briles	Curtis	Gluba	Hill of Polk
Burroughs	DeKoster	Griffin	Hultman
Carr	Doderer	Hansen	Junkins

Kelly	Murray	Ramsey	Shaw
Kinley	Nolin	Redmond	Sovern
Lamborn	Nolting	Robinson	Taylor
Merritt	Norpel	Rodgers	Tieden
Miller of Des Moines	Nystrom	Schwengels	Van Gilst
	Orr	Scott	Willits
Miller of Marshall	Palmer	Shaff	Winkelman
	Priebe		

Nays, none.

Absent or not voting, 2:

Plymat	Rabedeaux

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

ADOPTION OF RESOLUTION

Senate Concurrent Resolution 20

On motion of Senator Coleman, Senate Concurrent Resolution 20, a resolution relating to the Rock Island Railroad, found on pages 540 and 541 of the Senate Journal, was taken up for consideration.

Senator Coleman asked and received unanimous consent that House Concurrent Resolution 18 be substituted for Senate Concurrent Resolution 20.

House Concurrent Resolution 18

On motion of Senator Coleman, House Concurrent Resolution 18 was taken up for consideration:

HOUSE CONCURRENT RESOLUTION 18
By Krause, Drake, Brunow and Hutchins

Whereas, the Chicago, Rock Island and Pacific Railroad Company provides rail transportation services to 64 of Iowa's 99 counties and serves 125 Iowa cities that are not served by any other Class 1 railroad; and

Whereas, the Rock Island Railroad provides an essential transportation service that carries Iowa's agricultural products to national and world markets; and

Whereas, the decline in natural gas supplies and in available supplies of petroleum will require that millions of tons of low-sulfur western coal be moved across Iowa to meet the energy needs of the Midwest; and

Whereas, the easing of energy shortages requires that energy-efficient means of hauling bulk goods for long distances be preserved and protected; and

Whereas, the Rock Island's financial problems have been grievously aggravated by the intolerable delay of the Interstate Commerce Commission in deciding the merger application by the Rock

Island and Union Pacific Railroad Co.; and
Whereas, the Rock Island Railroad has been denied a $100 million reconstruction loan requested from the United States Railway Association; and
Whereas, the Congress in passing Iowa Representative Neal Smith's amendment to the Regional Rail Reorganization Act clearly showed its intent that the Rock Island be eligible for federal assistance; and

Page 2

Whereas, federal aid and regulatory responsiveness is essential for the Rock Island to continue to provide transportation services in Iowa and elsewhere; *Now Therefore,*
Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-sixth General Assembly of the State of Iowa urges that the United States Railway Association reconsider its decision to deny loan funds to support the operating and capital needs of the Rock Island Railroad; and
Be It Further Resolved, That the President and Congress give the highest priority to regulatory reform for the transportation industry (especially railroads) as advocated in the President's message of October 13, 1974, to free the industry from the waste of time and finances which have been a steady drain on the financial resources of railroad companies; and
Be It Further Resolved, That a copy of this resolution be immediately transmitted to the United States Railway Association, the President of the United States, and the members of Iowa's Congressional delegation.

Senator Nolin offered amendment S—3293 filed by him and moved its adoption:

S—3293
Amend House Concurrent Resolution 18 by striking lines 15 through 18.

Amendment S—3293 was adopted.

Amendment S—3304 filed by Senator Taylor on March 10, 1975, was ruled out of order with the adoption of amendment S—3293.

Senator Hill of Polk took the chair at 3:17 p.m.

On motion of Senator Coleman, **House Concurrent Resolution 18** as amended was adopted.

WITHDRAWN

Senator Coleman asked and received unanimous consent that **Senate Concurrent Resolution 20** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 82

On motion of Senator Miller of Marshall, Senate File 82, a bill for an act relating to civil damages for unlawfully taking certain protected species of wildlife, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tieden offered amendment S—3352 and moved its adoption:

S—3352
Amend Senate File 82, page 1, line 4, after the word "*antelope,*" by inserting the word "*buffalo*".

Amendment S—3352 was adopted.

Senator Miller of Marshall moved that the bill 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. 82) the vote was:

Ayes, 41:

Andersen	Gluba	Nolin	Schwengels
Bergman	Griffin	Nolting	Scott
Briles	Hansen	Norpel	Shaff
Burroughs	Heying	Nystrom	Shaw
Carr	Hill of Polk	Orr	Sovern
Coleman	Junkins	Palmer	Taylor
Culver	Kelly	Priebe	Tieden
Curtis	Kinley	Redmond	Van Gilst
DeKoster	Miller of Marshall	Robinson	Willits
Gallagher	Murray	Rodgers	Winkelman
Glenn			

Nays, 6:

Doderer	Lamborn	Miller of Des Moines	Ramsey
Hultman	Merritt		

Absent or not voting, 3:

Hill of Jasper	Plymat	Rabedeaux

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

Senate File 233

On motion of Senator DeKoster, Senate File 233, a bill for an act relating to claims against the estates of decedents arising from assistance granted under a previous categorical assistance program, 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. 233) the vote was:

Ayes, 47:

Andersen	Griffin	Miller of	Robinson
Bergman	Hansen	Marshall	Rodgers
Briles	Heying	Murray	Schwengels
Burroughs	Hill of Polk	Nolin	Scott
Carr	Hultman	Nolting	Shaff
Coleman	Junkins	Norpel	Shaw
Culver	Kelly	Nystrom	Sovern
Curtis	Kinley	Orr	Taylor
DeKoster	Lamborn	Palmer	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of	Ramsey	Willits
Glenn	Des Moines	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 3:

Hill of Jasper	Plymat	Rabedeaux

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

ADOPTION OF RESOLUTION

House Concurrent Resolution 12

On motion of Senator Sovern, House Concurrent Resolution 12, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

HOUSE CONCURRENT RESOLUTION 12
By Patchett and Avenson

Whereas, the lowering of the pool level of the Coralville Reservoir by the United States Corps of Engineers during inclement weather to repair a damaged flood gate accidently caused the lowering of the pool level below the recommended minimum depth; and

Whereas, the extensive lowering of the pool level may have caused substantial losses to fish populations, commercial fishing, game fishing and related businesses; and

Whereas, the restocking of the Coralville Reservoir by the state conservation commission will have a serious impact on the fish management program throughout the state; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-sixth General Assembly of the State of Iowa urges the United States Corps of Engineers to provide full funding and cooperation to the State Conservation

Commission for the restocking of game fish in the Coralville Reservoir.

Be It Further Resolved, That a copy of this resolution be forwarded to the United States Corps of Engineers.

On motion of Senator Sovern, **House Concurrent Resolution 12** was adopted.

CONSIDERATION OF BILLS

House File 6

On motion of Senator Gluba, House File 6, a bill for an act relating to political affiliations of highway safety patrol personnel, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gluba moved that the bill 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. 6) the vote was:

Ayes, 45:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Ramsey	Van Gilst
Gallagher	Merritt	Redmond	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			
Griffin			

Nays, none.

Absent or not voting, 5:

Coleman	Plymat	Rabedeaux	Taylor
Nystrom			

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

House File 286

On motion of Senator Scott, House File 286, a bill for an act relating to the duties, responsibilities and powers of the state department of transportation and the counties regarding secondary roads, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Miller of Des Moines offered amendment S—3283 by the committee on county government and moved its adoption:

S—3283
Amend House File 286 as follows:
1. Page 1, line 2, by striking the words "and four (4)".
2. Page 1, by striking lines 8 through 12 and inserting in lieu thereof the following:
"Sec. 2. Section three hundred seven A point two (307A.2) is amended by striking subsection four (4)."
3. By renumbering the remaining sections in accordance with this amendment.

Amendment S—3283 was adopted.

Senator Scott moved that the bill 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. 286) the vote was:

Ayes, 46:

Andersen	Hansen	Miller of Marshall	Rodgers
Bergman	Heying	Murray	Schwengels
Briles	Hill of Jasper	Nolin	Scott
Carr	Hill of Polk	Nolting	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Ramsey	Van Gilst
Gallagher	Merritt	Redmond	Willits
Glenn	Miller of Des Moines	Robinson	Winkelman
Gluba			
Griffin			

Nays, **none.**

Absent or **not voting, 4:**

Burroughs	Norpel	Plymat	Rabedeaux

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

Senate File 121

On motion of Senator Shaw, Senate File 121, a bill for an act relating to compensation of the clerk of the grand jury, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw offered amendment S—3355 and moved its adoption:

S—3355
Amend Senate File 121, page 1, by inserting after line 14 the following:
"Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Bettendorf News,

a newspaper published in Bettendorf, Iowa, and in The Catholic Messenger, a newspaper published in Davenport, Iowa."

Amendment S—3355 lost.

Senator Shaw moved that the bill 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. 121) the vote was:

Ayes, 47:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Carr	Hill of Polk	Nolting	Scott
Coleman	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Ramsey	Van Gilst
Glenn	Miller of Des Moines	Redmond	Willits
Gluba			Winkelman
Griffin			

Nays, none.

Absent or not voting, 3:

Burroughs	Plymat	Rabedeaux

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 Neu presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 8, by committee on county government, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow counties to adopt charters and provide home rule.

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

Senate File 355, by committee on county government (committee on county government), a bill for an act relating to the collection and disposition of fines and forfeited bail imposed for violations of municipal ordinances.

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

Senate File 356, by Senators Shaw, Gluba, Hansen, Griffin, Willits, Sovern and Carr (Readinger, Lipsky and Cusack), a bill

for an act authorizing the establishment and funding of self-supported municipal improvement districts.

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

Senate File 357, by Senators Lamborn, Norpel, Glenn and Shaff, a bill for an act relating to investment by state banks in revenue bonds issued by municipalities in support of industrial projects.

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

Senate File 358, by Senators Kelly, Doderer, DeKoster and Schwengels, a bill for an act relating to neglected, dependent, and delinquent children.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 324 Human resources

S. F. 325 Appropriations

S. F. 327 Ways and means

S. F. 328 State government

S. F. 330 Judiciary

S. F. 331 Labor and industrial relations

H. F. 393 Natural resources

H. F 394 Transportation

COMMUNICATION FROM THE SECRETARY OF STATE

March 14, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 173 was published in The Hawk Eye, Burlington, Iowa, March 10, 1975, and in the Guthrie Center Times, Guthrie Center, Iowa, March 5, 1975.

I further certify that Senate File 149 was published in the Quad-City Times, Davenport, Iowa, March 6, 1975, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, March 6, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

COMMUNICATION

The following communication was filed with the Secretary of the Senate:

March 21, 1975

Mr. Clark Rasmussen
Secretary of Senate
State House
Local

Dear Mr. Rasmussen:

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

These include sixteen (16) claims of a general nature. This supplements our filing on January 14, 1975.

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 Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
1049-65-25	Firkins Truck Line Emmetsburg, Iowa Registration fee refund	Undetermined	Disapproved
2179-65-25	O's Gold Seed Company Parkersburg, Iowa County license plate refund	$ 221.57	Disapproved
608-66-25	Booker Smith, Attorney Fairfield, Iowa Real estate transfer tax	21.45	Disapproved
810-66-25	Carlton A. Fosvik Sioux City, Iowa Deer license refund	10.00	Disapproved
865-66-25	Mary Lois Steeve Clarinda, Iowa Eyeglasses damaged by patient	10.00	Disapproved
872-66-25	Amy Groves Des Moines, Iowa Payment of wages	Undetermined	Disapproved
874-66-25	Lois E. Rohrbaugh Peterson, Iowa Eyeglasses damaged by patient	29.00	Disapproved
929-66-25	Aid Insurance Company (Mutual) Des Moines, Iowa Property damage	165.83	Disapproved
958-66-25	Fred Peters Muscatine, Iowa Refund of medical costs	1,500.00	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
989-66-25	10-X Manufacturing Company Boulder, Colorado Outdated invoice already paid	161.01	Disapproved
999-66-25	Marsha L. Thomas West Des Moines, Iowa Eyeglasses broken by patient	38.00	Disapproved
1029-66-25	Philip Wakeman Clarinda, Iowa Claim adjusted intro-departmentally	13.95	Disapproved
1032-66-25	Webster County—County Treasurer Fort Dodge, Iowa Outdated claim for typewriters	2,847.60	Disapproved
1067-66-25	Alice Pitts Woodward, Iowa Eyeglasses broken by patient	18.00	Disapproved
1069-66-25	William C. Rhoads Woodward, Iowa Property damage	16.00	Disapproved
1081-66-25	Mildred F. Florke Cherokee, Iowa Eyeglasses damaged by patient	11.00	Disapproved

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

SUPREME COURT ADMINISTRATOR

The report of the Supreme Court Administrator providing detailed statistical information by judicial magistrates for the calendar year 1974 pursuant to Section 25, Chapter 1124, Acts of the 1972 Regular Session of the Sixty-fourth General Assembly.

REPORTS OF COMMITTEES

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **Senate File 154**, a bill for an act relating to the employment and duties of public school principals, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOAN ORR, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 152**, 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, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

NORMAN RODGERS, Chairman

Ordered passed on file.

Senate File 152 referred to committee on **state government** under Senate Rule 38.

AMENDMENTS FILED

S—3356

Amend Senate Joint Resolution 8 as follows:

1. Page 3, line 3, by striking the word "two-thirds".

2. Page 3, line 10, by inserting after the word "law" the words "except that they shall not have power to levy any tax unless expressly authorized by the General Assembly".

COMMITTEE ON COUNTY GOVERNMENT
CHARLES P. MILLER, Chairman

S—3350

Amend Senate File 205 as follows:

1. Page 4, by inserting after line 14, the following:

"Sec. 2. *NEW SECTION.* For certificated school employees employed under contracts which do not conform to the normal school year, all provisions of this Act shall apply, except that the date and time requirements will be as follows:

1. A contract shall not be offered by the employing board to a teacher under its jurisdiction prior to 90 calendar days before expiration of the existing contract. The teacher shall have no less than 21 days to sign the contract and return it to the employing board. The teacher may file a written resignation with the secretary of the board of directors on or before 15 calendar days before the contract's expiration.

2. Within five days following school board action to consider terminating a teacher's contract, but no later than 105 calendar days before the expiration date of the current contract, the teacher shall be notified in writing, either by receipted personal service or mailed by certified mail, that the board has voted to consider termination of the contract.

3. Following the board's final action to terminate, the secretary of the board shall mail to the teacher notices of the board's action by certified mail, which shall be mailed promptly, and not later than 70 calendar days before the expiration date of the current contract."

2. Renumber the remaining sections in accordance with this amendment.

EARL M. WILLITS

S—3357

Amend Senate File 205, page 4, line 20, after the word "cause." by inserting the sentence: "For the purpose of this section, 'just cause' is not limited to the definition in paragraph three of section two hundred seventy-nine point thirteen (279.13) of the Code."

LOWELL L. JUNKINS
ELIZABETH SHAW

S—3354

Amend Senate File 205, page 4, line 32, by inserting after the word "with" the words "or without".

ROGER J. SHAFF
BERL E. PRIEBE

S—3346

Amend S—3302 by the committee on education amending Senate File 205 as follows:

1. Page 1, by striking lines 4 through 9 and inserting in lieu thereof the following:

"2. Page 1, line 9 by striking the second comma ',' and inserting in lieu thereof a period '.'.

3. Page 1, line 10 by striking the words 'including sabbatical leaves and reimbursement for tuition'.

4. Page 1, line 11, by striking the words 'for approved courses paid by the teacher.' "

2. By renumbering the remaining paragraphs in accordance with this amendment.

CALVIN O. HULTMAN

S—3345

Amend the committee on education amendment S—3302 to page 1 of Senate File 205, as follows:

1. Page 1, by striking lines 28 through 36 and inserting in lieu thereof the following:

10. Page 3, line 17, by inserting after the period "." the following new sentence: "However, no teacher shall have the right to appeal the action of the board until after employment as a teacher for three consecutive years by the school district, unless the appeal is based upon an alleged violation of a constitutionally guaranteed right of the teacher."

2. By renumbering the remaining sections in accordance with this amendment.

RAY TAYLOR

S—3347

Amend S—3302 by the committee on education amending Senate File 205 by striking lines 13 and 14 on page 1 and inserting in lieu thereof the following:

"5. Page 1, line 30, by striking the words 'June fifteenth' and inserting in lieu thereof the words 'May first'."

CALVIN O. HULTMAN

S—3353

Amend the committee on education amendment S—3302 to Senate File 205, page 1, line 33, by inserting after the word "section" the words "to an arbitrator".

STEVEN SOVERN

S—3348

Amend the education committee amendment S—3302 to page 1 of Senate File 205 as follows:

1. Page 1, by striking lines 37 through 50 and inserting in lieu thereof the following:

"11. Page 2, lines 11 and 12, by striking the words 'Just cause is limited to the teacher's performance of contracted duties or factors requiring reduction of staff.'

12. Page 3, by striking lines 18 through 35 and inserting in lieu thereof the following: 'or discharge, a teacher who has been employed for more than two consecutive years may within thirty days after notification of discontinuance of the contract appeal to the district court of the county in which the administrative office of the school district is located.'

13. Page 4, by striking lines 1 through 35."

2. Page 2, by striking lines 1 through 42.

EUGENE M. HILL

S—3351

Amend S—3302 to Senate File 205 as follows:

1. Page 1, line 41, by striking the word "five" and inserting in lieu thereof the word "three".

2. Page 1, line 47, by inserting after the period "." the following:

"The party having the right to remove the first name shall do so within two days of receipt of the list and the second party shall have one additional day to remove one of the two remaining names."

EARL M. WILLITS

S—3349

Amend Senate File 229, page 1, by inserting after line 6, the following new paragraph:

"Nothing in this section shall be construed to prohibit the sale of any meat product which is processed and prepared by a meat packing facility and which is sold to the retailer in a sealed metal container and offered for sale to the consumer in the sealed metal container."

PHILIP B. HILL

On motion of Senator Priebe, the Senate adjourned at 5:15 p.m., until 9:30 a.m., Tuesday, March 25, 1975.

JOURNAL OF THE SENATE

SEVENTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MARCH 25, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend James Fyfe, pastor of the Montrose Presbyterian Church, Montrose, Iowa.

The Journal of Monday, March 24, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William Withers, Waukon, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon session on request of Senator Hansen.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Barton L. Schwieger, former member of the Senate from Black Hawk County.

President Neu welcomed Makato Susuki from Japan, a trainee on the farm of former Representative Karl Kiilsholm in Kossuth County. Senator Priebe.

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred forty students from Winterset Junior High School, Winterset, Iowa, accompanied by Bill Wilson. Senator Rodgers.

Sixty students from Belle Plaine High School, Belle Plaine, Iowa, accompanied by Mr. Hansen and Mr. Robinson. Senator Orr.

PETITIONS

The following petition has been presented and placed on file:

By Senator Kinley from twenty-eight residents of Polk County

favoring legislation to authorize a presidential preferential primary election in Iowa.

The following petitions requesting that pari-mutuel betting be debated by the Iowa General Assembly were received and placed on file by:

Senator Kinley from three hundred forty-five residents of Iowa.

Senator Kinley from seventeen residents of Cerro Gordo County.

Senator Kinley from twenty-three residents of Woodbury County.

Senator Kinley from thirty-six residents of Guthrie County.

Senator Kinley from twelve residents of Polk County.

Senator Shaw from forty-three residents of Scott County.

Senator Hansen from one hundred forty-five residents of Black Hawk County.

Senator Hill of Polk from four hundred thirty-four residents of Kossuth County.

Senator Coleman from four hundred twenty residents of Webster and Humboldt Counties.

Senator Andersen from three hundred three residents of Monona County.

Senator Miller of Marshall from two hundred forty-nine residents of Marshall County.

Senator Hultman from two hundred fifty-five residents of Montgomery County and adjoining counties.

Senator Briles from one hundred forty-four residents of Adams County and adjoining counties.

Senator Nolin from fifty-four residents of 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 324, a bill for an act relating to abandoned vehicles.

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

House File 455, a bill for an act making appropriations to the Iowa state fair board, agricultural societies, the geological survey, and the Iowa natural resources council.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 324, a bill for an act relating to abandoned vehicles.

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

House File 455, a bill for an act making appropriations to the Iowa state fair board, agricultural societies, the geological survey, and the Iowa natural resources council.

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

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

AFTERNOON SESSION

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

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

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 359, by Senator Griffin, a bill for an act relating to fees for certificates of compliance required of manufacturers and wholesalers of alcoholic beverages.

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

Senate File 360, by Senator Burroughs, a bill for an act relating to telephone exchange service.

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

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 205.

Senate File 205

On motion of Senator Carr, Senate File 205, a bill for an act relating to the issuance, continuation, and termination of teachers' contracts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Willits offered amendment S—3302 filed by the committee on education and called for a division of the amendment, as follows:

S—3302

Amend Senate File 205 as follows:

Division S—3302A

1. Page 1, line 9, by striking the word "such" and inserting in lieu thereof the word "any".

Division S—3302B

2. Page 1, by striking line 10 and inserting in lieu thereof the words "including but not limited to sabbatical leaves and reimbursement for tuition paid by the teacher".

3. Page 1, line 11, by striking the words "paid by the teacher".

Division S—3302C

4. Page 1, line 26, by inserting after the word "teacher" the words "or as terminated in accordance with the provisions specified in this chapter".

Division S—3302D

5. Page 1, line 30, by striking the word "June" and inserting in lieu thereof the word "May".

Division S—3302E

6. Page 2, line 7, by inserting after the word "writing," the words "either by receipted personal service or".

7. Page 2, line 9, by inserting after the period the following: "If the notice has been by certified mail, the notice shall be complete upon mailing."

8. Page 3, line 2, by inserting after the period the following: "No school board member shall be liable for any damages to any teacher if any statement at the conference is determined to be erroneous as long as the statement was made in good faith."

9. Page 3, line 15, by inserting after the first word "mail" the words "to the teacher".

Division S—3302F

10. Page 3, line 17, by inserting after the period the following: "However, no teacher who has been employed by the board of directors as a teacher for less than two consecutive school years shall have the right to appeal a termination of employment under this section unless the termination is for an alleged violation of a constitutionally guaranteed right or

an alleged violation of public employee rights under section twenty point ten (20.10) of the Code."

Division S—3302G

11. Page 3, lines 27 and 28, by striking the words "select an arbitrator from lists maintained by that board" and inserting in lieu thereof the following: "submit to the school board and the teacher a list of five names of available arbitrators from lists maintained by the public employee relations board. The school board and the teacher shall strike names from the list until only one name remains, and that person shall serve as the arbitrator. The party entitled to strike the first name shall be determined by lot. The secretary of the board shall inform the chairman of the public employee relations board of the name of the arbitrator selected".

Division S—3302H

12. Page 4, line 11, by striking the words "the

Page 2

interested parties" and inserting in lieu thereof the words "either party".

13. Page 4, line 13, by inserting after the word "shared" the word "equally".

Division S—3302I

14. Page 4, by inserting after line 14 the following new unnumbered paragraph:

"If either party is aggrieved by the arbitrator's decision, the decision may be appealed within twenty days to the district court in the county in which the hearing was held. Notice of the appeal must be made in writing to the other party when the appeal is filed. The arbitrator's award may be modified, reversed, or set aside only if the court determines that the arbitrator acted without or in excess of his authority, that the arbitrator's findings of fact are not supported by a preponderance of the competent evidence on the record considered as a whole, or that the arbitrator's award was procured by fraud or is contrary to law. The assessments of costs and attorney fees in such appeals shall be at the discretion of the court."

Division S—3302J

15. Page 4, line 20, by striking the word "partiality,".

16. Page 4, line 20, by inserting after the word "any" the word "other".

Division S—3302I (cont'd)

17. Page 4, by inserting after line 35 the following new unnumbered paragraph:

"If either party is aggrieved by the arbitrator's decision, the decision may be appealed within twenty days to the district court in the county in which the hearing was held. Notice of the appeal must be made in writing to the other party when the appeal

is filed. The arbitrator's award may be modified, reversed, or set aside only if the court determines that the arbitrator acted without or in excess of his authority, that the arbitrator's findings of fact are not supported by a preponderance of the competent evidence on the record considered as a whole, or that the arbitrator's award was procured by fraud or is contrary to law. The assessments of costs and attorney fees in such appeals shall be at the discretion of the court."

On motion of Senator Willits, division S—3302A of the amendment was adopted.

Senator Hultman offered amendment S—3346 to division S—3302B filed by him, moved its adoption and requested a non-record roll call:

S—3346

Amend S—3302 by the committee on education amending Senate File 205 as follows:

1. Page 1, by striking lines 4 through 9 and inserting in lieu thereof the following:

"2. Page 1, line 9, by striking the second comma ',' and inserting in lieu thereof a period '.'.

3. Page 1, line 10, by striking the words 'including sabbatical leaves and reimbursement for tuition'.

4. Page 1, line 11, by striking the word 'for approved courses paid by the teacher.' "

2. By renumbering the remaining paragraphs in accordance with this amendment.

Rule 25 was invoked.

The ayes were 14, nays 35.

Amendment S—3346 to division S—3302B lost.

On motion of Senator Willits, division S—3302B of the amendment was adopted.

On motion of Senator Willits, division S—3302C of the amendment was adopted.

Senator Hultman offered amendment S—3347 to division S—3302D filed by him, moved its adoption and requested a non-record roll call:

S—3347

Amend S—3302 by the committee on education amending Senate File 205 by striking lines 13 and 14 on page 1 and inserting in lieu thereof the following:

"5. Page 1, line 30, by striking the words

'June fifteenth' and inserting in lieu thereof the words **'May first'."**

The ayes were 19, nays 29.

Amendment S—3347 to division S—3302D lost.

On motion of Senator Willits, division S—3302D of the amendment was adopted.

On motion of Senator Willits, division S—3302E of the amendment was adopted.

Senator Taylor withdrew amendment S—3314 to division S—3302F filed by him on March 12, 1975, and found on pages 633 and 634 of the Senate Journal.

Senator Taylor offered amendment S—3345 to division S—3302F and moved its adoption:

S—3345

Amend the committee on education amendment S—3302 to page 1 of Senate File 205, as follows:

1. Page 1, by striking lines 28 through 36 and inserting in lieu thereof the following:

10. Page 3, line 17, by inserting after the period "." the following new sentence: "However, no teacher shall have the right to appeal the action of the board until after employment as a teacher for three consecutive years by the school district, unless the appeal is based upon an alleged violation of a constitutionally guaranteed right of the teacher."

2. By renumbering the remaining sections in accordance with this amendment.

Amendment S—3345 to division S—3302F lost.

Senator Sovern withdrew amendment S—3353 to division S—3302F filed by him on March 24, 1975, and found on page 692 of the Senate Journal.

Senator Sovern offered amendment S—3371 to division S—3302F and moved its adoption:

S—3371

Amend the committee on education amendment S—3302 to Senate File 205, page 1, line 32, by inserting after the word "appeal" the words "to an arbitrator".

Amendment S—3371 to division S—3302F was adopted.

Senator Carr offered amendment S—3342 to division S—3302F filed by him and moved its adoption:

S—3342

Amend S—3302 by the committee on education amend-

ing Senate File 205 as follows:
1. Page 1, line 33, by striking the words "termination is for" and inserting in lieu thereof the words "appeal is based upon".
2. Page 1, line 34, by inserting after the word "right" the words "of the teacher".
3. Page 1, line 35, by inserting after the word "rights" the words "of the teacher".

Amendment S—3342 to division S—3302F was adopted.

Senator Sovern offered amendment S—3367 to division S—3302F by Senators Sovern, et al., and called for a division of the amendment, as follows:

S—3367

Division S—3367A

Amend the committee amendment S—3302 to Senate File 205 as follows:
1. Page 1, by inserting after line 36 the following amendments:
"..... Page 3, by striking lines 22 and 23 and inserting in lieu thereof the words "shall be sent".
..... Page 3, line 24, by striking the words "also sent".
..... Page 3, line 25, by inserting after the period the words "Within five days following receipt by the secretary of the notice of appeal, the board or its legal representative if any and the teacher or his representative if any may select an arbitrator who resides within the boundaries of the merged area in which the school district is located. If an arbitrator cannot be mutually agreed upon within the five-day period, notice of appeal shall be sent by the teacher by certified mail to the chairman of the public employment relations board."

Division S—3367B

2. Page 1, line 41, by striking the word "five" and inserting in lieu thereof the word "three".

Division S—3367A (cont'd)

3. By renumbering the remaining amendments in accordance with this amendment.

Action on division S—3302F of the amendment and amendment S—3367 to division S—3302F was temporarily deferred.

Senator Hill of Jasper offered amendment S—3348 to division S—3302G, moved its adoption and requested a record roll call:

S—3348

Amend the education committee amendment S—3302 to page 1 of Senate File 205 as follows:
1. Page 1, by striking lines 37 through 50 and inserting in lieu thereof the following:
"11. Page 2, lines 11 and 12, by striking the words

'Just cause is limited to the teacher's performance of contracted duties or factors requiring reduction of staff.'

12. Page 3, by striking lines 18 through 35 and inserting in lieu thereof the following: 'or discharge, a teacher who has been employed for more than two consecutive years may within thirty days after notification of discontinuance of the contract appeal to the district court of the county in which the administrative office of the school district is located.'

13. Page 4, by striking lines 1 through 35."

2. Page 2, by striking lines 1 through 42.

On the question "Shall amendment S—3348 to division S—3302G be adopted?" (S.F. 205) the vote was:

Ayes, 14:

Bergman	Heying	Nolin	Taylor
Briles	Hill of Jasper	Ramsey	Tieden
Burroughs	Miller of Marshall	Scott	Winkelman
Coleman		Shaff	

Nays, 35:

Andersen	Griffin	Miller of Des Moines	Rabedeaux
Carr	Hansen	Murray	Redmond
Culver	Hill of Polk	Nolting	Robinson
Curtis	Hultman	Norpel	Rodgers
DeKoster	Junkins	Orr	Schwengels
Doderer	Kelly	Palmer	Shaw
Gallagher	Kinley	Plymat	Sovern
Glenn	Lamborn	Priebe	Van Gilst
Gluba	Merritt		Willits

Absent or not voting, 1:

Nystrom

Amendment S—3348 to division S—3302G lost.

Senator Willits offered amendment S—3351 to division S—3302G and moved its adoption:

S—3351

Amend S—3302 to Senate File 205 as follows:

1. Page 1, line 41, by striking the word "five" and inserting in lieu thereof the word "three".

2. Page 1, line 47, by inserting after the period "." the following:

"The party having the right to remove the first name shall do so within two days of receipt of the list and the second party shall have one additional day to remove one of the two remaining names."

Amendment S—3351 to division S—3302G was adopted.

Senator Willits moved the adoption of division S—3302G as amended.

A non-record roll call was requested.

The ayes were 36, nays 11.

Division S—3302G of the amendment as amended was adopted.

The Senate resumed consideration of division S—3302F and amendment S—3367 to division S—3302F.

Senator Sovern withdrew division S—3367B of the amendment to division S—3302F.

On motion of Senator Sovern, division S—3367A of the amendment to division S—3302F was adopted.

On motion of Senator Willits, division S—3302F of the amendment as amended was adopted.

On motion of Senator Willits, division S—3302H of the amendment was adopted.

On motion of Senator Willits, division S—3302I of the amendment was adopted.

On motion of Senator Willits, division S—3302J of the amendment was adopted.

(Senate File 205 pending on adjournment.)

INTRODUCTION OF BILL

Senate File 361, by Senators Junkins, Miller of Des Moines, Briles, Schwengels, Griffin, Culver, Hultman, Tieden, Robinson, Ramsey, Coleman and Nystrom, a bill for an act relating to the retirement qualifications of policemen and firemen.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 332 State government
S. F. 333 State government
S. F. 334 State government
S. F. 335 Commerce
S. F. 336 Natural resources
S. F. 337 Appropriations
S. F. 339 Commerce
S. F. 340 Judiciary

S. F. 341 State government
S. F. 342 Commerce
S. F. 343 County government
S. F. 344 Commerce
S. F. 345 Judiciary
S. F. 346 Labor and industrial relations
S. F. 347 Judiciary
S. F. 348 Judiciary
S. F. 349 Judiciary
S. F. 350 Education
S. F. 352 Judiciary
S. F. 353 Appropriations
S. F. 354 State government
S. F. 356 Cities
S. F. 357 Commerce
S. F. 358 Human resources
H. F. 351 Labor and industrial relations

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of March, 1975: Senate File 90.

CLARK R. RASMUSSEN
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 18, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 13—Relating to the issuance of special registration plates to owners of vehicles holding amateur radio licenses and the issuance of personalized license plates for motor vehicles.

S. F. 14—Relating to the issuance of trapping licenses to aliens or non-residents and making provisions of this act retroactive.

S. F. 123—Relating to the inclusion of nursing and pharmacy within the definition of profession for purposes of the Iowa Professional Corporation Act.

S. F. 133—Appropriating funds to the service compensation fund and providing a publication clause.

S. F. 134—To repeal authorization for the standing appropriation of

funds to the auditor of state to audit the department of transportation.

S. F. 153—Relating to the disposition of seized cigarettes.

Also:

That on March 25, 1975, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 90—Increasing the tax levy in certain townships for fire protection.

REPORT OF COMMITTEE

Senator Heying submitted the following report:

MR. PRESIDENT: Your committee on natural resources to which was referred Senate File 256, a bill for an act to require fishways on all dams, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. HEYING, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3373

Amend the human resources committee amendment S—3313 to Senate File 106, page 1, by inserting in line 17 after the word "may" the words "permit smoking by persons seated at any table provided for the purpose of consuming food or beverages served or provided on the premises and may".

WILLIAM N. PLYMAT

S—3364

Amend Senate File 205, page 1, line 6, by inserting after the word "certificated" the words "or licensed".

EARL M. WILLITS

S—3369

Amend Senate File 205 as follows:

1. Page 2, line 6, by striking the word "February" and inserting in lieu thereof the word "March".

2. Page 3, line 15, by striking the words "March twentieth" and inserting in lieu thereof the words "April fifteenth".

RAY TAYLOR

S—3362

Amend Senate File 205 as follows:

1. Page 2, line 10, by striking the words

"for just" and inserting in lieu thereof the following: ": Incompetency, persistent or substantial neglect of duty, inadequate performance, physical disability or sickness which interferes with performance of duty as shown by competent medical evidence and following one year's leave of absence, or other just cause related to effective performance of duties, or factors which require a reduction of staff."

2. Page 2, by striking lines 11 and 12.

STEVE SOVERN
WILLARD R. HANSEN
PHILIP B. HILL
CLIFTON C. LAMBORN
JOAN ORR
RICHARD R. RAMSEY
JAMES M. REDMOND
ROGER J. SHAFF

S—3366

Amend the Sovern amendment S—3362 to page 2 of Senate File 205 by inserting on line 4 after the word "performance," the words "insubordination, commission of a felony, moral turpitude,".

C. JOSEPH COLEMAN

S—3372

Amend the Sovern amendment S—3362 to page 2 of Senate File 205 by inserting on line 5 after the word "performance," the words "insubordination, commission of a felony, moral turpitude,".

C. JOSEPH COLEMAN

S—3368

Amend the Sovern amendment S—3362 to page 2 of Senate File 205 by inserting on line 6 after the word "physical" the words "or mental".

JAMES M. REDMOND

S—3365

Amend the Sovern, et al., amendment S—3362 to Senate File 205, line 10, by inserting after the word "reduction" the words "or realignment".

ROGER J. SHAFF

S—3370

Amend the Sovern, et al., amendment S—3362 to page 2 of Senate File 205 by striking the words "related to effective performance of duties" on lines 9 and 10 and inserting in lieu thereof the words "sufficient to sustain the discharge of any teacher pursuant to section two hundred seventy-nine point twenty-four (279.24) of the Code".

RICHARD R. RAMSEY

S—3359

Amend Senate File 205, line 18, page 2, by inserting after the period "." the following sentences:

"The teacher's complete personnel file shall be available, which file shall contain a record of all periodic reviews between the teacher and appropriate supervisors. In any termination proceeding note shall be taken of the teacher's complete personnel file in addition to those items specifically relating to the cause for termination."

PHILIP B. HILL
STEVE SOVERN

S—3361

Amend the Griffin amendment S—3307 to Senate File 205 by striking lines 9, 10, and 11 and inserting in lieu thereof the following:

"3. Page 3, line 4, by inserting after the word "board." the words "However, if the conference was held to consider terminating the contract of the superintendent, a representative of the board shall make a written recommendation to the board and the superintendent shall not make a written recommendation to the board."

JOAN ORR

S—3360

Amend the Griffin amendment S—3307 to Senate File 205 by striking lines 18, 19, and 20.

JOAN ORR

S—3358

Amend the Andersen amendment S—3324 to page 2 of Senate File 205 by striking the word "discusses" in line 6 and inserting in lieu thereof the word "discussed".

LEONARD C. ANDERSEN

S—3363

Amend House File 54 as amended and passed by the House as follows:

1. Page 1, by inserting after line 32 the following section:

"Sec. ..... Section four hundred sixty-seven A point four (467A.4), subsection one (1), Code 1975, is amended to read as follows:

1. There is hereby established, to serve as an agency of the state and to perform the functions conferred upon it in this chapter, the department of soil conservation. The department shall be administered in accordance with the policies of the state soil conservation committee, which shall consist of a chairman and twelve members. The following shall serve as ex

officio nonvoting members of the committee: The director of the state agricultural extension service, or his designee, the secretary of agriculture, or his designee, the director of the state conservation commission or his designee, and the director of the Iowa natural resources council or his designee. Eight voting members shall be appointed by the governor and confirmed by the senate; *however, not more than four voting members shall be members of the same political party.* Six of the appointive members shall be persons engaged in actual farming operations, one of whom shall be a resident of each of the six conservancy districts established by section 467D.3, and no more than one of whom shall be a resident of any one county. The seventh and eighth appointive members shall be chosen by the governor from the state at large with one appointed to be a representative of cities and one appointed to be a representative of the mining industry. The committee may invite the secretary of agriculture of the United States to appoint one person to serve with the above-mentioned members, and the president of the Iowa county engineers association may designate a member of the association to serve in the same manner, but these persons shall have no vote and shall serve in an advisory capacity only. The director of the department of environmental quality shall be an ex officio nonvoting member. The committee shall adopt a seal, which seal shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules as provided in chapter 17A as may be necessary for the execution of its functions under this chapter."

2. Page 5, after line 18, insert the following:

"Sec. ..... Notwithstanding the provisions of section four hundred sixty-seven A point four (467A.4) of the Code relating to the term of office of the members of

Page 2

the state soil conservation committee, if the five voting members of the committee whose terms do not expire on June 30, 1975 are members of the same political party, the membership of one such member whose term expires on June 30, 1977 shall be terminated and a successor who is not a member of the same political party shall be appointed for the unexpired term. The three successors appointed for the terms expiring on June 30, 1981 shall be qualified as to political party affiliation as provided in this Act.

Sec. ..... This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Carroll Daily Times Herald, a newspaper published in Carroll, Iowa, and in The Southern County News, a newspaper published in Thornton, Iowa."

3. Title page, line 4, after the word "districts" insert the words "and the state soil conservation committee".

4. Renumber the sections as required by this amendment.

KARL NOLIN
BERL E. PRIEBE

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:10 p.m., until 9:30 a.m., Wednesday, March 26, 1975.

JOURNAL OF THE SENATE

SEVENTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MARCH 26, 1975

The Senate met in regular session, President Neu presiding

Prayer was offered by the Reverend Val Cudnoski, pastor of the First Baptist Church, Sumner, Iowa.

The Journal of Tuesday, March 25, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Gene Michel, Cherokee, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the day on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-one students from the Newell-Providence Junior-Senior High School, Newell, Iowa, accompanied by Lee Campbell, Walter Spuebeck, Ken Anderson, and Jerry Braunsweig. Senator Curtis.

PETITIONS

The following petitions have been presented and placed on file:

By Senator Hill of Polk from forty-three residents of Polk County favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

By Senator Van Gilst from twenty-two residents of Marion County opposing pari-mutuel betting.

The following petitions requesting that pari-mutuel betting be

debated by the Iowa General Assembly were received and placed on file by:

Senator Kelly from thirty-five residents of Woodbury County.

Senator Taylor from one hundred twenty-three residents of Hancock County and adjoining counties.

RESOLUTION

The following resolution, dated March 17, 1975, was presented by Senator Kelly from the Plymouth County Federation of Women's Clubs:

Whereas, The State of Iowa has one-fourth of the world's prime agricultural land located within its state boundaries; and

Whereas, Concerned Iowans have been taking a critical look for some time at the need to preserve their land for food production; and

Whereas, Questions have been raised about the wisdom of using Iowa land for more highways, expressways and interstates; and

Whereas, Other questions have been raised regarding the manner in which Iowa cities and towns are permitted to expand both within and without their city limits, and whether such development represents prudent use of Iowa's land; and

Whereas, A land use plan for the entire state of Iowa needs to be developed to maintain local control of land use; *Therefore*

Be It Resolved, That the Plymouth County Federation of Women's Clubs supports a plan to place the control of land use in the State of Iowa at the city and county governmental levels.

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 relating to adjournment for Good Friday, March 28, 1975.

DAVID L. WRAY, Chief Clerk

ADOPTION OF RESOLUTION

House Concurrent Resolution 28

Senator Kinley asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 28, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 28
By Fitzgerald

Whereas, Many members of both houses of the
legislature wish to spend Good Friday in contemplation

and religious observance, and

Whereas, The General Assembly respects each individual's right to worship the Almighty in whatever manner seems most appropriate; *Now Therefore*,

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, March 27, 1975, it be to reconvene Monday, March 31, 1975, at 10:00 a.m.

The motion prevailed and the resolution was adopted.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Nolin called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John W. Menne, Ph.D., Cambridge, Story County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners under the provisions of Section 147.14 (7), Code 1975, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
BERL E. PRIEBE
STEVE SOVERN
JAMES E. BRILES
JOHN S. MURRAY

The motion prevailed and the report was adopted.

Senator Orr took the chair at 9:48 a.m.

Senator Nolin moved the appointment of John W. Menne, Ph.D., as a member of the Iowa State Board of Psychology Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Andersen	Griffin	Miller of	Robinson
Bergman	Hansen	Marshall	Rodgers
Briles	Heying	Murray	Schwengels
Burroughs	Hill of Jasper	Nolin	Scott
Carr	Hill of Polk	Nolting	Shaff
Coleman	Hultman	Norpel	Shaw
Culver	Junkins	Nystrom	Sovern
Curtis	Kelly	Orr	Taylor
DeKoster	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Miller of	Ramsey	Winkelman
Gluba	Des Moines	Redmond	

Nays, none.

Absent or not voting, 1:
Priebe

The Chair declared the appointment of John W. Menne, Ph.D., as a member of the Iowa State Board of Psychology Examiners confirmed for the regular three-year term ending June 30, 1978.

Senator Van Gilst called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Charles O'Connor, of Des Moines, Polk County, Iowa, for reappointment as a member of the City Finance Committee under the provisions of Section 384.13, Code 1975, for the regular four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LOUIS P. CULVER
LEONARD C. ANDERSEN
W. R. RABEDEAUX
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Van Gilst moved the appointment of Charles O'Connor as a member of the City Finance Committee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Rabedeaux	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Gallagher	Merritt	Redmond	Winkelman
Glenn	Miller of Des Moines		
Gluba			

Nays, none.

Absent or not voting, 3:

Palmer	Priebe	Tieden

The Chair declared the appointment of Charles O'Connor as a member of the City Finance Committee confirmed for the regular four-year term ending June 30, 1978.

Senator Scott called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Vinton Rowley, Ph.D., of Iowa City, Johnson County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners under the provisions of Section 147.14 (7), Code 1975, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
MINNETTE DODERER
FRED W. NOLTING
PHILIP B. HILL
WILLIAM P. WINKELMAN

The motion prevailed and the report was adopted.

Senator Scott moved the appointment of Vinton Rowley, Ph.D., as a member of the Iowa State Board of Psychology Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 1:

Priebe

The Chair declared the appointment of Vinton Rowley, Ph.D., as a member of the Iowa State Board of Psychology Examiners confirmed for the regular three-year term ending June 30, 1978.

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

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 362, by Senator Robinson, a bill for an act relating to the salary of the superintendent of a merged area school.

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

Senate File 363, by Senators DeKoster, Plymat, Bergman, Nystrom, Schwengels, Winkelman, Tieden, Ramsey and Briles, a bill for an act to increase the standard deduction and minimum net income level below which no tax is imposed for individual income tax purposes and making the act retroactive.

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

Senate File 364, by Senator Curtis, a bill for an act relating to the practice of accountancy.

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

SENATE CONCURRENT RESOLUTION 25

By Culver

Whereas, in the city of Missouri Valley, Iowa, on the thirteenth and fourteenth day of September, 1975, a World's Championship Goose Calling Contest will be held; and

Whereas, this will be the twenty-first Annual World's Championship Goose Calling Contest; and

Whereas, this contest attracts thousand of spectators, participants, and geese from many states; and

Whereas, the citizens of Missouri Valley, Iowa, are preparing a parade and other festivities for this celebration; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the membership of the Sixty-sixth General Assembly of the State of Iowa extends its heartiest felicitations and compliments to the city of Missouri Valley, Iowa, the sponsors and participants of the twenty-first Annual World's Championship Goose Calling Contest; and

Be It Further Resolved, That a copy of this resolution be forwarded to the citizens of Missouri Valley who are in charge of making preparations for the contest.

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

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 205

The Senate resumed consideration of Senate File 205, a bill

for an act relating to the issuance, continuation, and termination of teachers' contracts.

Senator Willits offered amendment S—3364 filed by him:

S—3364
Amend Senate File 205, page 1, line 6, by inserting after the word "certificated" the words "or licensed".

Action on amendment S—3364 was temporarily deferred.

Senator Willits offered amendment S—3310 filed by Senators Willits and Carr:

S—3310
Amend Senate File 205, page 1, line 6, by inserting after the word "district" the words ", the Iowa Braille and Sight Saving School, the Iowa School for the Deaf, the Training School for Boys, and the Training School for Girls,".

Action on amendment S—3310 was temporarily deferred.

Senator Griffin withdrew amendment S—3305 filed by him on March 10, 1975, and found on page 612 of the Senate Journal.

Senator Griffin offered amendment S—3307 filed by him and called for a division of the amendment as follows:

S-3307
Amend Senate File 205 as follows:

Division S—3307A

1. Page 1, line 7, by striking the word "excluding" and inserting in lieu thereof the word "including".

2. Page 1, line 35, by inserting after the word "teacher." the sentence "If the contract with the superintendent is being considered for termination the board shall notify the superintendent.".

Division S—3307B

3. Page 3, lines 3 and 4, by striking the word "superintendent" and inserting in lieu thereof the words "board or its representative".

Division S—3307C

4. Page 1, line 18, by striking the words "when tendered,".

5. Page 1, line 19, by striking the words "and after it is signed by the teacher the contract" and inserting in lieu thereof the following "and teacher and".

Division S—3307D

6. Page 1, line 21, by inserting after the word "contract." the sentence "The term of the contract shall not exceed the ensuing school year.".

Action on amendment S—3307 was temporarily deferred.

Senator Schwengels offered amendment S—3326 filed by him, moved its adoption and requested a non-record roll call:

S—3326
Amend Senate File 205, page 2, by striking lines 2, 3, and 4 and inserting in lieu thereof the words ". Within five days".

Rule 25 was invoked.

The ayes were 19, nays 28.

Amendment S—3326 lost.

Senator Taylor offered amendment S—3369 filed by him, moved its adoption and requested a non-record roll call:

S—3369
Amend Senate File 205 as follows:
1. Page 2, line 6, by striking the word "February" and inserting in lieu thereof the word "March".
2. Page 3, line 15, by striking the words "March twentieth" and inserting in lieu thereof the words "April fifteenth."

The ayes were 12, nays 33.

Amendment S—3369 lost.

Senator Shaw offered amendment S—3380 by Senators Shaw and Lamborn:

S—3380
Amend Senate File 205, page 1, line 7, by inserting after the word "superintendents" the words ", deputy superintendents, assistant superintendents and principals".

(Senate File 205 and amendment S—3380 pending on adjournment.)

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

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 365, by Senators Nystrom, Coleman and Curtis, a bill for an act relating to an increase of retirement benefits to certain retired public employees.

Read first time and passed on file.

Senate File 366, by committee on agriculture, a bill for an act

relating to the transporting of cattle, swine, and grain, and providing penalties.

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

Senate File 367, by committee on agriculture, a bill for an act relating to the location and operation of livestock feed lots, and defining nuisance as the term relates thereto.

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

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 39, a bill for an act relating to the organization, powers and duties of credit unions.

Also: 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 farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain corporations, requiring reports, authorizing farming by certain corporations, providing civil procedures and remedies for enforcement of the provisions of the Act, and providing penalties for violation of the Act.

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

House File 392, a bill for an act relating to the definition of tax year for corporation and individual income tax returns.

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

House File 398, a bill for an act relating to the board of psychology examiners.

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

House File 433, a bill for an act relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 215, a bill for an act relating to farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain cor-

porations, requiring reports, authorizing farming by certain corporations, providing civil procedures and remedies for enforcement of the provisions of the Act, and providing penalties for violation of the Act.

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

House File 392, a bill for an act relating to the definition of tax year for corporation and individual income tax returns.

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

House File 398, a bill for an act relating to the board of psychology examiners.

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

House File 433, a bill for an act relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3326 to Senate File 205 failed to be adopted by the Senate on March 26, 1975.

FORREST V. SCHWENGELS

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 359 Ways and means

S. F. 360 Commerce

S. F. 361 State government

H. F. 324 Transportation

H. F. 455 Appropriations

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As members of the Natural Resources Council:

Richard R. Ayres, Spirit Lake, Dickinson County, Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Coleman, chairman
Senator Carr
Senator Heying
Senator Bergman
Senator Tieden

Mabel E. Miller, Keosauqua, Van Buren County, Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Scott, chairman
Senator Glenn
Senator Redmond
Senator DeKoster
Senator Schwengels

John T. Pelton, Clinton, Clinton County, Iowa, for the unexpired portion of a term ending June 30, 1977.

Senator Nolin, chairman
Senator Merritt
Senator Palmer
Senator Briles
Senator Shaff

Hugh A. Templeton, Knoxville, Marion County, Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Hill of Jasper, chairman
Senator Doderer
Senator Gluba
Senator Burroughs
Senator Winkelman

As members of the Iowa Public Employees' Retirement System Advisory Investment Board:

Arthur E. Dahl, Muscatine, Muscatine County, Iowa, as the "industrial corporation executive" member, for the unexpired portion of a term ending June 30, 1975, and for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Norpel, chairman
Senator Gallagher
Senator Orr
Senator Nystrom
Senator Rabedeaux

George R. Duvall, Ames, Story County, Iowa, as the "school employee member of the system" member, for a six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Willits, chairman
Senator Heying
Senator Miller of Des Moines
Senator Murray
Senator Taylor

As a member of the Campaign Finance Disclosure Commission.

Jolene Stevens, Sioux City, Woodbury County, Iowa, for reappointment to a six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Van Gilst, chairman

Senator Culver
Senator Nolting
Senator Kelly
Senator Miller of Marshall

As a member of the Council on Social Services:

Dolph Pulliam, Des Moines, Polk County, Iowa, for reappointment to a regular six-year term commencing on July 1, 1975 and ending June 30, 1981.

Senator Orr, chairman
Senator Miller of Des Moines
Senator Redmond
Senator Griffin
Senator Plymat

As a member of the Iowa Beer and Liquor Control Council.

Joan I. Ballantyne, Cherokee, Cherokee County, Iowa, for a five-year term commencing July 1, 1975 and ending June 30, 1980.

Senator Priebe, chairman
Senator Rodgers
Senator Sovern
Senator Curtis
Senator Ramsey

As a member of the Iowa State Commerce Commission:

Mary F. Holstad, Des Moines, Polk County, Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Robinson, chairman
Senator Junkins
Senator Kinley
Senator Hultman
Senator Shaw

REPORT OF COMMITTEE

Senator Glenn submitted the following report:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 163**, a bill for an act relating to the temporary service of retired supreme 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:**

S—3376

Amend Senate File 163 as follows:

1. Page 1, line 29, by striking the word *"permanent"*.

2. Page 1, by striking lines 33 and 34, and inserting in lieu thereof the following:

"the court, but a quorum shall not exist at any time when a majority of the judges sitting are temporary judges."

3. Page 2, by striking lines 7 and 8, and by inserting in lieu thereof the following:

"adopt. *A division shall not constitute a*

quorum at any time when a majority of the judges sitting in that division are temporary judges."

GENE W. GLENN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3379

Amend Senate File 205 as follows:

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

"Section 1. Section twenty point seven (20.7), subsection three (3), Code 1975, is amended to read as follows:

3. Suspend or discharge public employees for proper cause *except as otherwise provided by law.*

Sec. 2. Section twenty point nine (20.9), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The public employer and the employee organization shall meet at reasonable times, including meetings reasonably in advance of the public employer's budget-making process, to negotiate in good faith with respect to wages, hours, vacations, insurance, holidays, leaves of absence, shift differentials, overtime compensation, supplemental pay, seniority, transfer procedures, job classifications, health and safety matters, evaluation procedures, procedures for staff reduction, in-service training and other matters mutually agreed upon. *Public employees employed by a school district and the board of directors of a school district shall also negotiate in good faith with respect to the issuance, continuation, and termination of teacher contracts.* Negotiations shall also include terms authorizing dues checkoff for members of the employee organization and grievance procedures for resolving any questions arising under the agreement, which shall be embodied in a written agreement and signed by the parties. If an agreement provides for dues checkoff, a member's dues may be checked off only upon the member's written request and the member may terminate the dues checkoff at any time by giving thirty days' written notice. Such obligation to negotiate in good faith does not compel either party to agree to a proposal or make a concession.

3. Section two hundred seventy-nine point thirteen (279.13), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

279.13 CONTRACTS WITH TEACHERS—AUTOMATIC CONTINUATION.

1. Contracts with teachers, which for the purpose of this section means all certificated employees of a school district excluding

superintendents, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract shall also include by

Page 2

reference all provisions of any agreement negotiated by the board of directors and an employee organization certified under chapter twenty (20) of the Code. The contract is invalid if the teacher is under contract with another board of directors to teach during the same time period until a release from the other contract is achieved. The contract shall be signed by the president when tendered, and after it is signed by the teacher the contract shall be filed with the secretary of the board before the teacher enters into performance under the contract.

2. The contract shall remain in force and effect for the period stated in the contract and shall be automatically continued for equivalent periods except as modified or terminated by mutual agreement of the board of directors and the teacher or as terminated in accordance with the provisions specified in this chapter. A contract shall not be offered by the employing board to a teacher under its jurisdiction prior to March first of any year, nor be required to be signed by the teacher and returned to the board less than twenty-one days after being offered. On or before May fifteenth of each year, the teacher may file a written resignation with the secretary of the board of directors.

3. The board, following the recommendation of the superintendent to consider termination, by a majority vote, may consider terminating the contract with the teacher. If such action is taken, the following procedure shall be followed unless other procedures are contained in an agreement negotiated by the board and an employee organization certified under chapter twenty (20) of the Code. Within five days following school board action to consider terminating a teacher's contract, but no later than February fifteenth, the teacher shall be notified in writing, either by receipted personal service or mailed by certified mail, that the board has voted to consider termination of the contract. If the notice has been by certified mail, the notice shall be complete upon mailing. The letter shall state the specific reasons for considering the termination, which shall be: Incompetency, persistent or substantial neglect of duty, inadequate performance, physical or mental disability or sickness which interferes with performance of duty as shown by competent medical evidence and following one year's leave of absence, or other just cause related to effective performance of duties, or factors which require a reduction of staff. However, a notice of

Page 3

intent to terminate shall not be issued until a member of the school administrative staff has provided the teacher with all written and documented evidence of any alleged deficiencies in performance of contracted duties and has allowed the teacher reasonable time to correct the deficiencies.

4. Within five days following receipt of the written notice that the board has voted to consider termination of a contract, the teacher may request in writing to the secretary of the board a private conference with the board. The private conference **shall not be subject to chapter** twenty-eight A (28A) of the Code and shall be held no sooner than ten days and no later than twenty days following the receipt of the request. The secretary of the board shall notify the teacher in writing of the date, time and location of the private conference. The conference shall be attended by members of the board and their legal **representatives if any, the superintendent or** his representative, the teacher and his **representatives** if any, and the teacher's immediate supervisor. The discussion at the conference shall be limited to the specific reasons stated in the notice to consider termination. Any material removed from the teacher's personnel file or other material to be introduced at the conference shall be provided the teacher no less than five days preceding the conference. No school board member shall be liable for any damages to any teacher if any statement at the conference is determined to be erroneous as long as the statement was made **in good faith.**

5. Within three days following the conference, the superintendent shall make a written recommendation to the board. Within three days after the conference, the teacher may send a statement in writing to the board members. The school board shall meet within five days after the private conference is held, or after the time has passed to request a private conference, to determine the continuance or discontinuance of the contract. The board action shall be by roll call vote. A complete record of the meeting to determine the continuance or discontinuance of the contract shall be kept and made available to the teacher. The secretary of the board shall mail to the teacher notices of the board's action by certified mail, which shall be mailed promptly, and not later than March twentieth.

6. The teacher may appeal the action of the board to terminate a contract. However, no teacher who has been employed by the board of directors as a

Page 4

teacher for less than two consecutive school years shall have the right to appeal to an arbitrator a termination of employment under this section unless

the appeal is based upon an alleged violation of a constitutionally guaranteed right of the teacher or an alleged violation of public employee rights of the teacher under section twenty point ten (20.10) of the Code. In case of the termination of employment or discharge of a teacher under the provisions of either this section or section two hundred seventy-nine point twenty-four (279.24) of the Code, the teacher may appeal the decision to an arbitrator within twenty days. The notice of appeal shall be sent to the secretary of the board whose decision is being appealed. Within five days following receipt by the secretary of the notice of appeal, the board or its legal representative if any and the teacher or his representative if any may select an arbitrator who resides within the boundaries of the merged area in which the school district is located. If an arbitrator cannot be mutually agreed upon within the five-day period, the provisions of chapter twenty (20) of the Code shall be applicable, except that the provisions of section twenty point twenty-two (20.22), subsection thirteen (13), of the Code shall not apply.

Sec. 4. Section two hundred seventy-nine point twenty-four (279.24), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

279.24 DISCHARGE OF TEACHER. The board may, by a majority vote, discharge any teacher for incompetency, inattention to duty, or any other just cause. Prior to the discharge, the board shall conduct a complete and impartial investigation of the specific reasons for the action, and shall allow the teacher and his representatives to be present and make a defense. A record of the meeting shall be made and kept. Following the board decision to discharge the teacher, the teacher shall be notified promptly in writing, stating the specific reasons for the action.

Within twenty days following receipt of the decision of the board, the teacher may appeal the decision following the procedure stated in section two hundred seventy-nine point thirteen (279.13) of the Code. However, the board may suspend the teacher, with or without pay, on the day following its decision to discharge, with the suspension remaining in force and effect until a final decision is rendered by an arbitrator."

Page 5

2. Amend the title, by striking from lines 1 and 2 the words "the issuance, continuation, and termination of".

CALVIN O. HULTMAN
W. R. RABEDEAUX

S—3377

Amend Senate File 205, page 2, line 18, by inserting after the word "deficiencies" the words "and upon written proof that assistance to help the teacher correct deficiencies was given without satisfactory results".

HILARIUS L. HEYING

S—3381

Amend Senate File 205, page 4, lines 19 and 20 by striking the words "inattention to duty" and inserting in lieu thereof the words "persistent or substantial neglect of duty".

STEVE SOVERN

S—3375

Amend the Sovern amendment S—3362 to page 2 of Senate File 205 by striking line 9 and inserting in lieu thereof the words "any other just cause affecting performance".

ELIZABETH SHAW

S—3378

Amend the Sovern, et al., amendment S—3362 to page 2 of Senate File 205 by inserting in line 10 after the words "duties," the words "or reasons sufficient to sustain the discharge of any teacher pursuant to section two hundred seventy-nine point twenty-four (279.24) of the Code,".

RICHARD R. RAMSEY

S—3383

Amend the committee on judiciary amendment S—3311 to Senate File 217 as follows:

1. By inserting after line 1 the following new paragraphs:

1. Amend Chapter twenty-eight A (28A), Code 1975, by adding the following new section:

"Sec. ..... *NEW SECTION.* PURPOSE. The purpose of this chapter is to ensure that the decision and the premises of a decision of any public agency subject to this chapter are publicly articulated. To achieve this purpose, deliberations of all such public agencies shall be conducted in open and public meetings unless otherwise expressly provided by law."

2. Section twenty-eight A point 1 (28A.1), unnumbered paragraph two, Code 1975, is amended to read as follows:

"Whenever used in this chapter, 'public agency' or 'public agencies' includes all of the foregoing, and 'meeting' or 'meetings' includes all meetings of every kind, regardless of where the meeting is held, and whether formal or informal. *For purposes of this chapter, 'meetings' shall mean any assemblage of any of the members of the public agencies subject to this*

chapter for the purpose of discussing, deliberating, or acting upon some matter or matters within the scope of their duties."

2. By renumbering the remaining sections in accordance with this amendment.

JAMES M. REDMOND

S—3382

Amend Senate File 300 as follows:

1. Page 3, line 25, by striking the word *"treasurer"* and inserting in lieu thereof the word *"auditor"*.

2. Page 4, by inserting after line 15 the following new section:

"Sec. ..... This Act shall take effect July 1, 1976."

WARREN E. CURTIS

S—3374

Amend Senate File 316 as follows:

1. Page 1, line 6, insert after the word "organization" the words and figures ", or an organization exempt from taxation under section five hundred one (501), subsection c, paragraph three (3) of the Internal Revenue Code of 1954,".

2. Page 1, line 8, by inserting after the word "organization" the words ", or other tax-exempt organization,".

3. Page 1, line 10, by inserting after the word "organization" the words ", or other tax-exempt organization".

4. Page 1, line 14, by inserting after the quotation marks the words "or 'Community Bus' ".

5. Amend the title, line 2, by inserting after the word "organizations" the words "and other tax-exempt organizations".

MILO MERRITT

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Van Gilst, the Senate adjourned at 5:00 p.m., until 9:30 a.m., Thursday, March 27, 1975.

JOURNAL OF THE SENATE

SEVENTY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MARCH 27, 1975

The Senate met in regular session, President Neu presiding

Prayer was offered by the Honorable Hilarius L. Heying, member of the Senate from West Union, Fayette County, Iowa.

The Journal of Wednesday, March 26, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fred Ashler, Hamburg, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Heying for the afternoon session on request of Senator Kinley.

PETITION

The following petition was presented and placed on file:

By Senator Scott from one hundred thirty-three residents of Iowa requesting that pari-mutuel betting be debated by the Iowa General Assembly.

President pro tempore Doderer took the chair at 9:36 a.m.

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

The Senate resumed session, President pro tempore Doderer presiding.

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 226** be deferred and that **the bill retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 286

On motion of Senator Hultman, Senate File 286, a bill for an act relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way, was taken up for consideration.

Senator Hultman asked and received unanimous consent that **House File 433** be **substituted** for **Senate File 286.**

House File 433

On motion of Senator Hultman, House File 433, a bill for an act relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way, was taken up for consideration.

Senator Norpel moved that House File 433 be referred to the committee on appropriations.

The motion lost.

President pro tempore Doderer took the chair at 12:45 p.m.

Senator Hultman moved that the bill 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. 433) the vote was:

Ayes, 40:

Andersen	Gluba	Nolin	Rodgers
Bergman	Hansen	Nolting	Schwengels
Briles	Hill of Polk	Norpel	Scott
Burroughs	Hultman	Orr	Shaff
Carr	Junkins	Palmer	Sovern
Coleman	Kelly	Plymat	Taylor
Culver	Kinley	Priebe	Van Gilst
Curtis	Lamborn	Rabedeaux	Willits
DeKoster	Merritt	Ramsey	Winkelman
Gallagher	Miller of Des Moines	Robinson	
Glenn			

Nays, 2:

Doderer Hill of Jasper

Voting present, 1:
Redmond

Absent or not voting, 7:

Griffin	Miller of	Murray	Shaw
Heying	Marshall	Nystrom	Tieden

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

WITHDRAWN

Senator Hultman asked and received unanimous consent that **Senate File 286** be withdrawn from further consideration of the Senate.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 296** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 217

On motion of Senator Willits, Senate File 217, a bill for an act relating to agency meetings in closed session, **with report of** committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn offered amendment S—3311 by the committee on judiciary:

S—3311
Amend Senate File 217 as follows:
1. Page 1, by inserting before line 1 the following:
Section twenty-eight A point three (28A.3), Code 1975, is amended to read as follows:
28A.3 CLOSED SESSION BY VOTE OF MEMBERS. Any public agency may hold a closed session by affirmative *public* vote of two-thirds of its members present, when necessary to prevent irreparable and needless injury to the reputation of an individual whose employment, performance or discharge is under consideration, or to prevent premature disclosure of information on real estate proposed to be purchased, or for [some other exceptional reason so compelling as to override the general public policy in favor of public meetings] *negotiating sessions pursuant to subsection three (3) of section twenty point seventeen (20.17) of the Code, or consultations with legal counsel concerning any prospective*

or pending litigation before any court, administrative agency, or arbitration proceedings at which the public agency is or may be a party. The vote of each member on the question of holding the closed session and the reason for the closed session shall be entered in the *public* minutes, but the statement of such reason need not state the name of any individual or the details of the matter *to be* discussed in the closed session. Any final action on any matter shall be taken in a public meeting and not in closed session, unless some other provision of the Code expressly permits such action to be taken in a closed session. No regular or general practice or pattern of holding closed sessions shall be permitted.

2. Page 1, line 9, by striking the words "to determine if" and by striking all of lines 10 through 15 and inserting in lieu thereof the following: "in camera to determine what part, if any, of the minutes should be disclosed, weighing the prejudicial effects of such disclosure with reference to the standards of section 28A.3 against the probative value of their admission as evidence. If an".

3. Page 1, line 24, by inserting after the word "for" the word "reasonable".

4. Page 1, line 25, by inserting after the word "rendered" the words "on the merits".

Senator Redmond withdrew amendment S—3383 to amendment S—3311 filed by him on March 26, 1975, and found on pages 725 and 726 of the Senate Journal.

Senator Redmond offered amendment S—3387 to amendment S—3311 and called for a division of the amendment as follows:

S—3387

Amend the committee on judiciary amendment S—3311 to Senate File 217 as follows:

Division S—3387A

1. By inserting after line 1 the following new paragraphs:

"1. Amend Chapter twenty-eight A (28A), Code 1975, by adding the following new section:

"Sec. ..... *NEW SECTION.* PURPOSE. The purpose of this chapter is to ensure that the decision and the premises of a decision of any public agency subject to this chapter are publicly articulated. To achieve this purpose, deliberations of all such public agencies shall be conducted in open and public meetings unless otherwise expressly provided by law."

Division S—3387B

2. Section twenty-eight A point one (28A.1), paragraph three, Code 1975, is amended to read as follows:

"3. Any committee of, *appointed or created by,* any such board, council, commission, trustees, or governing body."

Division S—3387C

3. Section twenty-eight A point one (28A.1), unnumbered paragraph two, Code 1975, is amended to read as follows:

"Whenever used in this chapter, 'public agency' or 'public agencies' includes all of the foregoing, and 'meeting' or 'meetings' includes all meetings of every kind, regardless of where the meeting is held, and whether formal or informal. *For purposes of this chapter, 'meetings' shall mean any assemblage of any of the members of the public agencies subject to this chapter for the purpose of discussing, deliberating, or acting upon some matter or matters within the scope of their duties other than purely ministerial duties.*"

Division S—3387D

2. By renumbering the remaining paragraphs in accordance with this amendment.

On motion of Senator Redmond, division S—3387A to amendment S—3311 was adopted.

Senator Redmond moved the adoption of division S—3387B to amendment S—3311.

A non-record roll call was requested.

The ayes were 24, nays 21.

Division S—3387B to amendment S—3311 was adopted.

Senator Redmond moved the adoption of division S—3387C to amendment S—3311.

A non-record roll call was requested.

The ayes were 8, nays 35.

Division S—3387C to amendment S—3311 lost.

On motion of Senator Redmond, division S—3387D to amendment S—3311 was adopted.

Senator Willits offered amendment S—3391 to amendment S—3311 and moved its adoption:

S—3391

Amend the judiciary committee amendment S—3311 to Senate File 217 in line 11 by striking the word ", performance" and inserting in lieu thereof the word "*, performance*".

Amendment S—3391 to amendment S—3311 was adopted.

Senator Ramsey offered amendment S—3393 to amendment S—3311:

S—3393

Amend the judiciary committee amendment S—3311 to Senate File 217 by inserting on line 14 after "chased," the words "*sold or leased, or to consider matters which if discussed in public would be likely to adversely affect the reputation of any person not a member of the agency or the conduct of any internal investigation by the agency,*".

Action on amendment S—3393 to amendment S—3311 was temporarily deferred.

Senator Ramsey offered amendment S—3388 to amendment S—3311 and moved its adoption:

S—3388

Amend the judiciary committee amendment S—3311 to Senate File 217 by inserting in line 22 after the word "*party*" the words "*, or for some other exceptional reason that is so compelling as to override the general public policy in favor of public meetings*".

A record roll call was requested.

On the question "Shall amendment S—3388 to amendment S—3311 be adopted?" (S.F. 217) the vote was:

Ayes, 11:

Bergman	DeKoster	Ramsey	Taylor
Briles	Hill of Polk	Schwengels	Winkelman
Burroughs	Rabedeaux	Shaw	

Nays, 32:

Andersen	Hill of Jasper	Murray	Redmond
Carr	Junkins	Nolin	Robinson
Coleman	Kelly	Nolting	Rodgers
Culver	Kinley	Norpel	Scott
Curtis	Lamborn	Orr	Shaff
Doderer	Merritt	Palmer	Sovern
Glenn	Miller of Des Moines	Plymat	Van Gilst
Gluba		Priebe	Willits
Hansen			

Absent or not voting, 7:

Gallagher	Heying	Miller of Marshall	Nystrom
Griffin	Hultman		Tieden

Amendment S—3388 to amendment S—3311 lost.

Senator Glenn offered amendment S—3385 to amendment S—3311 and moved its adoption:

S—3385

Amend the judiciary committee amendment S—3311 to Senate File 217, line 41, by inserting after the word "evidence." the sentence "Upon such determination, the Court may thereafter permit inspection of the detailed minutes by the parties to the action."

Amendment S—3385 to amendment S—3311 was adopted.

The Senate resumed consideration of amendment S—3393 to amendment S—3311.

Senator Ramsey moved the adoption of amendment S—3393 to amendment S—3311.

Amendment S—3393 to amendment S—3311 lost.

On motion of Senator Glenn, amendment S—3311 as amended was adopted.

Senator Glenn offered amendment S—3386 and moved its adoption:

S—3386

Amend Senate File 217, page 1, line 6, by inserting after the word "inspection" the words "except as herein provided".

Amendment S—3386 was adopted.

Senator Ramsey offered amendment S—3396:

S—3396

Amend Senate File 217 as follows:

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

"Sec. ..... Section two hundred seventy-nine point thirty-four (279.34), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

279.34 SUMMARY OF PROCEEDINGS—PUBLICATION. Within thirty days following a regular or special meeting of the board of directors of each school district, the secretary shall prepare a condensed statement of the proceedings of the board of directors, including the total expenditure of school funds, and cause the statement to be published in a newspaper of general circulation in the school district. The statement shall include a list of all claims allowed and a summary of all receipts, and shall show the gross amount of the claim. If a closed meeting is held, the statement shall also contain the reason for the closed meeting, final action taken on any matter discussed at such meeting and the nature of such final action. However, in school districts having more than one hundred twenty-five thousand population, the secretary may each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the school district, and a summary of its proceedings during the preceding month, and furnish copies to the public libraries in the district, the daily newspapers of the district, and

to persons who apply at the office of the secretary. The pamphlet shall constitute publication as required. The fee for publication of the statement shall not exceed three-fifths of the legal publication fee provided by law for the publication of legal notices.

Sec. ..... Section two hundred eighty A point twenty-three (280A.23), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Within thirty days following a regular or special meeting of the board, cause to be prepared by a condensed statement of the proceedings of the board, including the total expenditure from each county fund, and cause the statement to be published in a newspaper of general circulation in the area. The statement shall include a list of all claims allowed and a summary of all receipts, and shall show the gross amount of the claim. If a closed meeting is held, the statement shall also contain the reason for the closed meeting, final action taken on any matter discussed at such meeting and the nature of such final action. How-

Page 2

ever, in lieu of newspaper publication, the board may each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the county, and a summary of its proceedings during the preceding month, and furnish copies to public libraries in the area, the daily newspapers of the area, and to persons who apply at the office of the board of directors.

Sec. ..... Section three hundred thirty-three point one (333.1), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Within thirty days following a regular or special meeting of the board of supervisors, prepare a condensed statement of the proceedings of the board of supervisors, including the total expenditure from each county fund, and cause the statement to be published in a newspaper of general circulation in the county. The statement shall include a list of all claims allowed and a summary of all receipts, and shall show the gross amount of the claim. If a closed meeting is held, the statement shall also contain the reason for the closed meeting, final action taken on any matter discussed at such meeting and the nature of the final action. However, in counties having more than one hundred thousand population, the county auditor may each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the county, and a summary of its proceedings during the preceding month, and furnish copies to city and county libraries in the county, the daily newspapers of the county, and to persons who apply at

the office of the county auditor. The pamphlet shall constitute publication as required.

Sec. ..... Section three hundred seventy-two point thirteen (372.13), subsection six (6), Code 1975, is amended to read as follows:

6. [Immediately] *Within thirty days* following a regular or special meeting of the council, the clerk shall prepare a condensed statement of the proceedings of the council, including the total expenditure from each city fund, and cause the statement to be published in a newspaper of general circulation in the city. The statement shall include a list of all claims allowed and a summary of all receipts, and shall show the gross amount of the claim. *If a closed meeting is held, the statement shall also contain the reason for the closed meeting, final action taken on any matter discussed at such meeting and the nature of the final action.* However, in cities having more than one hun-

Page 3

dred fifty thousand population the council shall each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the city, and a summary of its proceedings during the preceding month, and furnish copies to the city library, the daily newspapers of the city, and to persons who apply at the office of the city clerk, and the pamphlet shall constitute publication as required. Failure by the clerk to make publication is a misdemeanor. The provisions of this subsection are applicable in cities in which a newspaper is published, or in cities of two hundred population or over, but in all other cities, posting the statement in three public places in the city which have been permanently designated by ordinance is sufficient compliance with this subsection."

2. Amend the title, line 1, by inserting after the word "session" the words "and requiring the publication of a condensed statement of the proceedings of certain public agencies".

3. By numbering sections to conform to this amendment.

Senator Rabedeaux raised the point of order that amendment S—3396 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3396 out of order.

Senator Willits moved that the bill 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, 40:

Andersen	Gallagher	Miller of Des Moines	Redmond
Bergman	Glenn	Murray	Robinson
Briles	Gluba	Nolting	Rodgers
Burroughs	Hansen	Norpel	Schwengels
Carr	Hill of Jasper	Orr	Scott
Coleman	Junkins	Palmer	Shaff
Culver	Kelly	Plymat	Sovern
Curtis	Kinley	Priebe	Taylor
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Merritt		Willits
			Winkelman

Nays, 3:

Hill of Polk	Ramsey	Shaw	

Absent or not voting, 7:

Griffin	Miller of Marshall	Nolin	Tieden
Heying		Nystrom	
Hultman			

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 368, by committee on agriculture, a bill for an act relating to the marketing of livestock and providing penalties.

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

Senate File 369, by Senator Culver, a bill for an act relating to the search warrant and bonding authority of the Iowa natural resources council and providing a penalty.

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

Senate File 370, by Senators Taylor and Hill of Polk, a bill for an act relating to levy of a tax for buildings and sites in merged areas.

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

Senate File 371, by Senators Miller of Des Moines and Junkins (Monroe and Spear), a bill for an act to eliminate the application form for the state migratory waterfowl stamp.

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

Senate File 372, by Senators Miller of Des Moines, Murray, Briles, Curtis and Priebe, a bill for an act relating to the time in which actions arising out of patient care must be brought.

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

Senate File 373, by Senators Doderer, Rabedeaux, Robinson and Gluba, a bill for an act relating to local health services and making appropriation for such services.

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

Senate File 374, by committee on cities, a bill for an act correcting and clarifying provisions in the city code of Iowa.

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

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 on March 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 332, a bill for an act to establish a service program for the deaf within the department of health.

Also: That the House has on March 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 396, a bill for an act relating to the issuing of certificates to veterinary lay assistants.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 332, a bill for an act to establish a service program for the deaf within the department of health.

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

House File 396, a bill for an act relating to the issuing of certificates to veterinary lay assistants.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 362 Education
S. F. 363 Ways and means
S. F. 364 Commerce
S. F. 365 Appropriations
S.C.R. 25 Rules and administration
H. F. 215 Agriculture

H. F. 392 Ways and means

H. F. 398 State government

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Carol Johnson, Ottumwa, Wapello County, Iowa, for appointment as a member of the State Judicial Nominating Commission pursuant to Section 46.1, 1975 Code of Iowa, for the six-year term ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman
GENE W. GLENN
STEVE SOVERN
RICHARD R. RAMSEY
RAY TAYLOR

COMMUNICATION FROM THE SECRETARY OF STATE

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 16 was published in The Newton Daily News, Newton, Iowa, March 19, 1975, and in the Quad-City Times, Davenport, Iowa, March 19, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 6
Appropriations
DeKoster, Chairman
Robinson
Nolin

Senate File 281
Appropriations
Junkins, Chairman
Hultman
Willits

Senate File 289
Appropriations
Hultman, Chairman
Orr
Heying

Senate File 293
Commerce
Bergman, Chairman
Glenn
Rodgers

Senate File 299
Education
Merritt, Chairman
Shaw
Sovern

Senate File 302
Commerce
Glenn, Chairman
Bergman
Rabedeaux

Senate File 303
State Government
Glenn, Chairman
Coleman
Schwengels

Senate File 305
State Government
Nolin, Chairman
Glenn
Miller of Marshall

Senate File 306
Cities
Nolting, Chairman
Palmer
Hansen

Senate File 307
Commerce
Priebe, Chairman
Curtis
Junkins

Senate File 309
Judiciary
Shaw, Chairman
Carr
Kelly

Senate File 311
State Government
Nolin, Chairman
Coleman
Miller of Marshall

Senate File 312
Judiciary
Coleman, Chairman
Willits
Ramsey

Senate File 316
Transportation
Murray, Chairman
Orr
Rabedeaux

Senate File 318
Labor and Industrial Relations
Griffin, Chairman
Kinley
Merritt

Senate File 319
Labor and Industrial Relations
Nolting, Chairman
Robinson
Andersen

Senate File 320
Commerce
Briles, Chairman
Gallagher
Rabedeaux

Senate File 321
State Government
Coleman, Chairman
Glenn
Curtis

Senate File 322
Commerce
Curtis, Chairman
Priebe
Junkins

Senate File 324
Human Resources
Gluba, Chairman
Murray
Miller of Des Moines

Senate File 325
Appropriations
Hill of Jasper, Chairman
Coleman
Plymat

Senate File 330
Judiciary
Redmond, Chairman
Doderer
DeKoster

Senate File 331
Labor and Industrial Relations
Rabedeaux, Chairman
Redmond
Kinley

Senate File 335
Commerce
Rodgers, Chairman
Rabedeaux
Gallagher

Senate File 339
Commerce
Rodgers, Chairman
Briles
Priebe

Senate File 340
Judiciary
Kelly, Chairman
Carr
Willits

Senate File 342
Commerce
Rodgers, Chairman
Briles
Priebe

Senate File 344
Commerce
Rodgers, Chairman
Briles
Priebe

Senate File 345
Judiciary
Shaw, Chairman
Redmond
Coleman

Senate File 346
Labor and Industrial Relations
Glenn, Chairman
Nolting
DeKoster

Senate File 347
Judiciary
Kelly, Chairman
Redmond
Hill of Polk

Senate File 348
Judiciary
Willits, Chairman
Kelly
Rodgers

Senate File 349
Judiciary
Shaw, Chairman
Miller of Des Moines
Ramsey

Senate File 350
Education
Norpel, Chairman
Carr
Shaw

Senate File 352
Judiciary
DeKoster, Chairman
Doderer
Rodgers

Senate File 356
Cities
Schwengels, Chairman
Redmond
Carr

Senate File 357
Commerce
Briles, Chairman
Junkins
Gallagher

Senate File 358
Human Resources
Hill of Polk, Chairman
Miller of Des Moines
Ramsey

Senate File 360
Commerce
Rabedeaux, Chairman
Carr
Glenn

Senate Concurrent Resolution 24
Energy
Robinson, Chairman
Hultman
Rodgers

House File 172
Judiciary
Doderer, Chairman
Shaw
Coleman

House File 238
Judiciary
Kelly, Chairman
Rodgers
Redmond

House File 351
Labor and Industrial Relations
Robinson, Chairman
Kinley
DeKoster

House File 393
Natural Resources
Hultman, Chairman
Norpel
Culver

House File 394
Transportation
Shaff, Chairman
Gallagher
Doderer

AMENDMENTS FILED

S—3390

Amend Senate File 31, page 1, as follows:

1. Line 7, by inserting after the word "Code" the following:

", unless those activities are permitted on those premises pursuant to section three (3) of this Act".

2. Line 11, by striking the word "Knowingly" and inserting in lieu thereof the following:

"Except as provided in section three (3) of this Act, [Knowingly] *knowingly".*

3. Line 27, by inserting after the word "Code" the following:

": Provided, however, that this prohibition shall not apply to premises owned by a nonprofit corporation or association organized under the laws of this state for which the sale of alcoholic liquor or beer and the sponsorship or promotion of lawful gambling are incidental to the primary purposes for which the corporation or association is organized".

CALVIN O. HULTMAN

S—3397

Amend the committee amendment S—3313 to Senate File 106 as follows:

Page 2, line 14, by inserting before the word "of" the words "or any symbol".

WILLIAM E. GLUBA

S—3398

Amend Senate File 151, page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section. 1. Section twenty-nine C point one (29C.1), Code 1975, is amended to read as follows:

29C.1 ADMINISTRATION. The state civil defense agency shall be a division within the department of public defense of the state government and shall be [styled and] known as the '[civil defense division] *Iowa defense civil preparedness agency,* department of public defense'.

The [civil defense division] *Iowa defense civil preparedness agency* shall be responsible for the administration of civil defense matters, to include emergency resource planning, in the state of Iowa and co-ordinate available services in the event of major man-made disasters or in the event of natural disasters including, but not limited to, hurricanes, tornadoes, windstorms or floods.

Sec. 2. Section twenty-nine C point two (29C.2), Code 1975, is amended to read as follows:

29C.2 MEMBERSHIP—EXPENSES. There is hereby created a civil defense advisory council, hereinafter

referred to as the 'council', the members of which shall be composed of nine residents of the state of Iowa appointed by the governor [for three year terms] *not later than sixty days after the effective date of this Act.* Membership in the council shall [be representative] *consist* of [counties, municipalities and rural areas] *one person each from the senate state government and county government committees, one person each from the house state government and county government committees, two local civil defense directors selected from a list of four nominees provided by civil defense directors association and three lay persons,* shall be nonpartisan, and the members shall be appointed without reference to their political affiliation. *Beginning on September 1, 1975, three members shall be appointed for a one-year term expiring on July 1, 1976, three members shall be appointed for a two-year term expiring July 1, 1977, and three members shall be appointed for a three-year term expiring on July 1, 1978.*

The governor shall appoint one of the members as chairman [and one as vice chairman]. *The vice chairman shall be elected by the council.*

As the terms of the members so appointed shall expire, their successors shall be appointed, each for a term of three years; provided, however, that [upon] *within sixty days following* the death, disability

Page 2

or resignation of any member, the governor shall appoint a person to serve for the unexpired term.

The council shall advise the governor, the executive director of the department of public defense, and the director, on all matters pertaining to civil defense and *shall approve all* emergency planning. *The council shall meet at least quarterly.*

The members of the council shall serve without compensation, except that they shall be reimbursed *by the agency or department they represent* for their actual and necessary expenses incurred in performing their duties as members of the council, *except that lay members shall be reimbursed for actual and necessary expenses from the funds of the Iowa defense civil preparedness agency.*

Sec. 3. Section twenty-nine C point three (29C.3), subsection two (2), unnumbered paragraph one (1), paragraph a, and subsection three (3), Code 1975, are amended to read as follows:

2. In performing his duties under this chapter and to effect its policy and purpose, the governor [is authorized and empowered] *may*:

a. [To] *After issuing a declaration of disaster,* make, amend, and rescind the necessary orders and rules to carry out the provisions of this chapter within the limits of the authority conferred upon him herein, and on behalf of the state, to enter into

agreements with the federal government in conformance with plans and policies of the [federal] *United States defense* civil [defense] *preparedness* agency and [the office of emergency planning] *other federal agencies having an emergency or disaster responsibility. All rules issued by the Iowa defense civil preparedness agency in the absence of a declaration of disaster affecting state or local civil defense operations and planning shall be subject to the provisions of chapter seventeen A (17A) of the Code.*

3. The adjutant general as the executive director of the department of public defense, and under the direction and control of the governor, shall have general direction [and control] of the [civil defense division and shall be responsible to the governor for the carrying out of the provisions of this chapter, and in the event of disaster beyond local control, may assume direct operational control over all or any part of the civil defense and emergency planning functions within this state] *Iowa defense civil preparedness agency.*

Sec. 4. Section twenty-nine C point three (29C.3), Code 1975, is amended by adding the following new

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subsection:

NEW SUBSECTION. Requests for national guard assistance to a political subdivision shall be made according to the provisions of section twenty-nine A point eight (29A.8) of the Code.

Sec. 5. Section twenty-nine C point four (29C.4), subsection one (1), Code 1975, is amended to read as follows:

1. The [civil] *Iowa defense* [division] *civil preparedness agency* shall be under the management of a civil defense director who shall be appointed by the governor, upon the recommendation of the council, for a four-year term. The governor shall fix his compensation out of funds hereafter appropriated to or otherwise available to the department of public defense for such purpose.

Sec. 6. Section twenty-nine C point five (29C.5), Code 1975, is amended to read as follows:

29C.5 ASSISTANTS. The director, [with the approval of the executive director, department of public defense and] upon the recommendation of the council, may employ a deputy director and may employ such technical, clerical, stenographic and other personnel, and make such expenditures within the appropriation therefor, or from other funds made available to the department of public defense for purposes of civil defense and emergency planning, as may be necessary to carry out the purposes of this chapter.

Sec. 7. Section twenty-nine C point seven (29C.7), unnumbered paragraphs one (1), eleven (11), and twelve

(12), Code 1975 are amended to read as follows:

County boards of supervisors, city councils and school boards [are hereby authorized to] *shall* co-operate with the [civil] *Iowa* defense [division] *civil preparedness agency,* department of public defense to carry out the provisions of this chapter, and shall form a joint county-municipal civil defense and emergency planning administration, hereinafter referred to as the joint administration. Such joint administration shall be composed of a member of the county board of supervisors and the [mayor or his representative] *mayors* of the city governments within the county and the sheriff of such county. *Duly authorized members serving on the joint administration may in their absence be represented by temporary members to the joint administration.* One member of the joint administration shall be designated as chairman and one as vice chairman. The joint administration shall appoint a director who shall be responsible to the joint administration for the administration and co-ordination

Page 4

of all civil defense and emergency planning matters throughout the county, subject to the direction and control of the joint administration. Each county and city located therein is authorized to appropriate money out of any funds that are not restricted for the purpose of paying expenses relating to civil defense and emergency planning matters of such joint administration, and to establish a joint county-municipal civil defense fund in the office of the county treasurer, and the county and cities located in that county may deposit moneys in such fund, which fund shall be for the purpose of paying expenses relating to civil defense and emergency planning matters of such joint administration. Any reimbursement, matching funds, or moneys received from sale of property obtained through the surplus property program, or moneys obtained from any source whatever in connection with the civil defense and emergency planning program, shall be deposited in the joint civil defense fund, herein established. Withdrawal of moneys from the joint county-municipal civil defense and emergency planning account maintained by the office of the county treasurer to reimburse both county and city governments for their share of funds received by the joint county-municipal civil defense and emergency planning agency, and deposited with the county treasurer, may be made on warrants drawn by the county auditor, supported by claims from the county or city government concerned, and these claims verified and vouchers signed by the chairman or vice chairman of the joint administration and the director of the joint county-municipal civil defense and emergency planning administration.

The county boards of supervisors in any two or more adjacent counties, may by mutual agreement act as a joint board to appoint one director who shall be the official director of civil defense and emergency planning for each of the counties, shall work with any joint county-municipal defense and emergency planning administrations which may have been formed within any of the counties, and who shall provide such services as may be carried on jointly to the mutual benefit of all counties involved. Such agreement shall be in writing, shall be approved by the state civil defense director, and shall be entered in the respective minutes of each county board. The director so appointed shall [be appointed for a term of one to three years but in no event longer than the period of time the mutual agreement by the boards is to be in effect] *serve at the pleasure of the joint*

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board. The written agreement shall provide for the determination of the cost of the joint program and the manner of allocation of such cost to each board for inclusion in the budget of the respective boards. For the payment of the salary and expenses of the director and such other necessary expenses as may be incurred, the boards shall designate one board to make such payments and be reimbursed by the other board or boards pursuant to the joint agreement. The boards are hereby authorized to meet together for the transaction of joint business.

The director employed by the county boards of supervisors may further serve as a joint county-municipal civil defense director for any joint county-municipal civil defense administration if a joint administration has been formed in any of the counties in which the director is serving. Where the director also serves as a joint county-municipal civil defense director, any city included in the joint administration may appropriate funds for the payment of the salary and expenses of the director in the same manner the city may appropriate money under the joint administration. *The director's salary shall be commensurate with other locally appointed department heads.*

Sec. 8. Section twenty-nine C point eight (29C.8), Code 1975, is amended to read as follows:

29C.8 EXISTING FACILITIES USED. In carrying out the provisions of this chapter, the governor, the executive director, department of public defense, and the director, [civil] *Iowa* defense [division] *civil preparedness agency*, and the executive officers or governing bodies of political subdivisions of the state are authorized to utilize, to the maximum extent practicable, the services, equipment, supplies and facilities of existing departments, officers, and

agencies of the state and of political subdivisions at their respective levels of responsibility.

Sec. 9. Section twenty-nine C point ten (29C.10), Code 1975, is amended to read as follows:

29C.10 COMPTROLLER TO ISSUE WARRANTS. The comptroller is authorized and directed to draw warrants on the treasurer of state for the several sums and for the purposes specified in this chapter, upon duly itemized and verified vouchers that have been approved by the director of the [civil] *Iowa* defense [division] *civil preparedness agency* and executive director, department of public defense.

Sec. 10. Section twenty-nine C point sixteen (29C.16), Code 1975, is amended to read as follows:

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29C.16 CITATION OF LAW. This chapter may be cited as the 'Iowa [Civil] Defense *Civil Preparedness Act*'.

Sec. 11. Chapter twenty-nine A (29A), Code 1975, is amended by adding the following new sections:

NEW SECTION. The state and its political subdivisions shall hold harmless and shall indemnify the United States government against any claim arising from the removal of debris from publicly or privately owned lands and waters caused by a major disaster. The state or its political subdivision shall not be held liable for claims arising from the removal of debris caused by a major disaster from privately or publicly owned property or waters unless willful misconduct, gross negligence or bad faith can be established by the injured party.

NEW SECTION. A county or a joint municipal-county civil defense and emergency planning administration and political subdivisions under the jurisdiction of the administration may accept contributions, gifts, grants or matching funds and may provide services, including but not limited to, the following:

1. Emergency housing
2. Debris removal
3. Individual and family grant programs
4. Unemployment assistance
5. Food commodities
6. Relocation assistance
7. Legal services
8. Crises counseling and training
9. Emergency communications
10. Emergency public transportation
11. Fire suppression
12. Emergency sanitation

The services or powers may be provided or exercised by the administration and its political subdivisions under disaster conditions notwithstanding statutory limitations imposed under non-disaster conditions.

NEW SECTION. All functions prescribed by this chapter and other activities relating to disaster

emergency services are governmental functions. The state, a political subdivision, department, agency or disaster emergency worker complying with or reasonably attempting to comply with this chapter, or any order or rule promulgated pursuant to the provisions of this chapter, or pursuant to any ordinance enacted by a political subdivision relating to precautionary measures shall not be liable for the death or injury to persons, or for damage to property resulting from compliance or attempted compliance except in case of willful misconduct, gross

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negligence, or bad faith. The provisions of this section shall not affect the right of a person to receive benefits to which the person would be otherwise entitled under this chapter, or under the workmen's compensation law, or under any pension law, or under any Act of Congress. A requirement for a license to practice a professional or mechanical skill or other skill shall not apply to any authorized disaster emergency worker who shall, in the course of performing his duties during a disaster emergency, practice the profession or mechanical skill, or other skill.

Sec. 12. Section twenty-nine A point eight (29A.8), Code 1975, is amended to read as follows:

29A.8 ACTIVE SERVICE. The governor shall have the power to order into active state service such of the military forces of the state, including retired national guardsmen, both army and air, who are willing to return to service, as he may deem proper, under command of such officer as he may designate, for the purpose of aiding the civil authorities of any political subdivision of the state in maintaining law and order *and providing other assistance as may be necessary, if possible,* in such subdivision in cases of *man-made and natural disasters and in cases of* breaches of the peace or imminent danger thereof, if the law enforcement officers of such subdivision are unable to maintain law and order, and the civil authorities request such assistance."

CHARLES P. MILLER
JAMES E. BRILES

S—3392

Amend the Hultman-Rabedeaux amendment S—3379 to Senate File 205 as follows:

1. Page 1, line 46, by striking the word "excluding" and inserting in lieu thereof the word "including".

2. Page 2, line 8, by striking the words "when tendered, and after it".

3. Page 2, line 9, by striking the words "is signed by the teacher the contract" and inserting in lieu thereof the following "and teacher and".

4. Page 2, line 11, by inserting after the word "contract." the sentence "The term of the contract shall not exceed the ensuing school year.".

5. Page 2, line 29, by inserting after the word "teacher." the sentence "If the contract with the superintendent is being considered for termination the board shall notify the superintendent.".

6. Page 3, line 34, by inserting after the word "board." the sentence "However, if the conference was held to consider terminating the contract of the superintendent, a representative of the board shall make a written recommendation to the board and the superintendent shall not make a written recommendation to the board."

JAMES W. GRIFFIN, SR.

S—3394

Amend Senate File 296, page 18, by inserting after line 32 the following section:

"Sec. ..... Any rule adopted under chapters one hundred fifty-seven (157) and one hundred fifty-eight (158) of the Code and pursuant to chapter seventeen A (17A) of the Code which is not inconsistent with the provisions of this Act shall remain in effect until modified or rescinded by action of the department or until October 1, 1975, whichever time is first."

C. JOSEPH COLEMAN

S—3384

Amend Senate File 323, page 1, by inserting after line 32 the following new section:

Sec. 2 This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Clarksville Star, a newspaper published in Clarksville, Iowa, and in the Reinbeck Courier, a newspaper published in Reinbeck, Iowa.

CLIFF BURROUGHS

S—3395

Amend Senate File 345, page 1, as follows:

1. Lines 6, 13, 14 and 15, by striking the words "judges of election" and inserting in lieu thereof the words "precinct election officials".

2. Line 19, by striking the word "judges" and inserting in lieu thereof the word "officials".

3. By striking line 20 and inserting in lieu thereof the following:

"election officials. The precinct election officials may adopt those".

4. Line 22, by striking the word "judges" and inserting in lieu thereof the word "officials".

5. Lines 23 and 24, by striking the words

"judges of election" and inserting in lieu thereof the words "precinct election officials".

LUCAS J. DeKOSTER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, and pursuant to House Concurrent Resolution 28, duly adopted, the Senate adjourned at 2:25 p.m., until 10:00 a.m., Monday, March 31, 1975.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MARCH 31, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Charles Mehaffey, pastor of the Asbury United Methodist Church, Cedar Rapids, Iowa.

The Journal of Thursday, March 27, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Carr, New Hampton, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighteen students from Dows Community School, Dows, Iowa, members of Girl Scout Troop 144, accompanied by Mrs. Elmer Hanson, Mrs. William Peyton, and Mrs. Maurice White. Senator Taylor.

PETITIONS

The following petitions were presented and placed on file:

By Senator Plymat from one hundred forty-three residents of Polk County favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

By Senator Redmond from eleven residents of Linn County favoring legislation which grants a special income tax exemption for persons who receive civil service retirement annuities.

By Senator Redmond from twenty-seven residents of Linn County favoring legislation that establishes a tuition grant program for members of the national guard.

The following petitions requesting that pari-mutuel betting be

debated by the Iowa General Assembly were received and placed on file:

By Senator Plymat from two hundred eighty-three residents of Polk County.

By Senator Kinley from ninety-seven residents of Greene County.

By Senator Redmond from sixty-nine residents of Linn County.

INTRODUCTION OF BILL

Senate File 375, by Senator Miller of Des Moines, a bill for an act relating to the property tax exemptions for veterans.

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

STEERING COMMITTEE AUTHORIZED

Senator Kinley asked and received unanimous consent that in accordance with Senate Rule 7 a steering committee be appointed to prepare a steering committee calendar from the bills and resolutions on the regular calendar.

STEERING COMMITTEE APPOINTED

Senator Kinley announced the appointment of the following Senators to the steering committee:

Senator Coleman, Chairman
Senator Priebe
Senator Nolting
Senator Rodgers
Senator Kinley
Senator Lamborn
Senator Shaff
Senator Shaw

CONSIDERATION OF BILLS

Senate File 313

On motion of Senator Curtis, Senate File 313, a bill for an act correcting the amount of the farm equipment tax exemption, was taken up for consideration.

Senator Curtis moved that the bill 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. 313) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, 1:

Doderer

Absent or not voting, 1:

Rabedeaux

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

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 266 S. F. 308 S. F. 314

C. JOSEPH COLEMAN, Chairman

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

The Senate resumed session, President Neu presiding.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 351.

Senate File 351

On motion of Senator Hill of Jasper, Senate File 351, a bill for an act relating to the time for publishing the Iowa administrative code, was taken up for consideration.

Senator Hill of Jasper moved that the bill 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. 351) the vote was:

Ayes, 50:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

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

Senate File 266

On motion of Senator Robinson, Senate File 266, a bill for an act relating to leaves of absence for persons who are elected to a municipal, county, state or federal office and providing penalties, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Robinson offered amendment S—3309 by the committee on labor and industrial relations:

S—3309
Amend Senate File 266, page 1, line 2, by inserting after the word "office" the words "and who is employed by an employer of four or more persons".

Senator Heying offered amendment S—3402 to amendment S—3309, moved its adoption and requested a record roll call:

S—3402
Amend the labor and industrial relations committee amendment S—3309 to Senate File 266 in line 3 by striking the word "four" and inserting in lieu thereof the words "twenty-five".

On the question "Shall amendment S—3402 be adopted?" (S.F. 266) the vote was:

Ayes, 35:

Andersen	Hill of Jasper	Murray	Robinson
Bergman	Hultman	Nolin	Schwengels
Briles	Junkins	Norpel	Scott
Burroughs	Kelly	Nystrom	Sovern
Coleman	Kinley	Orr	Taylor
Culver	Lamborn	Palmer	Tieden
Curtis	Miller of	Plymat	Van Gilst
Griffin	Des Moines	Priebe	Winkelman
Hansen	Miller of	Ramsey	
Heying	Marshall		

Nays, 13:

Carr	Glenn	Nolting	Rodgers
DeKoster	Gluba	Rabedeaux	Shaff
Doderer	Hill of Polk	Redmond	Shaw
Gallagher			

Absent or not voting, 2:

Merritt Willits

Amendment S—3402 to amendment S—3309 was adopted.

Senator Robinson moved the adoption of amendment S—3309 as amended.

The Chair called for a non-record roll call.

The ayes were 40, nays 8.

Amendment S—3309 as amended was adopted.

Senator Doderer offered amendment S—3411 and moved its adoption:

S—3411

Amend Senate File 266, page 1, line 2, by inserting before the word "municipal" the word "part-time".

A non-record roll call was requested.

The ayes were 30, nays 20.

Amendment S—3411 was adopted.

Senator Rabedeaux offered amendment S—3412 and called for a division of the amendment as follows:

S—3412

Amend Senate File 266, as follows:

Division S—3412A

1. Page 1, line 3, by striking the word "shall", and inserting in lieu thereof the word "may".

2. Page 1, line 6, by striking the word "shall", and inserting in lieu thereof the word "may".

Division S—3412B
6 3. Page 1, line 12, by striking the word "shall".
7 and inserting in lieu thereof the word "may".

Senator Robinson called for a further division of the amendment, section 2 to be considered as division S—3412C.

Senator Rabedeaux moved the adoption of division S—3412A of the amendment and requested a record roll call:

On the question "Shall division S—3412A of the amendment be adopted?" (S.F. 266) the vote was:

Ayes, 23:

Bergman	Hill of Polk	Murray	Shaff
Briles	Hultman	Nystrom	Shaw
Burroughs	Kelly	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Miller of	Ramsey	Winkelman
Griffin	Marshall	Schwengels	
Hansen			

Nays, 27:

Andersen	Heying	Nolin	Robinson
Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Junkins	Norpel	Scott
Culver	Kinley	Orr	Sovern
Doderer	Merritt	Palmer	Van Gilst
Gallagher	Miller of	Priebe	Willits
Glenn	Des Moines	Redmond	
Gluba			

Division S—3412A of the amendment lost.

Senator Rabedeaux moved the adoption of division S—3412C and requested a record roll call.

On the question "Shall division S—3412C of the amendment be adopted?" (S.F. 266) the vote was:

Ayes, 22:

Bergman	Hansen	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Miller of	Ramsey	Winkelman
Griffin	Marshall	Schwengels	

Nays, 28:

Andersen	Heying	Nolin	Robinson
Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Junkins	Norpel	Scott
Culver	Kelly	Orr	Sovern
Doderer	Kinley	Palmer	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of	Redmond	
Gluba	Des Moines		

Division S—3412C of the amendment lost.

Senator Rabedeaux withdrew division S—3412B of the amendment.

(Senate File 266 pending on adjournment.)

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 amendment to the following bill in which the concurrence of the House was asked:

Senate File 44, a bill for an act relating to the registration of farm trailers.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 376, by Senator Hill of Polk, a bill for an act relating to the maintenance of trust accounts by real estate brokers.

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

Senate File 377, by Senator Coleman, a bill for an act to allow that special plates may be issued to national guardsmen.

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

Senate File 378, by committee on agriculture, a bill for an act providing for identification of boars, sows and stags designated for slaughter.

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

Senate File 379, by Senators Junkins, Miller of Des Moines, Briles, Schwengels, Griffin, Culver, Hultman, Tieden, Robinson, Ramsey, Coleman and Nystrom, a bill for an act relating to the retirement qualifications of members of the peace officers' retirement, accident, and disability system.

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

Senate File 380, by committee on county government (committee on county government), a bill for an act relating to the effective date of certain Acts or resolutions of the general assembly.

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

Senate File 381, by Senator Schwengels, a bill for an act to establish guidelines for the management and use of investments held by eleemosynary institutions and funds.

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

Senate File 382, by Senators Schwengels, Doderer and Kelly, a bill for an act relating to the payment of pay to correctional employees for work performed in excess of eight hours per day.

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

SENATE CONCURRENT RESOLUTION 26
By Hultman

Whereas, the two political parties represented in the general assembly of the state of Iowa have in many respects reached agreement in regard to the budget for the 1975-1976 fiscal year in regard to the total amount of the budget and many specifics as submitted by the governor except, perhaps, in regard to approximately one percent of the budget; and

Whereas, since there is a basic agreement, all that remains that is mandatory upon the general assembly, except in the case of a few bills, to be approved by the general assembly is to quickly place the appropriate sums in the correct appropriation bills and approve them with a minimum amount of debate; and

Whereas, the approval of such appropriation bills and a very few others will then allow the general assembly to adjourn until January 12, 1976; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the general assembly, since there is basic agreement between the two political parties regarding the amount of the state budget, agrees to complete its work in regard to appropriation bills within the next few weeks and adjourn not later than May 1, 1975; and

Be It Further Resolved, that when such adjournment be taken it be until Monday, January 12, 1976.

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

PRIOR APPROVAL FOR ATTENDANCE AT LEGISLATIVE MEETINGS

Members of the Senate: I have been asked to announce that all requests for attendance at legislative meetings require advance approval by the Lieutenant Governor and the Majority Floor Leader. If you desire to attend such a meeting, you should secure from the Secretary's office a form to be completed prior to making the trip.

CLARK R. RASMUSSEN
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 369 Judiciary

S. F. 370 Ways and means

S. F. 371 Natural resources

S. F. 372 Judiciary

S. F. 373 Appropriations

H. F. 332 State government

H. F. 396 Agriculture

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Jack L. Jennings of Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LEONARD C. ANDERSEN, Chairman
CLIFF BURROUGHS
GENE W. GLENN

REPORTS OF COMMITTEES

Senator Junkins submitted the following reports:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 159**, a bill for an act to prohibit unsolicited loan offers and providing a penalty, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LOWELL JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **House File 131**, a bill for an act relating to a committee supervising steel trade practice, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LOWELL JUNKINS, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 189**, a bill for an act relating to investment reports submitted to the auditor of state, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 182**, a bill for an act relating to the period in which claims for the military service tax exemption and the homestead tax credit may be audited, begs leave to report it has had the same under consideration and recommends the same **do pass**.

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3410

Amend Senate File 255, page 1, line 16, by inserting after the word "hours" the words "excluding Sundays and holidays".

LUCAS J. DeKOSTER

S—3415

Amend Senate File 266, page 1, line 4, by inserting after the word "absence" the words "not to exceed one hundred twenty days in any one year or more than two hundred ten days in any two consecutive years".

WILLARD R. HANSEN

S—3414

Amend Senate File 266, page 1, line 4, by inserting after the word "employment" the words "for the term of office up to a maximum four years".

EUGENE HILL
MINNETTE DODERER

S—3417

Amend Senate File 266, page 1, line 4, by inserting after the word "employment" the words "for the term of office not to exceed four years for each leave of absence".

JAMES V. GALLAGHER
MINNETTE DODERER

S—3416

Amend Senate File 266, page 1, line 4, by inserting after the word "employment" the words "for the term of office up to a maximum four years unless the time is extended by mutual agreement".

EUGENE HILL

S—3406

Amend Senate File 266, page 1, line 5, by inserting after the word "law" the words "or in personal service situations that include the rendition of a performance that is of a distinctly personal and nondelegable character or that requires the personal skill and judgment of the person asking for the leave of absence".

JAMES M. REDMOND

S—3407

Amend Senate File 266, page 1, by striking line 7 and inserting in lieu thereof the following:

"or status or the loss of net credited service."

JAMES V. GALLAGHER
CLOYD E. ROBINSON

S—3418

Amend Senate File 266, page 1, line 7, by inserting after the word "status." the following new sentence: "A leave shall not be granted for the purpose of permitting an elected official to serve in another elective office."

CHARLES P. MILLER
MINNETTE DODERER

S—3404

Amend Senate File 266, page 1, line 7, by striking the words "or status." and inserting in lieu thereof the words "unless the position no longer exists in which case the employee shall be placed in a similar or comparable position provided his seniority or length of employment would entitle him to such position."

CALVIN O. HULTMAN

S—3413

Amend Senate File 266, page 1, after line 14, by adding the following new paragraph:

"This section shall not apply to supervisors or other management personnel. Such individuals shall be those who in the interest of the employer have the authority to hire, transfer, suspend, lay-off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them or to adjust grievances or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not a merely routine or clerical nature but requires the use of independent judgment."

LOWELL JUNKINS
CLIFTON C. LAMBORN
C. JOSEPH COLEMAN
RAY TAYLOR
RICHARD R. RAMSEY
RICHARD J. NORPEL, JR.

S—3405

Amend Senate File 266, page 1, by striking lines 15 through 21 and inserting in lieu thereof the following:

"Sec. 2. *NEW SECTION.* Any person who is adversely affected by the action or inaction of his or her employer in contravention of this Act may bring suit in the district court of Iowa seeking mandamus, injunctive relief or monetary damages. Upon a showing that the employer has violated this Act, the court may order that a leave of absence be granted, that a person be reinstated to his or her former position or other appropriate relief. Upon a finding for petitioner the court may direct that the employer pay the cost of reasonable attorney fees for plaintiff's attorney."

RICHARD R. RAMSEY

S—3403

Amend Senate File 266, page 1, by striking lines 17, 18 and 19 and inserting in lieu thereof the following:

"be punished by a fine not to exceed one hundred dollars. Each day".

MINNETTE DODERER
CLOYD E. ROBINSON

S—3400

Amend Senate File 296 as follows:

1. Page 1, by striking lines 3 through 12 and inserting in lieu thereof the following:

"1. 'Cosmetology' means practices which include but are not necessarily limited to the practices listed in this subsection:"

2. Page 4, line 22, by striking the words "if a license to operate as".

3. Page 4, by striking line 23 and inserting in lieu thereof the words "for any space in any location where the same space is also licensed as a barber school".

4. Page 6, lines 5 and 6, by striking the words "Managers of beauty salons shall be licensed cosmetologists."

5. Page 6, line 14, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

6. Page 6, line 19, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

7. Page 7, line 9, by striking the word "may" and inserting in lieu thereof the word "shall".

8. Page 7, by inserting after line 10, the following section and renumbering the remaining sections:

"Sec. ..... *NEW SECTION.* EXCEPTIONS.

1. Notwithstanding the provisions of section

twelve (12) of this Act, the board may waive the requirement that a beauty salon located in a city of less than one thousand population employ a licensed manager.

2. Notwithstanding the provisions of section twelve (12) of this Act, the board may waive for a temporary period the requirement that a beauty salon located in a city of more than one thousand population employ a licensed manager if there is not an adequate number of cosmetologists practicing in the city and surrounding geographic area to serve the public."

9. Page 7, line 17, by inserting after the word "cosmetology" the words ", except that a licensed cosmetologist may practice cosmetology at a location which is not a licensed beauty salon or school of cosmetology under extenuating circumstances arising from physical or mental disability of a customer".

10. Page 7, line 26, by striking the words "clearly and".

11. Page 8, line 4, by striking the words "clearly and".

12. Page 8, by striking lines 9 and 10 and

Page 2

inserting in lieu thereof the words "one hundred dollars."

13. Page 13, lines 29 and 30, by striking the words "Managers of barber shops shall be licensed barbers."

14. Page 14, line 3, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

15. Page 14, line 8, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

16. Page 14, line 32, by striking the word "may" and inserting in lieu thereof the word "shall".

17. Page 16, lines 22 and 23, by striking the words "clearly and".

18. Page 16, line 34, by striking the words "clearly and".

19. Page 17, line 8, by inserting after the word "location" the words "with the same owner".

20. Page 17, by striking lines 12 and 13 and inserting in lieu thereof the words "exceed one hundred dollars."

MINNETTE F. DODERER
KARL NOLIN

S—3401

Amend Senate File 296 as follows:

1. Page 8, by inserting after line 23 the following section:

"Sec. ..... *NEW SECTION.* COSMETOLOGY ASSISTANTS.

The department shall issue a certificate of registration as a cosmetology assistant to any person applying for registration as a cosmetology assistant who submits to the department satisfactory evidence that he or she is in good physical health. The board may adopt rules under the provisions of chapter seventeen A (17A) of the Code defining the types of services a cosmetology assistant may perform. A cosmetology assistant must work under the direct supervision of a licensed cosmetologist. The annual fee for the certificate shall be based upon the cost of issuing the certificate."

2. Page 17, by inserting after line 26 the following section:

"Sec. ..... *NEW SECTION.* BARBER ASSISTANTS. The department shall issue a certificate of registration as a barber assistant to any person applying for registration as a barber assistant who submits to the department satisfactory evidence that he or she is in good physical health. The board may adopt rules under the provisions of chapter seventeen A (17A) of the Code defining the types of services a barber assistant may perform. A barber assistant must work under the direct supervision of a licensed barber. The annual fee for the certificate shall be based upon the cost of issuing the certificate."

3. Page 18, line 6, by inserting after the word *"electrolysis"* the words ", *certificate of registration as a cosmetology assistant* ".

4. Page 18, line 19, by inserting after the word *"license"* the words ", *certificate of registration as a barber assistant*".

5. By renumbering sections and correcting internal references as needed by this amendment.

E. KEVIN KELLY
LOWELL L. JUNKINS
WILLIAM D. PALMER
MILO MERRITT
H. L. HEYING
LOUIS P. CULVER
NORMAN RODGERS
KENNETH SCOTT
BERL E. PRIEBE
RICHARD J. NORPEL, SR.
EARL M. WILLITS
JAMES M. REDMOND
GENE W. GLENN
GEORGE R. KINLEY
CLOYD E. ROBINSON
CALVIN O. HULTMAN
KARL NOLIN
RAY TAYLOR
JAMES E. BRILES
CLIFF BURROUGHS

FORREST V. SCHWENGELS
W. R. RABEDEAUX
ELIZABETH R. MILLER
LUCAS J. DeKOSTER
WILLIAM P. WINKELMAN
CLIFTON C. LAMBORN
ROGER J. SHAFF
IRVIN L. BERGMAN
WARREN E. CURTIS
ELIZABETH SHAW
JOHN N. NYSTROM

S—3408

Amend Senate File 296 as follows:

1. Page 9, line 1, by striking the word "processing," and inserting in lieu thereof the word "processing".

2. Page 13, line 27, by striking the word "SALON" and inserting in lieu thereof the word "SHOP".

C. JOSEPH COLEMAN

S—3409

Amend Senate File 314 as follows:

1. Page 3, by striking lines 12 through 34, inclusive.

2. Page 4, line 20, by striking the word "after" and inserting in lieu thereof the following: "[after] *prior to*".

JAMES V. GALLAGHER

S—3420

Amend House File 74, line 20, by inserting after the word "*transportation*" the following words: "*and with the city development board*".

LOWELL L. JUNKINS

S—3419

Amend House File 172 as follows:

1. Page 1, line 1, by striking the word "action" and inserting in lieu thereof the word "actions".

2. Page 1, line 2, by striking the word "is" and inserting in lieu thereof the words "and for alienation of affections are".

3. Amend the title by striking line 1 and inserting in lieu thereof the following: "An Act relating to abolishing certain common-law actions relating to marital status.".

ELIZABETH SHAW

S—3399

Amend House File 292 as amended and passed by the House by inserting on page 5, after line 8, the following new section:

"Sec. ..... Any claim filed against the estate of a decedent under the provisions of section one hundred twenty-five point thirty-six (125.36), Code

1975, section one hundred twenty-three B point sixteen (123B.16) as that section appeared in the Codes of 1973 and 1971, or sections two hundred twenty-two point eighty-one (222.81) or two hundred thirty point thirty (230.30) as they appeared in the Code of 1975 and prior Codes, which claim was filed but had not been satisfied prior to the effective date of this Act, shall be allowed only to the extent the claim would have been allowed if filed under sections one hundred twenty-five point thirty-six (125.36), two hundred twenty-two point eighty-one (222.81), or two hundred thirty point thirty (230.30) of the Code as amended by this Act."

LUCAS J. DeKOSTER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Tuesday, April 1, 1975.

JOURNAL OF THE SENATE

SEVENTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, APRIL 1, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Paul Christianson, pastor of the First Lutheran Church, Decorah, Iowa.

The Journal of Monday, March 31, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Rogers, Eldora, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-one students from Neveln Junior High School, Ankeny, Iowa, accompanied by Mark Witmer. Senator Willits.

Thirty students from Armstrong High School, Armstrong, Iowa, accompanied by their instructor, Ken Fisher. Senator Priebe.

One hundred thirty students from Lincoln Elementary School, Osage, Iowa, accompanied by their principal, Jewell Mellem. Senator Merritt.

Fifty-three students from Schleswig Elementary School, Schleswig, Iowa, accompanied by their instructor, Duane Goode. Senator Winkelman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Plymat from forty-eight residents of Polk County favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

By Senator Kinley from one thousand fifty-two residents of Iowa favoring pari-mutuel betting.

By Senator Hansen from twenty employees of the Iowa Department of Social Services favoring legislation to implement automatic cost-of-living salary increases under the merit pay plan.

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Andersen called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Jack L. Jennings of Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LEONARD C. ANDERSEN, Chairman
CLIFF BURROUGHS
GENE W. GLENN

The motion prevailed and the report was adopted.

Senator Andersen moved the appointment of Jack L. Jennings as a member of the Iowa Board of Examiners for Hearing Aid Dealers be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 1:

Orr

President Neu declared the appointment of Jack L. Jennings as a member of the Iowa Board of Examiners for Hearing Aid Dealers confirmed for the initial term ending June 30, 1975.

MOTION TO RECONSIDER ADOPTED

Senate File 50

Senator Griffin called up the following motion to reconsider filed by him on March 11, 1975, and moved its adoption:

I move to reconsider the vote by which Senate File 50 failed to pass the Senate on March 10, 1975.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 50) the vote was:

Ayes, 33:

Andersen	Heying	Murray	Rodgers
Briles	Junkins	Norpel	Schwengels
Burroughs	Kelly	Nystrom	Scott
Carr	Kinley	Palmer	Shaw
Coleman	Merritt	Plymat	Sovern
Culver	Miller of Des Moines	Rabedeaux	Tieden
Doderer	Miller of Marshall	Redmond	Willits
Gallagher		Robinson	Winkelman
Gluba			
Griffin			

Nays, 16:

Bergman	Hansen	Lamborn	Ramsey
Curtis	Hill of Jasper	Nolin	Shaff
DeKoster	Hill of Polk	Nolting	Taylor
Glenn	Hultman	Priebe	Van Gilst

Absent or not voting, 1:

Orr

The motion prevailed.

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

INTRODUCTION OF BILL

Senate File 383, by Senator Burroughs, a bill for an act to authorize name changes for school districts.

Read first time and passed on file.

UNFINISHED BUSINESS

Senate File 266

The Senate resumed consideration of Senate File 266, a bill for an act relating to leaves of absence for persons who are elected to a municipal, county, state or federal office and providing penalties.

Senator Hansen offered amendment S—3415 filed by him, moved its adoption and requested a record roll call:

S—3415

Amend Senate File 266, page 1, line 4, by inserting after the word "absence" the words "not to exceed one hundred twenty days in any one year or more than two hundred ten days in any two consecutive years".

On the question "Shall amendment S—3415 be adopted?" (S.F. 266) the vote was:

Ayes, 18:

Bergman	Heying	Miller of Marshall	Schwengels
Burroughs	Hill of Polk	Murray	Shaff
Curtis	Hultman	Nystrom	Taylor
Griffin	Lamborn	Ramsey	Tieden
Hansen			Winkelman

Nays, 30:

Andersen	Glenn	Miller of Des Moines	Redmond
Briles	Gluba	Nolin	Robinson
Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Junkins	Norpel	Scott
Culver	Kelly	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Doderer	Merritt	Plymat	Van Gilst
Gallagher			Willits

Absent or not voting, 2:

Priebe	Rabedeaux

Amendment S—3415 lost.

Senator Robinson offered amendment S—3426 by Senators Robinson and Nolting and moved its adoption:

S—3426

Amend Senate File 266, as follows:

1. Page 1, line 2, by striking ", state or federal" and inserting in lieu thereof the following: "or state".

2. Page 1, line 5, by striking the word "federal".

Amendment S—3426 was adopted.

Senator Hill of Jasper offered amendment S—3416 filed by him:

S—3416

Amend Senate File 266, page 1, line 4, by inserting after the word "employment" the words "for the term of office up to a maximum four years unless the time is extended by mutual agreement".

Senator Kelly offered amendment S—3429 to amendment S—3416, moved its adoption and requested a non-record roll call:

S—3429

Amend the Hill amendment S—3416 to Senate File 266, line 8, by striking the word "four" and inserting in lieu thereof the word "two".

The ayes were 18, nays 31.

Amendment S—3429 to amendment S—3416 lost.

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

The Senate resumed session, President Neu presiding.

The Senate resumed consideration of amendment S—3416.

Senator Hill of Jasper moved the adoption of amendment S—3416 and requested a record roll call.

On the question "Shall amendment S—3416 be adopted?" (S.F. 266) the vote was:

Ayes, 16:

Andersen	Kelly	Ramsey	Tieden
Doderer	Miller of Marshall	Robinson	Van Gilst
Heying	Nolin	Shaff	Willits
Hill of Jasper		Sovern	Winkelman
Junkins			

Nays, 33:

Bergman	Glenn	Miller of Des Moines	Plymat
Briles	Gluba	Murray	Priebe
Burroughs	Griffin	Nolting	Redmond
Carr	Hansen	Norpel	Rodgers
Coleman	Hill of Polk	Nystrom	Schwengels
Culver	Hultman	Orr	Scott
Curtis	Kinley	Palmer	Shaw
DeKoster	Lamborn		Taylor
Gallagher	Merritt		

Absent or not voting, 1:

Rabedeaux

Amendment S—3416 lost.

Senator Hill of Jasper offered amendment S—3414 filed by Senators Hill of Jasper and Doderer, and moved its adoption:

S—3414

Amend Senate File 266, page 1, line 4, by inserting after the word "employment" the words "for the term of office up to a maximum four years".

A non-record roll call was requested.

The ayes were 22, nays 26.

Amendment S—3414 lost.

Senator Gallagher asked and received unanimous consent to withdraw amendment S—3417 filed by Senators Gallagher and Doderer on March 31, 1975, and found on page 758 of the Senate Journal.

Senator Redmond offered amendment S—3406 filed by him and moved its adoption:

S—3406

Amend Senate File 266, page 1, line 5, by inserting after the word "law" the words "or in personal service situations that include the rendition of a performance that is of a distinctly personal and nondelegable character or that requires the personal skill and judgment of the person asking for the leave of absence".

A record roll call was requested.

On the question "Shall amendment S—3406 be adopted?" (S.F. 266) the vote was:

Rule 25 was invoked.

Ayes, 26:

Bergman	Hansen	Miller of Marshall	Schwengels
Briles	Hill of Jasper	Murray	Shaff
Burroughs	Hill of Polk	Nystrom	Shaw
Curtis	Hultman	Plymat	Taylor
DeKoster	Junkins	Ramsey	Tieden
Doderer	Kelly	Redmond	Winkelman
Griffin	Lamborn		

Nays, 23:

Andersen	Gluba	Nolin	Robinson
Carr	Heying	Nolting	Rodgers
Coleman	Kinley	Norpel	Scott
Culver	Merritt	Orr	Sovern
Gallagher	Miller of Des Moines	Palmer	Van Gilst
Glenn		Priebe	Willits

Absent or not voting, 1:

Rabedeaux

Amendment S—3406 was adopted.

Senator Hultman offered amendment S—3404 filed by him and moved its adoption:

S—3404

Amend Senate File 266, page 1, line 7, by striking the words "or status." and inserting in lieu thereof the words "unless the position no longer exists in which case the employee shall be placed in a similar or comparable position provided his seniority or length of employment would entitle him to such position."

Amendment S—3404 was adopted.

Senator Gallagher offered amendment S—3407 filed by Senators Gallagher and Hultman:

S—3407

Amend Senate File 266, page 1, by striking line 7 and inserting in lieu thereof the following:
"or status or the loss of net credited service."

Action on amendment S—3407 was temporarily deferred.

Senator Miller of Des Moines offered amendment S—3421 by Senators Miller of Des Moines and Doderer and moved its adoption:

S—3421

Amend Senate File 266, page 1, line 7, by adding the following new sentence: "A leave shall not be granted for the purpose of permitting an elected official to serve in another elective office."

Amendment S—3421 was adopted.

Senator Miller of Des Moines asked and received unanimous consent to withdraw amendment S—3418 filed by Senators Miller of Des Moines and Doderer on March 31, 1975, and found on page 759 of the Senate Journal.

Senator Junkins offered amendment S—3413 filed by Senators Junkins, et al., and moved its adoption:

S—3413

Amend Senate File 266, page 1, after line 14, by adding the following new paragraph:
"This section shall not apply to supervisors or other management personnel. Such individuals shall be those who in the interest of the employer have the authority to hire, transfer, suspend, lay-off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them or to adjust grievances or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not a merely routine or clerical nature but requires the use of independent judgment."

A record roll call was requested.

On the question "Shall amendment S—3413 be adopted?" (S.F. 266) the vote was:

Ayes, 21:

Briles	Heying	Miller of	Rodgers
Coleman	Hill of Jasper	Des Moines	Shaw
Culver	Junkins	Norpel	Taylor
Curtis	Kelly	Palmer	Tieden
Glenn	Kinley	Priebe	Van Gilst
Griffin	Merritt		

Nays, 28:

Andersen	Hansen	Nolin	Robinson
Bergman	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Nystrom	Scott
Carr	Lamborn	Orr	Shaff
DeKoster	Miller of	Plymat	Sovern
Doderer	Marshall	Ramsey	Willits
Gallagher	Murray	Redmond	Winkelman
Gluba			

Absent or not voting, 1:

Rabedeaux

Amendment S—3413 lost.

Senator Ramsey offered amendment S—3405 filed by him and moved its adoption:

S—3405

Amend Senate File 266, page 1, by striking lines 15 through 21 and inserting in lieu thereof the following:

Sec. 2. *NEW SECTION.* Any person who is adversely affected by the action or inaction of his or her employer in contravention of this Act may bring suit in the district court of Iowa seeking mandamus, injunctive relief or monetary damages. Upon a showing that the employer has violated this Act, the court may order that a leave of absence be granted, that a person be reinstated to his or her former position or other appropriate relief. Upon finding for petitioner the court may direct that the employer pay the cost of reasonable attorney fees for plaintiff's attorney."

Amendment S—3405 was adopted.

Amendment S—3403 filed by Senators Doderer and Robinson was ruled out of order with the adoption of amendment S—3405.

Senator Gallagher asked and received unanimous consent to withdraw amendment S—3407 previously deferred.

Senator Gallagher withdrew the following amendment S—3433:

S—3433

1 Amend Senate File 266, page 1, line 6, by
2 inserting before the word "position" the following:
3 "net credited service or".

Senator Junkins moved to reconsider the vote by which amendment S—3411 was adopted by the Senate on March 31, 1975.

A record roll call was requested.

On the question "Shall the motion to reconsider amendment S—3411 be adopted?" (S.F. 266) the vote was:

Ayes, 25:

Carr	Hill of Jasper	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Redmond	Willits
Heying	Nolin		

Nays, 21:

Andersen	Hansen	Miller of	Schwengels
Bergman	Hill of Polk	Marshall	Shaw
Burroughs	Hultman	Murray	Taylor
Curtis	Kelly	Nystrom	Tieden
DeKoster	Lamborn	Plymat	Winkelman
Griffin		Ramsey	

Voting present, 1:

Doderer

Absent or not voting, 8:

Briles	Rabedeaux	Shaff

The motion prevailed and amendment S—3411 was taken up for reconsideration:

S—3411

1 Amend Senate File 266, page 1, line 2, by
2 inserting before the word "municipal" the word
3 "part-time".

President pro tempore Doderer took the chair at 6:30 p.m.

Senator Junkins moved the adoption of amendment S—3411.

A record roll call was requested.

On the question "Shall amendment S—3411 be adopted?" (S.F. 266) the vote was:

Ayes, 20:

Andersen	Hansen	Miller of	Ramsey
Bergman	Hill of Polk	Marshall	Schwengels
Burroughs	Hultman	Murray	Taylor
Curtis	Kelly	Nystrom	Tieden
DeKoster	Lamborn	Plymat	Winkelman
Griffin			

Nays, 26:

Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Junkins	Norpel	Scott
Culver	Kinley	Orr	Shaw
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Redmond	Willits
Heying	Nolin	Robinson	

Voting present, 1:

Doderer

Absent or not voting, 8:

Briles	Rabedeaux	Shaff

Amendment S—3411 lost.

Senator Redmond moved to reconsider the vote by which amendment S—3406 was adopted by the Senate.

A record roll call was requested.

On the question "Shall the motion to reconsider amendment S—3406 be adopted?" (S.F. 266) the vote was:

Ayes, 25:

Carr	Hill of Jasper	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Redmond	Willits
Heying	Nolin		

Nays, 21:

Andersen	Hansen	Miller of	Schwengels
Bergman	Hill of Polk	Marshall	Shaw
Burroughs	Hultman	Murray	Taylor
Curtis	Kelly	Nystrom	Tieden
DeKoster	Lamborn	Plymat	Winkelman
Griffin		Ramsey	

Voting present, 1:

Doderer

Absent or not voting, 8:

Briles	Rabedeaux	Shaff

The motion prevailed and amendment S—3406 was taken up for reconsideration.

Senator Redmond moved the adoption of amendment S—3406.

A record roll call was requested.

On the question "Shall amendment S—3406 be adopted?" (S.F. 266) the vote was:

Ayes, 17:

Bergman	Hansen	Nystrom	Shaw
Burroughs	Hill of Polk	Plymat	Taylor
Curtis	Hultman	Ramsey	Tieden
DeKoster	Murray	Schwengels	Winkelman
Griffin			

Nays, 29:

Andersen	Hill of Jasper	Miller of	Redmond
Carr	Junkins	Marshall	Robinson
Coleman	Kelly	Nolin	Rodgers
Culver	Kinley	Nolting	Scott
Gallagher	Lamborn	Norpel	Sovern
Glenn	Merritt	Orr	Van Gilst
Gluba	Miller of	Palmer	Willits
Heying	Des Moines	Priebe	

Voting present, 1:

Doderer

Absent or not voting, 3:

Briles	Rabedeaux	Shaff

Amendment S—3406 lost.

Senator Hill of Polk moved to reconsider the vote by which amendment S—3416 failed to be adopted by the Senate, and requested a record roll call.

On the question "Shall the motion to reconsider amendment S—3416 be adopted?" (S.F. 266) the vote was:

Ayes, 22:

Andersen	Griffin	Miller of	Schwengels
Bergman	Hansen	Marshall	Shaw
Briles	Hill of Polk	Murray	Taylor
Burroughs	Hultman	Nystrom	Tieden
Curtis	Kelly	Plymat	Winkelman
DeKoster	Lamborn	Ramsey	

Nays, 25:

Carr	Hill of Jasper	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Redmond	Willits
Heying	Nolin		

Absent or not voting, 3:

Doderer	Rabedeaux	Shaff

The motion lost.

Senator Ramsey offered amendment S—3437:

S—3437

Amend Senate File 266 as follows:

Division S—3437A

1. Line 2, by striking the words "elected to" and inserting in lieu thereof "a candidate for".

Division S—3437B

2. Line 4, by inserting after the word "employment" the following: "before the election not to exceed thirty days".

Senator Hill of Polk called for a division of the amendment, section 1, to be considered as division S—3437A; section 2 to be considered as division S—3437B.

Senator Ramsey moved the adoption of division S—3437A of the amendment.

A record roll call was requested.

On the question "Shall division S—3437A of the amendment be adopted?" (S.F. 266) the vote was:

Ayes, 22:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaw
Briles	Hill of Polk	Nystrom	Taylor
Burroughs	Hultman	Plymat	Tieden
Curtis	Kelly	Ramsey	Winkelman
DeKoster	Lamborn		

Nays, 25:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Palmer	Sovern
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Redmond	Willits
Gluba			

Absent or not voting, 3:

Orr	Rabedeaux	Shaff

Division S—3437A of the amendment lost.

Senator Ramsey withdrew division S—3437B of the amendment.

Senator Shaw offered amendment S—3438:

S—3438

Amend Senate File 266 as follows:

1. By inserting after line 21 the following new section:

"Sec. 3. *NEW SECTION.* Dissolution of Marriage.

A person who is elected to a municipal, county, state or federal office shall not be named as

respondent in a dissolution of marriage action during the period he or she holds political office."

2. Amend line 1 of the title by striking the words "leaves of absence".

Senator Hill of Jasper raised the point of order that amendment S—3438 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3438 out of order.

President Neu took the chair at 7:40 p.m.

Senator Briles moved that the Senate adjourn until 9:00 a.m., Wednesday, April 2, 1975.

A record roll call was requested.

On the question "Shall the motion to adjourn be adopted?" (S.F. 266) the vote was:

Ayes, 20:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Hill of Polk	Murray	Schwengels
Briles	Hultman	Nystrom	Shaff
Burroughs	Kelly	Plymat	Tieden
Curtis	Lamborn		Winkelman
DeKoster			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Shaw
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 4:

Griffin	Rabedeaux	Sovern	Taylor

The motion lost.

Senator Shaff withdrew amendment S—3436:

S—3436

Amend Senate File 266, page 1, by inserting after line 7 the following new paragraph:

"If the employer feels that the employee is indispensable the employer may ask for arbitration. If the arbitrator finds that the employee is indispensable, the employee shall not be entitled to the benefits of this section. Notice of request for arbitration shall be sent by certified mail to the employee. Within five days following receipt by the employee of the notice of request for arbi-

tration, the employer or the employer's legal representative, if any, and the employee or the employee's representative, if any, may select an arbitrator who resides within the county wherein the employee's place of employment is located. If an arbitrator cannot be mutually agreed upon within the five-day period, notice of request for arbitration shall be sent by the employer by certified mail to the chairman of the public employee relations board. Within ten days following receipt of the notice, the chairman of the public employee relations board shall submit to the employer and the employee a list of three names of available arbitrators from lists maintained by the public employee relations board. The employer and the employee shall each strike one name from the list and the person whose name remains shall serve as the arbitrator. The party entitled to strike the first name shall be determined by lot."

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?" (S.F. 266) the vote was:

Ayes, 26:

Andersen	Heying	Nolin	Robinson
Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Junkins	Norpel	Scott
Culver	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Nays, 21:

Bergman	Hansen	Miller of Marshall	Schwengels
Briles	Hill of Polk	Murray	Shaff
Burroughs	Hultman	Nystrom	Shaw
Curtis	Kelly	Plymat	Tieden
DeKoster	Lamborn	Ramsey	Winkelman
Doderer			

Absent or not voting, 3:

Griffin	Rabedeaux	Taylor

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

COMMUNICATIONS

The following communications from the Governor were presented:

March 27, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Sister Mary Xavier Coens, Dubuque, Dubuque County, Iowa, for appointment to the State Board of Chiropractic Examiners pursuant to Sections 147.12 through 147.20, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977, pursuant to Chapter 1086, Section 200(2), Acts of the Sixty-fifth General Assembly, 1974 Session.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Larry Z. Lindemann, D.C., Jewell, Hamilton County, Iowa, for appointment to the State Board of Chiropractic Examiners pursuant to Sections 147.12 through 147.20, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, pursuant to Chapter 1086, Section 200(2), Acts of the Sixty-fifth General Assembly, 1974 Session.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Larry E. Phipps, D.C., Grinnell, Poweshiek County, Iowa, for appointment to the State Board of Chiropractic Examiners pursuant to Sections 147.12 through 147.20, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977, pursuant to Chapter 1086, Section 200(2), Acts of the Sixty-fifth General Assembly, 1974 Session.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Carol H. Schaefer, Davenport, Scott County, Iowa, for appointment to the State Board of Chiropractic Examiners pursuant to Section 147.12 through 147.20, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, pursuant to Chapter 1086, Section 200(2), Acts of the Sixty-fifth General Assembly, 1974 Session.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Milton F. Schlein, D.C., Postville, Allamakee County, Iowa, for appoint-

ment to the State Board of Chiropractic Examiners pursuant to Sections 147.12 through 147.20, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, pursuant to Chapter 1086, Section 200(2), Acts of the Sixty-fifth General Assembly, 1974 Session.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Gretchen N. Schreffler, D.C., Iowa City, Johnson County, Iowa, for appointment to the State Board of Chiropractic Examiners pursuant to Sections 147.12 through 147.20, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976, pursuant to Chapter 1086, Section 200(2), Acts of the Sixty-fifth General Assembly, 1974 Session.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Anthony Paul Untz, D.C., Dyersville, Dubuque County, Iowa, for appointment to the State Board of Chiropractic Examiners pursuant to Sections 147.12 through 147.20, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976, pursuant to Chapter 1086, Section 200(2), Acts of the Sixty-fifth General Assembly, 1974 Session.

Sincerely,
ROBERT D. RAY
Governor

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by Senators Willits, Taylor, Carr, Tieden, Sovern, Redmond and Culver, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to privilege from arrest.

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

Senate File 384, by Senator DeKoster, a bill for an act relating to allowable deductions from the gross value of an estate for inheritance tax purposes.

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

Senate File 385, by Senator Gluba, a bill for an act relating to eligibility for the tuition grant program.

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

Senate File 386, by Senators Lamborn, Rodgers and Priebe, a bill for an act adding to the Iowa banking act a new division relating to the days and hours of operation of banks and bank offices, and relating to the days and hours of operation of savings and loan associations.

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

Senate File 387, by committee on human resources, a bill for an act relating to liability for the performance of or refusal to perform abortions.

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

Senate File 388, by Senator Miller of Des Moines, a bill for an act relating to control of motor vehicles when approaching certain warning devices.

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

Senate File 389, by Senators Schwengels, Murray, Willits, Bergman, Junkins, Curtis, Ramsey, Burroughs, Heying, Rabedeaux, Miller of Des Moines, Hill of Polk, Gallagher, Robinson, Scott, Kelly, Miller of Marshall, Taylor, Hultman, Plymat and Hansen (Welden, Wells, Egenes and Brockett), a bill for an act relating to establishment of a commission for Iowa postsecondary education to replace the higher education facilities commission, and transferring appropriations.

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

Senate File 390, by Senators Willits, Rabedeaux, Rodgers, Curtis, Lamborn and Priebe, a bill for an act relating to trust companies.

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

Senate File 391, by Senator Norpel, a bill for an act relating to the rules promulgated by the state transportation commission.

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

Senate File 392, by Senator Norpel, a bill for an act relating to the usury law provisions pertaining to sole proprietorships and partnerships.

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

Senate File 393, by Senator Schwengels, a bill for an act relating to the use of flashing amber lights on animal-drawn vehicles.

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

Senate File 394, by Senators Junkins, Palmer, Kinley, Schwengels, Curtis, Miller of Des Moines, Lamborn, Rabedeaux, Plymat, Sovern, Norpel, Nolin, Scott, Heying, Robinson, Nolting, Nystrom, Briles, Merritt, Taylor, Andersen, Rodgers, Coleman, Hultman, Griffin, Carr, Burroughs, Miller of Marshall, Shaff, Shaw, Redmond, Gallagher, Orr, Willits, Glenn, Doderer, Van Gilst, Hill of Jasper and Ramsey, a bill for an act relating to the hiring of state employees.

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

Senate File 395, by Senator Kelly, a bill for an act authorizing grand juries with statewide jurisdiction and making an appropriation.

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

Senate File 396, by Senators Junkins, Lamborn, Rodgers, Coleman, Shaff and Briles, a bill for an act relating to the service tax on storage of goods.

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

Senate File 397, by Senators Willits and Palmer, a bill for an act relating to benefited street lighting districts.

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

Senate File 398, by Senators Norpel, Coleman, Carr, Culver, Scott, Nolting, Palmer, Orr, Miller of Des Moines, Junkins, Robinson, Tieden, Curtis, Heying, Andersen, Nystrom, Briles, Hansen, Nolin and Schwengels, a bill for an act to allow ambulance attendants to use a flashing amber light.

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

Senate File 399, by Senator Kelly, a bill for an act relating to exemptions from execution and providing penalties.

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

SENATE RESOLUTION 8

By Griffin, Hultman and Culver

Whereas, **the St. Alberts High School of Council Bluffs basketball team has won the Iowa Class AA High School basketball championship; and**

Whereas, **the St. Alberts High School basketball team has completed an excellent season which showed continuous improvement as the season progressed; and**

Whereas, **the St. Alberts High School basketball team has dis-**

played the utmost in spirit and teamwork, *Now Therefore,*

Be It Resolved by the Senate, That the Sixty-sixth General Assembly, 1975 Session, extends its heartiest congratulations to the St. Alberts Falcons, their coaches, cheerleaders, faculty and administration, families and loyal fans who encouraged and supported the St. Alberts Falcons through the regular season and during the tournament; and

Be It Further Resolved, That the members of the Sixty-sixth General Assembly commend the St. Alberts Falcons for their splendid example of composure in final moments, sportsmanship, and athletic prowess which took them to the highest place in Iowa high school basketball, winning the Class AA championship and becoming Iowa's number one team in Class AA; and

Be It Further Resolved, that a copy of this resolution be sent to Coach John LaBonia and the St. Alberts High Schoool basketball team.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 375 Ways and means

S. F. 376 Commerce

S. F. 377 Transportation

S. F. 379 State government

S. F. 381 Commerce

S. F. 382 Labor and industrial relations

S.C.R. 26 Rules and administration

AMENDMENTS FILED

S—3422

Amend Senate File 50 as follows:

1. Page 1, line 17, by striking the words "*and its employees,* and for the safekeeping of" and inserting in lieu thereof the words "[and for the safekeeping of] *to hold its meetings and safekeep*".

2. Page 1, line 18, by inserting before the word "*If*" the words "*The board of supervisors may also provide other office space for the county conservation board.*"

RICHARD R. RAMSEY

S—3423

Amend Senate File 50, page 1, line 25, by inserting after the word "*supervisors*" the words "*and be then*

approved by sixty percent of the voters of the county voting at the next general election".

BERL E. PRIEBE
CLIFTON C. LAMBORN

S—3425

Amend Senate File 205 as follows:

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

"Section 1. Section twenty point seven (20.7), subsection three (3), Code 1975, is amended to read as follows:

3. Suspend or discharge public employees for proper cause *except as otherwise provided by law.*

Sec. 2. Section twenty point nine (20.9), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The public employer and the employee organization shall meet at reasonable times, including meetings reasonably in advance of the public employer's budget-making process, to negotiate in good faith with respect to wages, hours, vacations, insurance, holidays, leaves of absence, shift differentials, overtime compensation, supplemental pay, seniority, transfer procedures, job classifications, health and safety matters, evaluation procedures, procedures for staff reduction, in-service training and other matters mutually agreed upon. *Public employees employed by a school district and the board of directors of a school district shall also negotiate in good faith with respect to the issuance, continuation, and termination of teacher contracts.* Negotiations shall also include terms authorizing dues checkoff for members of the employee organization and grievance procedures for resolving any questions arising under the agreement, which shall be embodied in a written agreement and signed by the parties. If an agreement provides for dues checkoff, a member's dues may be checked off only upon the member's written request and the member may terminate the dues checkoff at any time by giving thirty days' written notice. Such obligation to negotiate in good faith does not compel either party to agree to a proposal or make a concession.

Sec. 3. Section twenty point twenty-two (20.22), subsection one (1), Code 1975, is amended to read as follows:

1. If an impasse persists after the findings of fact and recommendations are made public by the fact-finder, the parties may continue to negotiate or, the board shall have the power, upon request of either party, to arrange for arbitration, which shall be binding, *except as provided in subsection thirteen*

(13) of this section. The request for arbitration shall be in writing and a copy of the request shall be served upon the other party.

Page 2

Sec. 4. Section twenty point twenty-two (20.22), subsection thirteen (13), Code 1975, is amended to read as follows:

13. The determination of the panel of arbitrators shall be by majority vote and shall be final and binding subject to the provisions of section 20.17, subsection 6. The panel of arbitrators shall give written explanation for its selection and inform the parties of its decision. *The provisions of this subsection shall not apply to negotiations relating to termination of teachers' contracts and discharge of teachers.*

Sec. 5. Section two hundred seventy-nine point thirteen (279.13), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

279.13 CONTRACTS WITH TEACHERS—AUTOMATIC CONTINUATION.

1. Contracts with teachers, which for the purpose of this section means all certificated employees of a school district excluding those teachers organized under chapter twenty (20) of the Code, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract is invalid if the teacher is under contract with another board of directors to teach during the same time period until a release from the other contract is achieved. The contract shall be signed by the president when tendered, and after it is signed by the teacher the contract shall be filed with the secretary of the board before the teacher enters into performance under the contract.

2. The contract shall remain in force and effect for the period stated in the contract and shall be automatically continued for equivalent periods except as modified or terminated by mutual agreement of the board of directors and the teacher or as terminated in accordance with the provisions specified in this chapter. A contract shall not be offered by the employing board to a teacher under its jurisdiction prior to March first of any year, nor be required to be signed by the teacher and returned to the board less than twenty-one days after being offered. On or before May fifteenth of each year, the teacher may file a written resignation with the secretary of the board of directors.

3. The board, following the recommendation of

the superintendent to consider termination, by a majority vote, may consider terminating the contract

Page 3

with the teacher. If such action is taken, the following procedure shall be followed. Within five days following school board action to consider terminating a teacher's contract, but no later than February fifteenth, the teacher shall be notified in writing, either by receipted personal service or mailed by certified mail, that the board has voted to consider termination of the contract. If the notice has been by certified mail, the notice shall be complete upon mailing. The letter shall state the specific reasons for considering the termination, which shall be: Incompetency, persistent or substantial neglect of duty, inadequate performance, physical or mental disability or sickness which interferes with performance of duty as shown by competent medical evidence and following one year's leave of absence, or other just cause related to effective performance of duties, or factors which require a reduction of staff. However, a notice of intent to terminate shall not be issued until a member of the school administrative staff has provided the teacher with all written and documented evidence of any alleged deficiencies in performance of contracted duties and has allowed the teacher reasonable time to correct the deficiencies.

4. Within five days following receipt of the written notice that the board has voted to consider termination of a contract, the teacher may request in writing to the secretary of the board a private conference with the board. The private conference shall not be subject to chapter twenty-eight A (28A) of the Code and shall be held no sooner than ten days and no later than twenty days following the receipt of the request. The secretary of the board shall notify the teacher in writing of the date, time and location of the private conference. The conference shall be attended by members of the board and their legal representatives if any, the superintendent or his representative, the teacher and his representatives if any, and the teacher's immediate supervisor. The discussion at the conference shall be limited to the specific reasons stated in the notice to consider termination. Any material removed from the teacher's personnel file or other material to be introduced at the conference shall be provided the teacher no less than five days preceding the conference. No school board member shall be liable for any damages to any teacher if any statement at the conference is determined to be erroneous as long as the statement was made in good faith.

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5. Within three days following the conference, the superintendent shall make a written recommendation to the board. Within three days after the conference, the teacher may send a statement in writing to the board members. The school board shall meet within five days after the private conference is held, or after the time has passed to request a private conference, to determine the continuance or discontinuance of the contract. The board action shall be by roll call vote. A complete record of the meeting to determine the continuance or discontinuance of the contract shall be kept and made available to the teacher. The secretary of the board shall mail to the teacher notices of the board's action by certified mail, which shall be mailed promptly, and not later than March twentieth.

6. The teacher may appeal the action of the board to terminate a contract. However, no teacher who has been employed by the board of directors as a teacher for less than two consecutive school years shall have the right to appeal to an arbitrator a termination of employment under this section unless the appeal is based upon an alleged violation of a constitutionally guaranteed right of the teacher or an alleged violation of public employee rights of the teacher under section twenty point ten (20.10) of the Code. In case of the termination of employment or discharge of a teacher under the provisions of either this section or section two hundred seventy-nine point twenty-four (279.24) of the Code, the teacher may appeal the decision to an arbitrator within twenty days. The notice of appeal shall be sent to the secretary of the board whose decision is being appealed. Within five days following receipt by the secretary of the notice of appeal, the board or its legal representative if any and the teacher or his representative if any may select an arbitrator who resides within the boundaries of the merged area in which the school district is located. If an arbitrator cannot be mutually agreed upon within the five-day period, notice shall be sent by the secretary of the board to the chairman of the public employment relations board by certified mail. Within ten days following receipt of the notice, the chairman of the public employment relations board shall submit to the school board and the teacher a list of three names of available arbitrators from lists maintained by the public employee relations board. The school board and the teacher shall remove names from the list until only one name remains, and that person shall serve

Page 5

as the arbitrator. The party entitled to remove the first name shall be determined by lot. The party

having the right to remove the first name shall do so within two days of receipt of the list and the second party shall have one additional day to remove one of the two remaining names. The secretary of the board shall inform the chairman of the public employee relations board of the name of the arbitrator selected. Within ten days following the selection, the arbitrator shall request in writing from the secretary of the board of the school district all records and transcripts of the proceedings relating to the termination of the teacher's contract. The records and transcripts shall be delivered to the arbitrator within five days after the secretary receives the request. The arbitrator shall send written notice to the teacher and the board of the school district of the date, time, and location of the hearing. The arbitrator shall hear the matter de novo and shall take testimony at a time and place set by the arbitrator, but no later than thirty days following receipt of the appeal by the chairman of the public employment relations board. The arbitrator may subpoena witnesses and documents, and shall render a judgment on the appeal within ten days following the hearing. The arbitrator may reinstate the teacher and award back pay. A complete transcript of the arbitrator's hearings shall be kept and made available upon request by the interested parties. A copy of the judgment shall be sent by certified mail to the teacher and school board secretary. All costs of the appeal shall be shared by the teacher and school board.

Sec. 6. Section two hundred seventy-nine point twenty-four (279.24), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

279.24 DISCHARGE OF TEACHER. For teachers who are not organized under chapter twenty (20) of the Code, the board may, by a majority vote, discharge any teacher for incompetency, inattention to duty, or any other just cause. Prior to the discharge, the board shall conduct a complete and impartial investigation of the specific reasons for the action, and shall allow the teacher and his representatives to be present and make a defense. A record of the meeting shall be made and kept. Following the board decision to discharge the teacher, the teacher shall be notified promptly in writing, stating the specific reasons for the action.

Page 6

Within twenty days following receipt of the decision of the board, the teacher may appeal the decision following the procedure stated in section two hundred seventy-nine point thirteen (279.13) of the Code. However, the board may suspend the teacher, with or

without pay, on the day following its decision to discharge, with the suspension remaining in force and effect until a final decision is rendered by an arbitrator."

2. Amend the title, by striking from lines 1 and 2 the words "the issuance, continuation, and termination of".

CALVIN O. HULTMAN
W. R. RABEDEAUX

S—3432

Amend the Hultman-Rabedeaux amendment, S—3425, to Senate File 205, page 3, by striking lines 21 through 25, inclusive, and inserting in lieu thereof the following: "of the school administrative staff has discussed the alleged deficiencies with the teacher."

LEONARD C. ANDERSEN

S—3430

Amend Senate File 205 as follows:

1. Page 2, line 1, by inserting a period "." after the word "followed".

2. Page 2, by striking lines 2 through 4 and inserting in lieu thereof the following:

"However, mutually agreeable arrangements may be entered into between the board and the teacher as to matters ancillary to the termination proceedings and which do not vary terms of this act. Within five days".

LUCAS J. DeKOSTER
ELIZABETH SHAW
STEVE SOVERN

S—3427

Amend Senate File 205 as follows:

1. Page 4, by inserting after line 14 the following new paragraph:

"If the arbitration finds in favor of the teacher, the decision may be reversed by a petition filed with the secretary of the school board and served on the teacher by certified mail within three weeks of the arbitrator's decision. The petition must be signed by sixty percent of the parents who had a child enrolled in a class taught by the teacher during the past school year."

2. Page 4, by inserting after line 35 the following new paragraph:

"If the arbitration finds in favor of the teacher, the decision may be reversed by a petition filed with the secretary of the school board and served on the teacher by certified mail within three weeks of the arbitrator's decision. The petition must be signed by sixty percent of the parents who had a child en-

rolled in a class taught by the teacher during the past school year."

HILARIUS L. HEYING
CLIFTON C. LAMBORN

S—3428

Amend the Hultman-Rabedeaux amendment S—3379, to Senate File 205 as follows:

1. Page 4, by inserting after line 26 the following new paragraph:

"If the arbitration finds in favor of the teacher, the decision may be reversed by a petition filed with the secretary of the school board and served on the teacher by certified mail within three weeks of the arbitrator's decisions. The petition must be signed by sixty percent of the parents who had a child enrolled in a class taught by the teacher during the past school year."

2. Page 4, by inserting after line 50 the following new paragraph:

"If the arbitration finds in favor of the teacher, the decision may be reversed by a petition filed with the secretary of the school board and served on the teacher by certified mail within three weeks of the arbitrator's decision. The petition must be signed by sixty percent of the parents who had a child enrolled in a class taught by the teacher during the past school year."

HILARIUS L. HEYING
CLIFTON C. LAMBORN

S—3424

Amend the Gallagher amendment S—3409 to Senate File 314 by inserting after line 6 the following:

"3. By renumbering the sections in accordance with this amendment."

JAMES V. GALLAGHER

S—3435

Amend House File 77, as amended and passed by the House, as follows:

1. Page 1, line 5, by striking the words "sixty-five feet above grade" and inserting in lieu thereof the words "that have floors for human occupancy located more than sixty-five feet above the lowest grade surrounding the building".

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

"4. Buildings that are more than four stories but less than sixty-five feet above the lowest grade surrounding the building and that are located in cities where the fire department has the equipment necessary to fight a fire and evacuate occupants from such buildings."

LEONARD C. ANDERSEN

S—3431

Amend House File 292 as amended and passed by the House, page 5, after line 14, by adding the following new section:

"Sec. ..... Any lien existing on the effective date of this Act, which lien was perfected under the provisions of section one hundred twenty-three B point ten (123B.10) as that section appeared in the Codes of 1973 and 1971, and which has not been satisfied, is void."

CHARLES P. MILLER

S—3434

Amend House File 351, page 2, line 10, by striking the words "exceed twice" and insert in lieu thereof the words "be more than".

LEONARD C. ANDERSEN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 8:30 p.m., until 9:30 a.m., Wednesday, April 2, 1975.

JOURNAL OF THE SENATE

EIGHTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, APRIL 2, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Honorable Lloyd R. Smith, Auditor of State, Des Moines, Iowa.

The Journal of Tuesday, April 1, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Burdette Osten, Northwood, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the afternoon session on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Robert J. Burns, former member of the Senate from Johnson County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty students from Logan Junior High School, Waterloo, Iowa, accompanied by Mike Sheeley and Hazel Kirlin. Senator Nolting.

PETITIONS

The following petitions were presented and placed on file:

By Senator Tieden from nineteen residents of Allamakee County favoring legislation which provides that a judge must find good cause to order detention of a child beyond forty-eight hours.

By Senator Orr from eleven residents of Iowa County favoring pari-mutuel betting.

By Senator Curtis from eighty-two residents of Buena Vista and Cherokee Counties favoring rescission of the Equal Rights Amendment.

By Senator Schwengels from twenty-seven residents of Iowa favoring legislation which would establish a tuition grant program for members of the National Guard.

By Senator Winkelman from two hundred ninety-six residents of District Twenty-four and surrounding areas requesting that pari-mutuel betting be debated by the Iowa General Assembly.

By Senator Kinley from two hundred twenty-one residents of Iowa favoring pari-mutuel betting.

By Senator Tieden from seventy-three residents of Clayton County favoring legislation to set aside some wooded and marshy areas near and around populated sections of Iowa to preserve wildlife cover.

INTRODUCTION OF BILLS

Senate File 400, by Senators Coleman, Priebe and Murray, a bill for an act relating to the operation of bank holding companies and prohibiting the formation of new bank holding companies without certificates of authority from the state banking board.

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

Senate File 401, by Senator Winkelman, a bill for an act relating to partition fences.

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

Senate File 402, by Senator Norpel, a bill for an act relating to financing the freeway-expressway system between Dubuque and Sioux City, Iowa, and other portions of the system, and making appropriations.

Read first time and **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 on March 31, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 107, a bill for an act relating to powers of a board of directors of an insurance company other than life.

DAVID L. WRAY, Chief Clerk

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 266 passed the Senate April 1, 1975.

LEONARD C. ANDERSEN

Senator Merritt took the chair at 9:50 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 on April 1, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 23 proclaiming 1975, International Women's Year in Iowa.

Also: That the House has on April 2, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 24 relating to a joint memorial session on April 24, 1975, in recognition of service of departed members of the General Assembly.

Also: That the House has on April 2, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 26 urging Congress to appropriate funds in the undertaking of the inspection and replacement of bridges.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 23

By O'Halloran, Miller of Calhoun, Brandt, Lipsky, Lonergan, Egenes, McElroy, Svoboda, Harper and Gentleman

Whereas, there is a growing awareness today of the significant contributions that women have made to our country's development, its culture, and its social and economic life; and

Whereas, the entry of women into the labor force in increasing numbers has strengthened and expanded our economy, and in that labor force there still exist intolerable discriminations and inequities between men and women; and

Whereas, the 14th Amendment to the United States Constitution requires that all citizens be provided equal protection under the law, and due process of law; and

Whereas, Title VII of the Civil Rights Act of 1964 as amended in 1972 prohibits sex discrimination in hiring, promotion, discharge, and all terms and conditions of employment; and

Whereas, the State of Iowa has been in the forefront in the movement toward equality of women, specifically through ratification of the Equal Rights Amendment to the United

States Constitution, the passage of the Iowa Civil Rights Act of 1965, the School Standards Act of 1974, the issuance by Governor Ray of Executive Order No. 15, which requires that every state agency examine its practices with respect to the employment and promotion of women and take affirmative steps, correct existing unfair patterns and practices that deprive the people of Iowa of the talents and experience of

Page 2

women employed by the state agencies; and

Whereas, the United Nations has designated 1975 as International Women's Year and called for action "to promote equality between men and women, to integrate women into the total economic development efforts of nations, and to recognize women's increasing contributions to strengthening world peace"; *Now Therefore*

Be It Resolved by the House of Representatives, the Senate Concurring, that 1975 be proclaimed International Women's Year in Iowa, joining in the global efforts to record and communicate the role played by women in the history of civilization.

Be It Further Resolved to eliminate the patterns and practices which deprive society of the full measure of contribution of its women members. May it also be the intent of this body to continue to expand its progressive attitude which has brought particular attention to issues of concern to Iowa women.

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

HOUSE CONCURRENT RESOLUTION 24

By Griffee

Whereas, it has been the custom to hold a biennial memorial session in recognition of the public services of departed members of the General Assembly, and

Whereas, both Houses desire to participate in such an observance, *Now Therefore*

Be It Resolved by the House, the Senate Concurring: That an evening session of the Sixty-sixth General Assembly be held in the House chamber Thursday evening, April 24, 1975, at 7:30 p.m.

Be It Further Resolved, that a joint committee of eight members be appointed, four from the Senate to be appointed by the President of the Senate, and four from the House to be appointed by the Speaker of the House, to make suitable arrangements for a joint memorial session.

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

HOUSE CONCURRENT RESOLUTION 26

By Krause, Doyle, Drake, Harper, Gilloon and Rinas

Whereas, the Congress has declared the inspection and replacement of bridges over waterways or other topographical

barriers are "in the vital interest of the nation", and

Whereas, the total appropriation of federal funds to assist in replacement of bridges for the years 1972 and 1973 for all national assistance represents less than twenty-five percent of the 1.028 billion dollars estimated by the Iowa county engineers association to be the cost to inspect and replace defective bridges in Iowa, and

Whereas, the detailed inspection of all bridges will require a substantial investment of engineering time and cost; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the Iowa general assembly urges that the Congress of the United States appropriate funds consistent with this priority of national interest in the undertaking of the inspection and replacement of bridges.

Be It Further Resolved, That the chief clerk of the house forward copies of this resolution to the President of the United States, the Vice President of the United States, the members of the Iowa congressional delegation and to the United States secretary of transportation.

Read first time and passed on file.

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Glenn presiding.

INTRODUCTION OF BILL

Senate File 403, by Senator Doderer, a bill for an act to require disclosure of certain information by trustees, directors, and officers of nonprofit hospitals and nonprofit health care facilities.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 27

By Schwengels, Junkins, Hill of Jasper, Murray, Ramsey, Nystrom, Miller of Des Moines and Doderer

Whereas, because of the construction of the Red Rock and Coralville Reservoirs certain areas of the state have suffered adverse effects in the form of severe erosion and damage which never occurred before construction of such reservoirs; and

Whereas, flooding from the Red Rock and Coralville Reservoirs has affected farming operations because of land becoming too soft to plow, and, in addition, natural vegetation has been destroyed both upstream and downstream from such reservoirs; and

Whereas, high-water levels have affected the use of roads, bridges, school bus routes, and have left debris which causes hardship in regard to the use of land; and

Whereas, while the use of such reservoirs has enhanced recreational activities, the effect on the economy of the areas located in proximity to the reservoirs has been adverse; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to conduct a study of the effects of the construction of the Red Rock and Coralville Reservoirs upon the economy and people of the state of Iowa with emphasis upon the operation of the reservoirs, the pool level, damage to property and the restitution for such damage, the control of erosion, the effect on agricultural and other land, the effect upon roads and bridges, the priorities of operation of such reservoirs, and such other effects as may be necessary; and

Be It Further Resolved, That the study committee shall be composed of members of both houses of the general assembly representing both political parties, as well as citizens of this state knowledgeable in problems caused by the construction of the Red Rock and Coralville Reservoirs and changes

Page 2

affecting the environment of this state; and

Be It Further Resolved, That the study committee make a report to the legislative council prior to the commencement of the Sixty-sixth General Assembly and to the General Assembly meeting in the year 1976, accompanied by legislative bill drafts designed to carry out recommendations of the study committee.

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

SENATE RESOLUTION 9

By Culver

Whereas, in the city of Missouri Valley, Iowa, on the thirteenth and fourteenth day of September, 1975, a World's Championship Goose Calling Contest will be held; and

Whereas, this annual spectacle will be the twenty-first Annual World's Championship Goose Calling Contest; and

Whereas, this contest attracts thousands of spectators and participants from many states who have a continuing interest in observing these migratory waterfowl; and

Whereas, the citizens of Missouri Valley, Iowa, are preparing a parade and other festivities for this annual celebration; *Now Therefore*,

Be It Resolved by the Senate, That the membership of the Sixty-sixth General Assembly of the State of Iowa extends its heartiest felicitations and compliments to the city of Missouri Valley, Iowa, the sponsors and participants of the twenty-first Annual World's Championship Goose Calling Contest; and

Be It Further Resolved, That a copy of this resolution be forwarded to the citizens of Missouri Valley who are in charge of making preparations for the contest.

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

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

ADOPTION OF RESOLUTION

House Concurrent Resolution 24

Senator Kinley asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 24 and moved its adoption.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 205

The Senate resumed consideration of Senate File 205, a bill for an act relating to the issuance, continuation, and termination of teachers' contracts.

Senator Hultman offered amendment S—3425 filed by Senators Hultman and Rabedeaux on April 1, 1975, and found on pages 784-789, inclusive, of the Senate Journal.

Senator Andersen offered amendment S—3432 to amendment S—3425 filed by him, moved its adoption and requested a non-record roll call:

S—3432

Amend the Hultman-Rabedeaux amendment, S—3425, to Senate File 205, page 3, by striking lines 21 through 25, inclusive, and inserting in lieu thereof the following: "of the school administrative staff has discussed the alleged deficiencies with the teacher."

The ayes were 17, nays 29.

Amendment S—3432 to amendment S—3425 lost.

Senator Carr offered amendment S—3440 to amendment S—3425 by Senators Carr, Rabedeaux, Sovern and Willits:

S—3440

Amend the Hultman amendment S—3425 to Senate File 205 as follows:

Division S—3440A

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

2. Page 1, by striking lines 39 through 50.
3. Page 2, by striking lines 1 through 12.

Division S—3440B

4. Page 2, line 22, by inserting after the word "Code" the words "and subject to a collective bargaining agreement which provides for the issuance, continuation, and termination of teachers' contracts".

Division S—3440C

5. Page 2, line 25, by inserting after the word "upon" the words ", but not limited to sabbatical leaves and reimbursement for tuition paid by the teacher for approved courses".

Division S—3440B (cont'd)

6. Page 2, by inserting after line 33 the following:

"If the board of directors and the certificated employees fail to negotiate procedures relating to the issuance and continuation of teachers' contracts and the dismissal of teachers more than two years from the date the first collective bargaining agreement became effective, the provisions of sections two hundred seventy-nine point thirteen (279.13) and two hundred seventy-nine point twenty-four (279.24) shall no longer be applicable."

Senator Hultman called for a division of the amendment to amendment S—3425, sections 1, 2 and 3 to be considered as division S—3440A; sections 4 and 6 to be considered as division S—3440B; and section 5, as division S—3440C.

Senator Carr moved the adoption of division S—3440A of the amendment to amendment S—3425.

A record roll call was requested.

On the question "Shall division S—3440A of the amendment to amendment S—3425 be adopted?" (S.F. 205) the vote was:

Ayes, 36:

Andersen	Griffin	Murray	Ramsey
Bergman	Hansen	Nolin	Redmond
Carr	Heying	Nolting	Robinson
Culver	Hill of Jasper	Norpel	Rodgers
DeKoster	Hill of Polk	Nystrom	Scott
Doderer	Junkins	Orr	Shaw
Gallagher	Kelly	Palmer	Sovern
Glenn	Kinley	Priebe	Van Gilst
Gluba	Merritt	Rabedeaux	Willits

Nays, 11:

Burroughs	Lamborn	Plymat	Tieden
Coleman	Miller of Marshall	Schwengels	Winkelman
Curtis		Shaff	
Hultman			

Absent or not voting, 3:

Briles	Miller of Des Moines	Taylor

Division S—3440A of the amendment to amendment S—3425 was adopted.

Senator Carr withdrew divisions S—3440B and S—3440C of the amendment to amendment S—3425.

Senator Carr offered amendment S—3444 to amendment S—3425 by Senators Carr, Rabedeaux, Sovern and Willits, and moved its adoption:

S—3444

Amend the Hultman amendment S—3425 to Senate File 205, page 2, line 25, by inserting after the word "upon" the words ", including but not limited to sabbatical leaves and reimbursement for tuition paid by the teacher for approved courses".

A non-record roll call was requested.

The ayes were 25, nays 23.

Amendment S—3444 to amendment S—3425 was adopted.

Senator Shaw offered amendment S—3446 to amendment S—3425 and moved its adoption:

S—3446

Amend the Hultman-Rabedeaux amendment, S—3425, to Senate File 205, page 3, by striking from lines 17 and 18 the words "or other just cause related to effective" and inserting in lieu thereof the words "any other just cause affecting".

Amendment S—3446 to amendment S—3425 was adopted.

Senator Hultman offered amendment S—3442 to amendment S—3425 and moved its adoption:

S—3442

Amend the Hultman and Rabedeaux amendment S—3425 to Senate File 205, page 4, line 26, by striking the figures "(2.10)" and inserting in lieu thereof the figures "(20.10)".

Amendment S—3442 to amendment S—3425 was adopted.

Senator Coleman offered amendment S—3447 to amendment S—3425 by Senators Coleman and Schwengels and moved its adoption:

S—3447

Amend the Hultman and Rabedeaux amendment S—3425 to Senate File 205 on page 3, lines 12 and 13, by

striking the words "persistent or substantial neglect of duty" and inserting in lieu thereof the words "inattention to duty".

A record roll call was requested.

On the question "Shall amendment S—3447 to amendment S—3425 be adopted?" (S.F. 205) the vote was:

Rule 25 was invoked.

Ayes, 19:

Andersen	Curtis	Miller of Marshall	Schwengels
Bergman	Griffin	Nolin	Scott
Briles	Heying	Nystrom	Shaw
Burroughs	Hill of Jasper	Plymat	Tieden
Coleman	Hultman		Winkelman

Nays, 29:

Carr	Hill of Polk	Murray	Ramsey
Culver	Junkins	Nolting	Redmond
DeKoster	Kelly	Norpel	Rodgers
Doderer	Kinley	Orr	Shaff
Gallagher	Lamborn	Palmer	Sovern
Glenn	Merritt	Priebe	Van Gilst
Gluba	Miller of Des Moines	Rabedeaux	Willits
Hansen			

Absent or not voting, 2:

Robinson	Taylor

Amendment S—3447 to amendment S—3425 lost.

Senator Shaw offered amendment S—3443 to amendment S—3425:

S—3443

Amend the Hultman-Rabedeaux amendment, S—3425, to Senate File 205, page 5, line 27, by inserting after the word "pay" the words "except that superintendents, principals or others whose duties are preponderantly administrative in nature may only be reinstated in a nonadministrative position with an award of compensatory damages for actual loss of salary".

President Neu took the chair at 3:02 p.m.

Action on amendment S—3443 to amendment S—3425 was temporarily deferred.

Senator Sovern offered amendment S—3441 to amendment S—3425 and moved its adoption:

S—3441

Amend the Hultman amendment S—3425 to Senate File 205, page 5, by inserting after line 33 the following subsection:

"7. All contracts with superintendents, assistant superintendents, principals, and assistant principals shall be subject to the provisions of this section and section two hundred seventy-nine point twenty-four (279.24) of the Code."

Amendment S—3441 to amendment S—3425 was adopted.

Senator Heying offered amendment S—3445 to amendment S—3425 by Senators Heying and Lamborn, moved its adoption and requested a record roll call:

S—3445

Amend the Hultman-Rabedeaux amendment, S—3425 to Senate File 205 as follows:

1. Page 5, by inserting after line 33 the following new paragraph:

"If the arbitrator finds in favor of the teacher, the decision may be reversed by a petition filed with the secretary of the school board and served on the teacher by certified mail within three weeks of the arbitrator's decision. The petition must be signed by sixty percent of the parents who had a child enrolled in a class taught by the teacher during the past school year."

2. Page 6, by inserting after line 9 the following new paragraph:

"If the arbitration finds in favor of the teacher, the decision may be reversed by a petition filed with the secretary of the school board and served on the teacher by certified mail within three weeks of the arbitrator's decision. The petition must be signed by sixty percent of the parents who had a child enrolled in a class taught by the teacher during the past school year."

On the question "Shall amendment S—3445 to amendment S—3425 be adopted?" (S.F. 205) the vote was:

Ayes, 13:

Bergman	Heying	Priebe	Shaff
Burroughs	Lamborn	Schwengels	Tieden
Coleman	Miller of Marshall	Scott	Winkelman
Curtis			

Nays, 34:

Andersen	Griffin	Nolin	Ramsey
Briles	Hansen	Nolting	Redmond
Carr	Hill of Jasper	Norpel	Robinson
Culver	Hill of Polk	Nystrom	Rodgers
DeKoster	Junkins	Orr	Shaw
Doderer	Kelly	Palmer	Sovern
Gallagher	Kinley	Plymat	Van Gilst
Glenn	Merritt	Rabedeaux	Willits
Gluba	Murray		

Absent or not voting, 3:

Hultman	Miller of Des Moines	Taylor

Amendment S—3445 to amendment S—3425 lost.

Senator Ramsey offered amendment S—3449 to amendment S—3425, moved its adoption, and requested a non-record roll call:

S—3449

Amend the Hultman and Rabedeaux amendment S—3425 to Senate File 205 on page 3, line 18, by inserting after the words "duties" the words "or reasons sufficient to sustain the discharge of any teacher pursuant to section two hundred seventy-nine point twenty-four (279.24) of the Code,".

The ayes were 20, nays 26.

Amendment S—3449 to amendment S—3425 lost.

Senator Carr asked and received unanimous consent to withdraw amendment S—3448 to amendment S—3425 by Senators Carr, Rabedeaux, Sovern and Willits:

S—3448

Amend the Hultman amendment S—3425 to Senate File 205 as follows:

1. Page 2, line 22, by inserting after the word "Code" the words "and subject to a collective bargaining agreement which provides for the issuance, continuation, and termination of teachers' contracts".

2. Page 2, by inserting after line 33 the following:

"If the board of directors and certificated employees organized into a bargaining unit pursuant to Chapter Twenty (20) of the Code, fail to negotiate procedures relating to the issuance and continuation of teachers' contracts and the dismissal of teachers more than two years from the date the first collective bargaining agreement became effective, the provisions of sections two hundred seventy-nine point thirteen (279.13) and two hundred seventy-nine point twenty-four (279.24) shall no longer be applicable."

Senator Carr withdrew amendment S—3453 to amendment S—3425 by Senators Carr and Willits:

S—3453

Amend the Hultman amendment S—3425 to Senate File 205 as follows:

1. Page 2, by striking lines 21 and 22 and inserting in lieu thereof the following: "a school district, shall be in".

2. Page 5, by striking lines 38 through 40 and inserting in lieu thereof the following: "279.24 DISCHARGE OF TEACHER. The board may, by a majority vote, discharge".

Senator Sovern offered amendment S—3454 to amendment S—3425 and moved its adoption:

S—3454

Amend the Hultman and Rabedeaux amendment S—3425 to Senate File 205, page 5, line 41, by striking the words "inattention to duty" and inserting in lieu thereof the words "persistent or substantial neglect of duty".

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 35, nays 13.

Amendment S—3454 to amendment S—3425 was adopted.

Senator Rabedeaux asked unanimous consent to withdraw amendment S—3425 as amended.

Objection was raised.

Senator Rabedeaux moved that amendment S—3425 as amended be withdrawn.

A non-record roll call was requested.

The ayes were 20, nays 30.

The motion lost.

Senator Shaff offered amendment S—3455 to amendment S—3425, moved its adoption, and requested a record roll call:

S—3455

Amend the Hultman-Rabedeaux amendment S—3425 as follows:

1. Page 4, by striking lines 17 through 50, inclusive.

2. Page 5, by striking lines 1 through 50, inclusive.

3. Page 6, by striking lines 1 through 12, and inserting in lieu thereof the following:

"6. A teacher may within thirty days after notification by the board of discontinuance of the contract appeal to the district court of the county in which the administrative office of the school district is located. No teacher shall have the right to appeal the action of the board to terminate a contract until after employment as a teacher for three consecutive years by the school district, unless the dismissal is for an alleged violation of a constitutionally guaranteed right."

On the question "Shall amendment S—3455 to amendment S—3425 be adopted?" (S.F. 205) the vote was:

Ayes, 23:

Bergman	Heying	Nolin	Shaff
Briles	Hill of Jasper	Nystrom	Shaw
Burroughs	Hultman	Priebe	Taylor
Coleman	Lamborn	Ramsey	Tieden
Curtis	Miller of Marshall	Schwengels	Van Gilst
Griffin		Scott	Winkelman

Nays, 27:

Andersen	Gluba	Miller of Des Moines	Plymat
Carr	Hansen	Murray	Rabedeaux
Culver	Hill of Polk	Nolting	Redmond
DeKoster	Junkins	Norpel	Robinson
Doderer	Kelly	Orr	Rodgers
Gallagher	Kinley	Palmer	Sovern
Glenn	Merritt	Priebe	Willits

Amendment S—3455 to amendment S—3425 lost.

Senator Shaw offered amendment S—3456 to amendment S—3425, moved its adoption, and requested a record roll call:

S—3456

Amend the Hultman-Rabedeaux amendment S—3425 to Senate File 205, page 5, line 27, by inserting after the word "Pay" the words "except that superintendents, principals and others whose duties are preponderantly administrative in nature shall not be reinstated to the same or a similar position. In the latter case an award of damages may be made to compensate for any salary differential between the former and the reinstated position".

On the question "Shall amendment S—3456 to amendment S—3425 be adopted?" (S.F. 205) the vote was:

Ayes, 38:

Bergman	Griffin	Miller of Des Moines	Redmond
Briles	Heying	Miller of Marshall	Robinson
Burroughs	Hill of Jasper	Nystrom	Rodgers
Coleman	Hill of Polk	Orr	Schwengels
Culver	Hultman	Palmer	Shaff
Curtis	Junkins	Priebe	Shaw
DeKoster	Kelly	Rabedeaux	Sovern
Doderer	Kinley	Ramsey	Tieden
Gallagher	Lamborn	Schwengels	Willits
Glenn	Merritt	Scott	Winkelman

Nays, 12:

Andersen	Hansen	Nolting	Scott
Carr	Murray	Norpel	Taylor
Gluba	Nolin	Plymat	Van Gilst

Amendment S—3456 to amendment S—3425 was adopted.

(Senate File 205 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 404, by Senator Kelly, a bill for an act relating to the rules of the board of parole.

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

Senate File 405, by Senator Kelly, a bill for an act defining simple and aggravated littering and providing a penalty.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 9 Judiciary

S. F. 383 Education

S. F. 384 Ways and means

S. F. 385 Education

S. F. 386 Commerce

S. F. 388 Transportation

S. F. 389 Education

S. F. 390 Commerce

S. F. 391 Transportation

S. F. 392 Commerce

S. F. 393 Transportation

S. F. 394 State government

S. F. 395 Judiciary

S. F. 396 Ways and means

S. F. 397 Cities

S. F. 398 Transportation

S. F. 399 Ways and means

S. R. 8 Rules and administration

PROOFS OF PUBLICATION

Published copy of House File 510 and verified proof of publication of said bill in The Missouri Valley Times, a newspaper published at Missouri

Valley, Iowa, for one week beginning on February 20, 1975, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CLARK R. RASMUSSEN
Secretary of the Senate

Published copy of House File 742 and verified proof of publication of said bill in the Logan Herald-Observer, a newspaper published at Logan, Iowa, for one week beginning on February 20, 1975, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CLARK R. RASMUSSEN
Secretary of the Senate

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Betty Jo Harker, Ames, Story County, Iowa, for appointment as a member of the City Finance Committee pursuant to Section 384.13, 1975 Code of Iowa, for a term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
WILLIAM E. GLUBA
FRED W. NOLTING
JOHN S. MURRAY
ELIZABETH SHAW

REPORT OF COMMITTEE

Senator Glenn submitted the following report:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 18**, a bill for an act relating to expert witness fees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3439

Amend Senate File 53, page 4, line 25, by inserting after the word *"elapsed"* the words ", *except that the commission may waive the time requirement for reapplication if the real estate apprentice salesman shows just cause to the commission why the thirty-hour course was not completed"*.

WILLIAM E. GLUBA

S—3450

Amend the Junkins amendment S—3292 to page 12 of

Senate File 53 in line 7 by inserting after the word "examination" the words "within one year".

LOWELL JUNKINS

S—3457

Amend the Hultman amendment S—3425 to Senate File 205 as follows:

1. Page 2, by striking lines 21 and 22 and inserting in lieu thereof the following: "a school district, shall be in".

2. Page 5, by striking lines 38 through 40 and inserting in lieu thereof the following: "279.24 DISCHARGE OF TEACHER. The board may, by a majority vote, discharge".

3. Page 1, by striking lines 9 through 38.

4. Page 6, by striking lines 10 through 12.

ROBERT M. CARR
EARL M. WILLITS

S—3459

Amend the Hultman-Rabedeaux amendment S—3425, to Senate File 205, page 3, line 19, by inserting after the word "reduction" the words "or realignment".

ROGER J. SHAFF

S—3458

Amend the Hultman-Rabedeaux amendment S—3425 to Senate File 205, page 3, by inserting after line 25 the following:

"The teacher's complete personnel file shall be available, which file shall contain a record of all periodic reviews between the teacher and appropriate supervisors. In any termination proceeding, note shall be taken of the teacher's complete personnel file in addition to those items specifically relating to the cause for termination."

PHILIP B. HILL
STEVE SOVERN

S—3451

Amend the Doderer and Nolin amendment S—3400 to Senate File 296 on page 2, line 1, by striking the word "one".

MINNETTE F. DODERER
KARL NOLIN

S—3452

Amend Senate File 323, page 1, by inserting after line 32 the following new section:

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Clarksville Star, a newspaper published in Clarksville, Iowa, and in

the Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa.

C. JOSEPH COLEMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Thursday, April 3, 1975.

JOURNAL OF THE SENATE

EIGHTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, APRIL 3, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Doyle Hansen, pastor of the Westminster United Presbyterian Church, Des Moines, Iowa.

The Journal of Wednesday, April 2, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Anthony Owca, Centerville, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the day on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighty-five students from Prairie Junior High School, Gowrie, Iowa, accompanied by Richard E. Phillips, principal, Roger Rogge and Richard Meyer. Senator Coleman.

Sixty students from Rockford Senior High School, Rockford, Iowa, accompanied by Robert Sinclair, principal, and Gary Achenbach. Senator Merritt.

Six students from Maharishi International University, Fairfield, Iowa. Senator Schwengels.

CONSIDERATION OF BILLS

House File 182

On motion of Senator Nolting, House File 182, a bill for an act

relating to the period in which claims for the military service tax exemption and the homestead tax credit may be audited, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolting moved that the bill 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, 43:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Scott
Burroughs	Hill of Jasper	Nolting	Shaff
Carr	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Tieden
Doderer	Lamborn	Priebe	Van Gilst
Gallagher	Merritt	Ramsey	Winkelman
Glenn	Miller of Des Moines		
Gluba			

Nays, none.

Absent or not voting, 7:

Coleman	Norpel	Robinson	Willits
Hill of Polk	Rabedeaux	Schwengels	

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

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

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

Senate File 205

The Senate resumed consideration of Senate File 205, a bill

for an act relating to the issuance, continuation, and termination of teachers' contracts.

Senator Shaw withdrew amendment S—3443 to amendment S—3425, offered and deferred on April 2, 1975.

Senator Carr offered amendment S—3457 to amendment S—3425 filed by Senators Carr and Willits, and moved its adoption:

S—3457

Amend the Hultman amendment S—3425 to Senate File 205 as follows:

1. Page 2, by striking lines 21 and 22 and inserting in lieu thereof the following: "a school district, shall be in".

2. Page 5, by striking lines 38 through 40 and **inserting in lieu thereof the following: "279.24 DISCHARGE OF TEACHER. The board may, by a majority vote, discharge".**

3. Page 1, by striking lines 9 through 38.

4. Page 6, by striking lines 10 through 12.

A record roll call was requested.

On the question "Shall amendment S—3457 to amendment S—3425 be adopted?" (S.F. 205) the vote was:

Ayes, 41:

Andersen	Griffin	Miller of Des Moines	Redmond
Bergman	Hansen	Murray	Robinson
Burroughs	Heying	Nolting	Rodgers
Carr	Hill of Jasper	Norpel	Schwengels
Culver	Hill of Polk	Nystrom	Scott
Curtis	Junkins	Orr	Sovern
DeKoster	Kelly	Palmer	Tieden
Doderer	Kinley	Plymat	Van Gilst
Gallagher	Lamborn	Priebe	Willits
Glenn	Merritt	Ramsey	Winkelman
Gluba			

Nays, 5:

Hultman	Miller of Marshall	Rabedeaux	Taylor
		Shaff	

Absent or not voting, 4:

Briles	Coleman	Nolin	Shaw

Amendment S—3457 to amendment S—3425 was adopted.

Senator Hill of Polk offered amendment S—3458 to amendment S—3425 filed by Senators Hill of Polk and Sovern, and moved its adoption:

S—3458

Amend the Hultman-Rabedeaux amendment S—3425 to

Senate File 205, page 3, by inserting after line 25 the following:

"The teacher's complete personnel file shall be available, which file shall contain a record of all periodic reviews between the teacher and appropriate supervisors. In any termination proceeding, note shall be taken of the teacher's complete personnel file in addition to those items specifically relating to the cause for termination."

Amendment S—3458 to amendment S—3425 was adopted.

Senator Shaff offered amendment S—3459 to amendment S—3425 filed by him, moved its adoption, and requested a non-record roll call:

S—3459

Amend the Hultman-Rabedeaux amendment S—3425 page 3, line 19, by inserting after the word "reduction" the words "or realignment".

Rule 25 was invoked.

The ayes were 23, nays 25.

Amendment S—3459 to amendment S—3425 lost.

Senator Orr offered amendment S—3462 to amendment S—3425 and moved its adoption:

S—3462

Amend the Hultman-Rabedeaux amendment S—3425 to Senate File 205, page 4, line 3, by inserting after the word "board." the words "However, if the conference was held to consider terminating the contract of the superintendent, a representative of the board shall make a written recommendation to the board and the superintendent shall not make a written recommendation to the board."

A record roll call was requested.

On the question "Shall amendment S—3462 to amendment S—3425 be adopted?" (S.F. 205) the vote was:

Ayes, 32:

Andersen	Hill of Jasper	Murray	Redmond
Carr	Hill of Polk	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Doderer	Kinley	Nystrom	Scott
Gallagher	Merritt	Orr	Shaw
Glenn	Miller of Des Moines	Palmer	Sovern
Gluba	Miller of Marshall	Priebe	Van Gilst
Hansen		Ramsey	Willits
Heying			

Nays, 15:

Bergman	DeKoster	Lamborn	Shaff
Briles	Griffin	Plymat	Taylor
Burroughs	Hultman	Rabedeaux	Winkelman
Curtis	Kelly	Schwengels	

Absent or not voting, 3:

Coleman	Nolin	Tieden

Amendment S—3462 to amendment S—3425 was adopted.

Senator Ramsey offered amendment S—3463 to amendment S—3425 and moved its adoption:

S—3463

Amend the Hultman-Rabedeaux amendment S—3425 to Senate File 205 as follows:

1. Page 2, line 34, by striking the word "The" and inserting in lieu thereof the words "If the teacher has been employed at least two years as a teacher, the".

2. Page 4, line 17, by striking the word "The" and inserting in lieu thereof the words "If the teacher has been employed at least two years as a teacher, the".

3. Page 4, line 21, by striking the words "to an arbitrator".

4. Page 4, line 27, by inserting after the word "Code." the words "A teacher's first two years of employment is probationary and the teacher's employment may be terminated by the school board upon sixty days notice by certified mail to the teacher prior to the termination of the contract. A probationary teacher may also be terminated under the provisions of section two hundred seventy-nine point twenty-four (279.24) of the Code."

Amendment S—3463 to amendment S—3425 was adopted.

Senator Hultman offered amendment S—3464 to amendment S—3425 and moved its adoption:

S—3464

Amend the Hultman-Rabedeaux amendment S—3425 to Senate File 205, page 4, line 19, by striking the word "the" and inserting in lieu thereof the word "each".

Amendment S—3464 to amendment S—3425 was adopted.

Senator Hultman moved the adoption of amendment S—3425 as amended, and requested a record roll call.

On the question "Shall amendment S—3425 as amended be adopted?" (S.F. 205) the vote was:

Ayes, 32:

Andersen	Hansen	Murray	Ramsey
Carr	Hill of Polk	Nolting	Redmond
Culver	Junkins	Norpel	Robinson
DeKoster	Kelly	Nystrom	Rodgers
Doderer	Kinley	Orr	Shaw
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Plymat	Van Gilst
Gluba	Des Moines	Priebe	Willits
Griffin			

Nays, 17:

Bergman	Hill of Jasper	Nolin	Shaff
Briles	Hultman	Rabedeaux	Taylor
Burroughs	Lamborn	Schwengels	Tieden
Curtis	Miller of	Scott	Winkelman
Heying	Marshall		

Absent or **not voting**, 1:

Coleman

Amendment S—3425 as amended was adopted.

The following amendments were ruled out of order with the adoption of amendment S—3425 as amended:

S—3307 by Senator Griffin—offered and deferred March 26, 1975.

S—3316 to S—3307 by Senator Griffin—filed March 12, 1975.

S—3360 to S—3307 by Senator Orr—filed March 25, 1975.

S—3361 to S—3307 by Senator Orr—filed March 25, 1975.

S—3310 by Senators Willits and Carr—offered and deferred March 26, 1975.

S—3364 by Senator Willits—offered and deferred March 26, 1975.

S—3380 by Senators Shaw and Lamborn—offered and pending March 26, 1975.

S—3315 by Senators Lamborn and Shaff—filed March 12, 1975.

S—3317 by Senator Andersen—filed March 12, 1975.

S—3318 by Senator Andersen—filed March 12, 1975.

S—3319 by Senator Andersen—filed March 12, 1975.

S—3324 by Senator Andersen—filed March 13, 1975.

S—3358 to S—3324 by Senator Andersen—filed March 25, 1975.

S—3336 by Senators Shaff, et al.—filed March 13, 1975.

S—3350 by Senator Willits—filed March 24, 1975.

S—3354 by Senators Shaff and Priebe—filed March 24, 1975.

S—3357 by Senators Junkins and Shaw—filed March 24, 1975.

S—3359 by Senators Hill of Polk and Sovern—filed March 25, 1975.

S—3362 by Senators Sovern, et al.—filed March 25, 1975.

S—3366 to S—3362 by Senator Coleman—filed March 25, 1975.

S—3372 to S—3362 by Senator Coleman—filed March 25, 1975.

S—3368 to S—3362 by Senator Redmond—filed March 25, 1975.

S—3375 to S—3362 by Senator Shaw—filed March 26, 1975.

S—3370 to S—3362 by Senator Ramsey—filed March 25, 1975.

S—3378 to S—3362 by Senator Ramsey—filed March 26, 1975.

S—3365 to S—3362 by Senator Shaff—filed March 25, 1975.

S—3377 by Senator Heying—filed March 26, 1975.

S—3381 by Senator Sovern—filed March 26, 1975.

S—3379 by Senators Hultman and Rabedeaux—filed March 26, 1975.

S—3392 to S—3379 by Senator Griffin—filed March 27, 1975.

S—3428 to S—3379 by Senators Heying and Lamborn—filed April 1, 1975.

S—3427 by Senators Heying and Lamborn—filed April 1, 1975.

S—3430 by Senators DeKoster, Shaw and Sovern—filed April 1, 1975.

Senator Carr moved that the bill 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, 35:

Andersen	Hansen	Murray	Redmond
Bergman	Heying	Nolting	Robinson
Carr	Hill of Polk	Norpel	Rodgers
Culver	Junkins	Nystrom	Schwengels
DeKoster	Kelly	Orr	Shaw
Doderer	Kinley	Palmer	Sovern
Gallagher	Merritt	Plymat	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Ramsey	
Griffin			

Nays, 14:

Briles	Hultman	Nolin	Taylor
Burroughs	Lamborn	Rabedeaux	Tieden
Curtis	Miller of	Scott	Winkelman
Hill of Jasper	Marshall	Shaff	

Absent or not voting 1:

Coleman

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

Senator Ramsey moved that the vote by which Senate File 205 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

A record roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" (S.F. 205) the vote was:

Ayes, 25:

Andersen	Hansen	Miller of	Ramsey
Bergman	Heying	Marshall	Schwengels
Briles	Hill of Polk	Murray	Shaff
Burroughs	Hultman	Nystrom	Shaw
Curtis	Kelly	Orr	Tieden
DeKoster	Lamborn	Plymat	Winkelman
Griffin		Rabedeaux	

Nays, 24:

Carr	Junkins	Nolting	Rodgers
Culver	Kinley	Norpel	Scott
Doderer	Merritt	Palmer	Sovern
Gallagher	Miller of	Priebe	Taylor
Glenn	Des Moines	Redmond	Van Gilst
Gluba	Nolin	Robinson	Willits
Hill of Jasper			

Absent or not voting, 1:

Coleman

The motion lost.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 205 passed the Senate on April 3, 1975.

H. L. HEYING

CONSIDERATION OF BILLS

Senate File 314

On motion of Senator Gallagher, Senate File 314, a bill for an act relating to the regulation of surface coal mining, imposing additional fees and providing a penalty for violation of the act, was taken up for consideration.

Senator Gallagher offered amendment S—3409 filed by him:

S—3409
Amend Senate File 314 as follows:
1. Page 3, by striking lines 12 through 34, inclusive.
2. Page 4, line 20, by striking the word "after" and inserting in lieu thereof the following: "[after] *prior to*".

Senator Gallagher offered amendment S—3424 to amendment S—3409 and moved its adoption:

S—3424
Amend the Gallagher amendment S—3409 to Senate File 314 by inserting after line 6 the following:
"3. By renumbering the sections in accordance with this amendment."

Amendment S—3424 to amendment S—3409 was adopted.

Senator Gallagher moved the adoption of amendment S—3409 as amended.

Amendment S—3409 as amended was adopted.

Senator Gallagher moved that the bill 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. 314) the vote was:

Ayes, 46:

Andersen	Gallagher	Junkins	Nolin
Bergman	Glenn	Kelly	Nolting
Briles	Gluba	Kinley	Norpel
Burroughs	Griffin	Lamborn	Nystrom
Carr	Hansen	Miller of Des Moines	Orr
Culver	Heying	Miller of Marshall	Palmer
Curtis	Hill of Jasper	Murray	Rabedeaux
DeKoster	Hill of Polk		Ramsey
Doderer	Hultman		Redmond

Robinson	Scott	Sovern	Van Gilst
Rodgers	Shaff	Taylor	Willits
Schwengels	Shaw	Tieden	Winkelman

Nays, 2:

Merritt Priebe

Absent or not voting, 2:

Coleman Plymat

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 10, by Senator Redmond, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to vacancies on the supreme court, the district courts and other courts as may be established by the general assembly.

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

Senate File 406, by Senators Plymat, Curtis and Murray, a bill for an act relating to liability protection for state employees.

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

Senate File 407, by Senator Redmond, a bill for an act relating to an income tax deduction for textbooks.

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

Senate File 408, by Senator Redmond, a bill for an act relating to restrictions on the activities of producers, refiners and distributors in the retail operation of the petroleum industry and providing a penalty for violation of the Act.

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

Senate File 409, by Senators Redmond and Kelly, 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 **passed on file.**

Senate File 410, by Senator Carr, a bill for an act relating to the computation of monthly pensions for firemen and policemen.

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

Senate File 411, by Senators Priebe, Lamborn and Rodgers, a bill for an act relating to the location of bank offices outside of municipal corporations.

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

Senate File 412, by Senators Priebe, Lamborn and Shaw, a bill for an act relating to proof in certain actions arising out of patient care.

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

Senate File 413, by Senator Griffin, a bill for an act relating to a municipal transportation assistance fund.

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

Senate File 414, by Senator Norpel, a bill for an act relating to the mounting of white lights upon school buses.

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

Senate File 415, by Senator Norpel, a bill for an act relating to the weight of motor vehicles.

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

Senate File 416, by Senator Shaw, a bill for an act relating to driver education training.

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

Senate File 417, by Senator Tieden, a bill for an act relating to escort fees for oversized vehicles.

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

Senate File 418, by committee on ways and means, a bill for an act relating to payment and final returns of inheritance tax.

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

Senate File 419, by committee on energy, a bill for an act relating to the planning and implementation of resource recovery systems.

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

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 on March 26, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 195, a bill for an act relating to statewide fire protection.

Also: That the House has on April 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 459, a bill for an act permitting the issuance of a special license by the board of medical examiners to authorize the licensee to practice medicine and surgery.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 195, a bill for an act relating to statewide fire protection.

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

House File 459, a bill for an act permitting the issuance of a special license by the board of medical examiners to authorize the licensee to practice medicine and surgery.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 400	Commerce
S. F. 401	Agriculture
S. F. 402	Appropriations
S. F. 403	Judiciary
S. F. 404	State government
S. F. 405	Energy
S. R. 9	Rules and administration
S.C.R. 27	Rules and administration
H. F. 459	Human resources
H.C.R. 23	Rules and administration
H.C.R. 26	Transportation

ANNOUNCEMENT BY PRESIDENT OF SENATE

President Neu announced the appointment of Senators Culver, Chairman; Curtis, Gluba, and Shaw, on the part of the Senate, to make suitable arrangements for a joint memorial session in accordance with House Concurrent Resolution 24, duly adopted.

REPORTS OF COMMITTEES

Senator Hill submitted the following reports:

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 162**, a bill for an act relating to holidays for state employees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government to which was referred **House File 398**, a bill for an act relating to the board of psychology examiners, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Nolin submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 18**, a bill for an act relating to the reporting of vehicle accidents, begs leave to report it has had the same under consideration and recommends the same **do pass.**

KARL NOLIN, Ranking Member

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 135**, a bill for an act relating to public auction of abandoned vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass.**

KARL NOLIN, Ranking Member

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 287**, a bill for an act relating to the motor vehicles subject to inspection, begs leave to report it has had the same under consideration and recommends the same **do pass.**

KARL NOLIN, Ranking Member

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was

referred **House File 106**, a bill for an act relating to assignment of Iowa highway safety patrol personnel by the director of transportation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

KARL NOLIN, Ranking Member

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 146**, a bill for an act relating to provisions for suspension of the license and registration or nonresident's operating privilege, begs leave to report it has had the same under consideration and recommends the same **do pass.**

KARL NOLIN, Ranking Member

Ordered passed on file.

AMENDMENTS FILED

S—3460

Amend the Rodgers amendment, S—3299, to Senate File 2, line 4, by inserting before the word "in" the words "under or".

NORMAN RODGERS

S—3461

Amend the Rodgers, et al., amendment S—3289 to Senate File 2, line 7, by inserting after the word "earth" the words "under or".

NORMAN RODGERS

S—3465

Amend the Rodgers amendment S—3251 to Senate File 226 in line 9 by inserting after the word "bus" the following: ", rural mail carrier".

RAY TAYLOR

S—3466

Amend House File 215, as passed, amended and reprinted, page 5, line 23, by inserting after the word "capacity" the words "or agricultural land owned by any pension or profit sharing plan of any corporation for the benefit of its employees".

WARREN E. CURTIS

On motion of Senator Kinley, the Senate adjourned at 5:00 p.m., until 9:30 a.m., Friday, April 4, 1975.

JOURNAL OF THE SENATE

EIGHTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, APRIL 4, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Carl J. Ruhland, pastor of the Immaculate Conception Catholic Church, North Buena Vista, Iowa.

The Journal of Thursday, April 3, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Boeke, West Union, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Coleman for the day on request of Senator Kinley; Senator Lamborn for the day on request of Senator Shaff.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-seven students from Colorado Elementary School and Franklin Elementary School, Muscatine, Iowa, accompanied by Jerry Lange, principal, and Paul Brooks, principal. Senator Rabedeaux.

PETITIONS

The following petitions were presented and placed on file:

By Senator Miller of Des Moines from one hundred six residents of Des Moines and Henry Counties favoring legislation which provides effective deterrents against the crime of driving while intoxicated.

By Senator Miller of Des Moines from ninety residents of Henry and Lee Counties requesting that pari-mutuel betting be debated by the Iowa General Assembly.

INTRODUCTION OF BILLS

Senate File 420, by Senator Doderer, a bill for an act relating to the parentage of children and providing for civil contempt.

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

Senate File 421, by committee on agriculture, a bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties.

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

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 on April 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 345, a bill for an act relating to fences on another's land.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 345, a bill for an act relating to fences on another's land.

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

CONSIDERATION OF BILLS

Senate File 308

On motion of Senator Curtis, Senate File 308, a bill for an act relating to the definition of finance charge in consumer credit transactions and providing an exception thereto, was taken up for consideration.

President pro tempore Doderer took the chair at 9:45 a.m.

Senator Curtis moved that the bill 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, 43:

Bergman	DeKoster	Hansen	Kinley
Briles	Doderer	Heying	Merritt
Burroughs	Gallagher	Hill of Polk	Miller of
Culver	Glenn	Hultman	Des Moines
Curtis	Gluba	Junkins	

Miller of Marshall	Orr	Robinson	Sovern
Murray	Palmer	Rodgers	Taylor
Nolin	Plymat	Schwengels	Tieden
Nolting	Priebe	Scott	Van Gilst
Norpel	Rabedeaux	Shaff	Willits
Nystrom	Ramsey	Shaw	Winkelman
	Redmond		

Nays, 1:

Carr

Absent or not voting, 6:

Andersen	Griffin	Kelly	Lamborn
Coleman	Hill of Jasper		

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

Senate File 298

On motion of Senator Heying, Senate File 298, a bill for an act relating to the use of underwater light for fishing, was taken up for consideration.

Senator Heying moved that the bill 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. 298) the vote was:

Ayes, 45:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hill of Polk	Norpel	Shaff
Carr	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Gluba		Robinson	

Nays, none.

Absent or not voting, 5:

Coleman	Kelly	Lamborn	Plymat
Griffin			

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

Senate File 214

On motion of Senator Gallagher, Senate File 214, a bill for an act relating to the membership of the energy policy council, with

report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gallagher moved that the bill 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. 214) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Merritt	Plymat	Taylor
Doderer	Miller of	Priebe	Tieden
Gallagher	Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of	Ramsey	Willits
Gluba	Marshall	Redmond	Winkelman

Nays, none.

Absent or not voting, 4:

Coleman	Griffin	Kelly	Lamborn

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 pro tempore Doderer presiding.

INTRODUCTION OF BILLS

Senate File 422, by committee on natural resources, a bill for an act to include caves and caverns in the limitation of liability for allowing public use of private land.

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

Senate File 423, by Senators Miller of Des Moines, Heying, Nolting, Norpel, Bergman, Van Gilst, Taylor, Merritt, Carr, Tieden, Nystrom, Gallagher, Culver, Winkelman, Hansen, Schwengels, Coleman, Nolin, Griffin, Briles, Hultman, Lamborn, Scott, Robinson, Murray and Curtis, a bill for an act relating to insurance proceeds payable to physicians.

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

Senate File 424, by Senators Winkelman, Bergman, Nolin and Coleman (Miller of Calhoun, Hansen, Crabb, Pellett, Hutchins

and Bennett), a bill for an act making an appropriation from the general fund of the state to the state conservation commission for the dredging of certain specified lakes.

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

Senate File 425, by committee on appropriations, a bill for an act appropriating funds to the department of general services, capitol planning commission, the executive council and the Iowa merit employment department and relating to a permanent revolving fund used for printing purposes.

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

Senate File 426, by committee on appropriations, a bill for an act making an appropriation to the department of environmental quality.

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

Senate File 427, by committee on appropriations, a bill for an act making an appropriation to the Iowa state civil rights commission.

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

Senate File 428, by Senators DeKoster and Willits, a bill for an act relating to the salaries of employees of juvenile courts.

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 on April 2, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 283, a bill for an act making an appropriation from the general fund of the state to the Spanish-American war veterans and the committee on the employment of the handicapped.

Also: That the House has on April 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 221, a bill for an act relating to the right of minors to change their name.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 221, a bill for an act relating to the right of minors to change their name.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 10 Judiciary

S. F. 406 Judiciary

S. F. 407 Ways and means

S. F. 408 Commerce

S. F. 409 Ways and means

S. F. 410 Cities

S. F. 411 Commerce

S. F. 412 Judiciary

S. F. 413 Cities

S. F. 414 Transportation

S. F. 415 Transportation

S. F. 416 Transportation

S. F. 417 Transportation

H. F. 195 County government

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of April, 1975: Senate Files 39 and 107.

CLARK R. RASMUSSEN
Secretary of the Senate

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

IOWA MERIT EMPLOYMENT DEPARTMENT

A copy of the annual report of the Iowa Merit Employment Department for 1974.

COMMUNICATION FROM THE SECRETARY OF STATE

April 3, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 133 was published in The Bloomfield Democrat, Bloomfield, Iowa, March 27, 1975, and in The Chariton Leader, Chariton, Iowa, March 25, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 9
Judiciary
DeKoster, Chairman
Miller of Des Moines
Doderer

Senate File 152
State Government
Hill of Jasper, Chairman
Coleman
Schwengels

Senate File 250
County Government
Taylor, Chairman
Robinson
Heying

Senate File 295
Transportation
Nolin, Chairman
Miller of Marshall
Norpel

Senate File 315
County Government
Briles, Chairman
Miller of Des Moines
Merritt

Senate File 316
Transportation
Murray, Chairman
Orr
Rabedeaux

Senate File 327
Ways and Means
Rodgers, Chairman
Junkins
Burroughs

Senate File 328
State Government
Coleman, Chairman
Gluba
Nystrom

Senate File 332
State Government
Glenn, Chairman
Nolin
Schwengels

Senate File 333
State Government
Glenn, Chairman
Nolin
Schwengels

Senate File 334
State Government
Glenn, Chairman
Nolin
Schwengels

Senate File 336
Natural Resources
Heying, Chairman
Winkelman
Priebe

Senate File 341
State Government
Glenn, Chairman
Redmond
Nystrom

Senate File 343
County Government
Hill of Polk, Chairman
Scott
Robinson

Senate File 354
State Government
Glenn, Chairman
Doderer
Curtis

Senate File 359
Ways and Means
Van Gilst, Chairman
Hill of Jasper
Shaff

Senate File 361
State Government
Glenn, Chairman
Nolin
Schwengels

Senate File 362
Education
Willits, Chairman
Merritt
Plymat

Senate File 363
Ways and Means
Rodgers, Chairman
Curtis
Gluba
Nolting
Schwengels

Senate File 364
Commerce
Rodgers, Chairman
Rabedeaux
Priebe

Senate File 369
Judiciary
Doderer, Chairman
Shaw
Rodgers

Senate File 370
Ways and Means
Hill of Jasper, Chairman
Schwengels
Nolting

Senate File 371
Natural Resources
Norpel, Chairman
Culver
Sovern

Senate File 372
Judiciary
Redmond, Chairman
Ramsey
Coleman

Senate File 375
Ways and Means
Rodgers, Chairman
Junkins
Curtis

Senate File 376
Commerce
Priebe, Chairman
Curtis
Rabedeaux

Senate File 377
Transportation
Murray, Chairman
Rabedeaux
Orr

Senate File 379
State Government
Glenn, Chairman
Nolin
Schwengels

Senate File 381
Commerce
Briles, Chairman
Rodgers
Priebe

Senate File 382
Labor and Industrial Relations
Redmond, Chairman
Andersen
Merritt

Senate File 383
Education
Norpel, Chairman
Shaw
Carr

Senate File 384
Ways and Means
Rodgers, Chairman
Curtis
Gluba
Nolting
Schwengels

Senate File 385
Education
Willits, Chairman
Merritt
Plymat

Senate File 386
Commerce
Glenn, Chairman
Bergman
Rabedeaux

Senate File 389
Education
Willits, Chairman
Merritt
Plymat

Senate File 390
Commerce
Bergman, Chairman
Carr
Junkins

Senate File 392
Commerce
Curtis, Chairman
Junkins
Priebe

Senate File 395
Judiciary
Redmond, Chairman
Hill of Polk
Coleman

Senate File 396
Ways and Means
Rodgers, Chairman
Van Gilst
Curtis

Senate File 399
Ways and Means
Curtis, Chairman
Hill of Jasper
Gluba

CORRECTION for
Senate File 294
Human Resources
Gluba, Chairman
Murray
Palmer

House File 215
Agriculture
Van Gilst, Chairman
Shaff
Scott

House File 332
State Government
Glenn, Chairman
Gluba
Miller of Marshall

House File 392
Ways and Means
Hill of Jasper, Chairman
Curtis
Taylor

House File 394
Transportation
Shaff, Chairman
Gallagher
Doderer

House File 396
Agriculture
Van Gilst, Chairman
Merritt
Taylor

House File 398
State Government
Redmond, Chairman
Doderer
Winkelman

REPORTS OF COMMITTEES

Senator Palmer submitted the following reports:

MR. PRESIDENT: **Your committee on appropriations to which was referred House File 399, a bill for an act to appropriate for programs under the jurisdiction of the Iowa commission for the blind, the bonus board, and the educational radio and television division of the department of general services, begs leave to report it has had the same under consideration and recommends the same do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 455**, a bill for an act making appropriations to the Iowa state fair board, agricultural societies, the geological survey, and the Iowa natural resources council, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, **Chairman**

Ordered passed on file.

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **House File 336**, a bill for an act relating to the quantity of alcoholic liquor an individual may import into and possess within the state for the purpose of personal consumption, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Senator Gluba submitted the following reports:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 176**, a bill for an act relating to payment of small claims by the department of social services, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 459**, a bill for an act permitting the issuance of a special license by the board of medical examiners to authorize the licensee to practice medicine and surgery, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Senator Heying submitted the following reports:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 240**, a bill for an act relating to undesirable fish, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HILARIUS L. HEYING, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 371**, a bill for an act to eliminate the application form for the state migratory waterfowl stamp, 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:**

S—3468

Amend Senate File 371 as follows:

1. **Page 1, by striking** everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one hundred ten B point one **(110B.1), Code 1975, is amended to read** as follows:

110B.1 DEFINITIONS. As used in this chapter, unless the context otherwise requires:

1. "Migratory waterfowl" means any wild goose, brant, or wild duck.

[2. "Department" means department of conservation.

3]*2.* "Commission" means state conservation commission.

[4]*3.* "Stamp" means the state migratory waterfowl **stamp furnished by the** [department] *commission.*

Sec. 2. Section one hundred ten B point two **(110B.2), Code 1975, is amended to read** as follows:

110B.2 STAMP REQUIRED. No person shall **hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl** stamp and having such stamp in his possession while hunting or taking any migratory waterfowl. Each stamp shall be validated by the signature of the **licensee written across the face of such** stamp. The [department] *commission* shall determine the form of **the stamp and shall furnish the stamps to the county** recorders and their designated depositaries for issuance **or sale in the same manner as hunting licenses are issued or sold under chapter 110.**

Sec. 3. Section one hundred ten B point three (110B.3), Code 1975, is amended to read as follows:

110B.3 FEE. [A stamp shall be issued to each **hunting license applicant upon written request on** forms furnished by the department and the payment of a fee of] *The fee for each stamp issued under this chapter shall be* one dollar. Each stamp shall **expire on December 31 following its issuance.**

Sec. 4. Chapter one hundred ten B (110B), Code 1975, is amended by adding the following new section:

NEW SECTION. PENALTY. Any person violating **any of** the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or imprisoned in the county jail for not more than thirty days.

2. **Amend the title, lines 1 and 2, by striking** the words "to eliminate the application form for the state migratory waterfowl stamp" **and inserting in lieu thereof**

the words "relating to the issuance of migratory waterfowl stamps and providing a penalty".

HILARIUS L. HEYING, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on natural resources to which was referred **House File 262**, a bill for an act relating to the sale of game by a game breeder for food purposes, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HILARIUS L. HEYING, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3467

Amend Senate File 184, as follows:

1. Page 1, line 16, by striking the word "three" and inserting in lieu thereof the words "[three] *ten*".

2. In the title, line 1, after the word "and" by inserting the words "the witness fees and mileage paid to".

JAMES M. REDMOND

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 12:05 p.m., until 10:00 a.m., Monday, April 7, 1975.

JOURNAL OF THE SENATE

EIGHTY-FIFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, APRIL 7, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Robert Jipping, pastor of the Christian Reformed Church, Cedar, Iowa.

The Journal of Friday, April 4, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert M. Collison, Oskaloosa, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Junkins for the day on request of Senator Kinley; Senator Lamborn for the day on request of Senator Shaff.

PETITIONS

The following petitions were presented and placed on file:

By Senator Sovern from seventy-three residents of Linn County favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

By Senator Taylor from forty-four residents of Hancock County opposing pari-mutuel betting.

By Senator Hill of Jasper from one hundred twenty-eight residents of Iowa favoring rescission of the Equal Rights Amendment.

By Senator Gallagher from fifty-five residents of Benton County favoring an increase in the eight percent allowable growth rate in the school aid law.

By Senator Gallagher from one hundred twenty-nine residents

of Buchanan County and adjoining counties requesting that pari-mutuel betting be debated by the Iowa General Assembly.

By Senator Miller of Marshall from seven residents of Marshall County opposing pari-mutuel betting.

By Senator Carr from ninety-eight residents of Iowa favoring pari-mutuel betting.

By Senator Schwengels from six hundred eighty-five residents of Iowa opposing legislation that requires motorcycle operators to wear protective headgear.

By Senator Scott from fifty-five residents of Iowa favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

INTRODUCTION OF BILL

Senate File 429, by Senators Rodgers, Robinson, Lamborn, Tieden and Murray, a bill for an act limiting damages in certain actions relating to health care.

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 on March 31, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 395, a bill for an act relating to the civil service systems of cities.

Also: That the House has on April 1, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 421, a bill for an act relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law.

Also: That the House has on April 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 432, a bill for an act relating to the requirement that motor vehicles be inspected upon transfer and **providing a penalty.**

Also: That the House has on March 31, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 485, a bill for an act appropriating funds 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.

Also: That the House has on April 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 486, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies and to limit such expenses in the future.

Also: That the House has on April 2, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 282, a bill for an act making an appropriation to the commission on the status of women and the board of parole and relating to the creation of a parolee security fund.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 282

S—3469

Amend Senate File 282 as follows:

1. Page 1, line 11, after the word "salaries" insert the words "including salaries of a part-time information specialist and part-time resource and program planner".

2. Page 1, line 12, by striking the figure "35,075" and inserting in lieu thereof the figure "45,775".

HOUSE MESSAGES CONSIDERED

House File 395, a bill for an act relating to the civil service systems of cities.

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

House File 421, a bill for an act relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law.

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

House File 432, a bill for an act relating to the requirement that motor vehicles be inspected upon transfer and providing a penalty.

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

House File 485, a bill for an act appropriating funds 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.**

House File 486, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies and to limit such expenses in the future.

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

CONSIDERATION OF BILLS

Senate File 418

On motion of Senator Curtis, Senate File 418, a bill for an act relating to payment and final returns of inheritance tax, was taken up for consideration.

Senator Curtis moved that the bill 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, 37:

Andersen	Gluba	Nolin	Robinson
Bergman	Hansen	Nolting	Rodgers
Burroughs	Hill of Jasper	Norpel	Schwengels
Carr	Kinley	Nystrom	Scott
Coleman	Merritt	Orr	Shaff
Culver	Miller of	Palmer	Sovern
Curtis	Des Moines	Plymat	Taylor
Doderer	Miller of	Priebe	Tieden
Gallagher	Marshall	Rabedeaux	Willits
Glenn	Murray	Redmond	

Nays, 10:

Briles	Heying	Kelly	Shaw
DeKoster	Hill of Polk	Ramsey	Winkelman
Griffin	Hultman		

Absent or not voting, 3:

Junkins	Lamborn	Van Gilst

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 2:00 p.m.

AFTERNOON SESSION

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 11, by Senator Griffin, a joint resolution proposing an amendment to the Constitution of the State of Iowa to strike the requirement that the senior judge of a district shall be chairman of the district nominating commission.

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

Senate File 430, by Senator Sovern, a bill for an act relating to fences on another's land.

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

Senate File 431, by Senator DeKoster, a bill for an act reorganizing the administrative functions of the supreme court.

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 on April 3, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 208, a bill for an act relating to conservators administering moneys paid by the veterans administration.

Also: That the House has on April 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 313, a bill for an act relating to railroad rights-of-way acquired by the state conservation commission and political subdivisions.

Also: That the House has on April 3, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 451, a bill for an act relating to gasoline receptacles, repealing provisions relating to illuminating oil, and having the effect of imposing a penalty for violations.

Also: That the House has on April 3, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 463, a bill for an act relating to remedial eye care.

Also: That the House has on April 3, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 521, a bill for an act relating to the time of incurring obligations for and reversion of funds contained in legislation appropriating funds.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 208, a bill for an act relating to conservators administering moneys paid by the veterans administration.

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

House File 313, a bill for an act relating to railroad rights-of-way acquired by the state conservation commission and political subdivisions.

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

House File 451, a bill for an act relating to gasoline receptacles, repealing provisions relating to illuminating oil, and having the effect of imposing a penalty for violations.

Read first time and passed on file.

House File 463, a bill for an act relating to remedial eye care.

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

House File 521, a bill for an act relating to the time of incurring obligations for and reversion of funds contained in legislation appropriating funds.

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

MOTION TO RECONSIDER WITHDRAWN

Senate File 205

Senator Heying moved to withdraw the motion to reconsider the vote by which Senate File 205 passed the Senate filed by him on April 3, 1975.

A record roll call was requested.

On the question "Shall the motion to withdraw the motion to reconsider be adopted?" (S.F. 205) the vote was:

Ayes, 31:

Andersen	Heying	Nolting	Redmond
Carr	Hill of Polk	Norpel	Robinson
Culver	Kelly	Nystrom	Rodgers
Curtis	Kinley	Orr	Schwengels
Doderer	Merritt	Palmer	Shaw
Glenn	Miller of	Plymat	Sovern
Gluba	Des Moines	Priebe	Van Gilst
Hansen	Murray	Ramsey	Willits

Nays, 16:

Bergman	Gallagher	Miller of	Scott
Briles	Griffin	Marshall	Shaff
Burroughs	Hill of Jasper	Nolin	Taylor
Coleman	Hultman	Rabedeaux	Winkelman
DeKoster			

Absent or not voting, 3:

Junkins	Lamborn	Tieden

The motion **prevailed.**

CONSIDERATION OF BILLS

House File 69

On motion of Senator Miller of Marshall, House File 69, a bill for an act to change the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Miller of Marshall offered amendment S—3321 filed by her and moved its adoption:

S—3321

Amend House File 69, as amended and passed by the House, as follows:

1. Page 1, line 11, by striking the word "section" and inserting in lieu thereof the word "sections".

2. Page 1, line 11, by inserting after the figure "(210)" the words and figure "and six hundred ten (610)".

Amendment S—3321 was adopted.

Senator Miller of Marshall offered amendment S—3322 by the committee on state government and moved its adoption:

S—3322

Amend House File 69, as amended and passed by the House, page 1, line 70, by striking the words "The Annie Wittenmeyer Home," and inserting in lieu thereof the words "[The Annie Wittenmeyer Home,]".

Amendment S—3322 was adopted.

Senator Miller of Marshall moved that the bill 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, 47:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Rabedeaux	Willits
Gallagher		Ramsey	Winkelman
Glenn	Miller of Marshall	Redmond	
Gluba			

Nays, none.

Absent or not voting, 3:

Junkins	Lamborn	Tieden

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

WITHDRAWN

Senator Miller of Marshall asked and received unanimous con-

sent that **Senate File 96** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 74

On motion of Senator Rabedeaux, House File 74, a bill for an act to require cities to give notice of annexation to the state department of transportation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rabedeaux offered amendment S—3420 filed by Senator Junkins and moved its adoption:

S—3420
1 **Amend House File 74, line 20, by inserting after**
2 **the word *"transportation"* the following words: *"and***
3 ***with the city development board"*.**

Amendment S—3420 was 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. 74) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Merritt	Plymat	Taylor
DeKoster	Miller of	Priebe	Tieden
Doderer	Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of	Ramsey	Willits
Gluba	Marshall	Redmond	Winkelman

Nays, none.

Absent or not voting, 4:

Gallagher	Griffin	Junkins	Lamborn

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

Senate File 184

On motion of Senator Miller of Des Moines, Senate File 184, a bill for an act increasing the mileage rate paid to jurors and witnesses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond offered amendment S—3467 filed by him and moved its adoption:

S—3467
Amend Senate File 184, as follows:
1. Page 1, line 16, by striking the word "three" and insert in lieu thereof the words "[three] *ten*".
2. In the title, line 1, after the word "and" by inserting the words "the witness fees and mileage paid to".

Amendment S—3467 was adopted.

Senator Miller of Des Moines moved that the bill 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. 184) the vote was:

Ayes, 47:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Briles	Heying	Nolting	Scott
Burroughs	Hill of Jasper	Norpel	Shaff
Carr	Hill of Polk	Nystrom	Shaw
Coleman	Hultman	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Rabedeaux	Willits
Gallagher		Redmond	Winkelman
Glenn	Miller of Marshall	Robinson	
Gluba			

Nays, 1:

Ramsey

Absent or not voting, 2:

Junkins Lamborn

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

MR. PRESIDENT: I move to reconsider the vote by which Senate File 184 passed the Senate on April 7, 1975.

ROGER J. SHAFF

Senate File 276

On motion of Senator Hill of Polk, Senate File 276, a bill for an act relating to the grounds for suspension or revocation of a license to practice law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Polk moved that the bill 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. 276) the vote was:

Ayes, 48:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Junkins Lamborn

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

Senate File 317

On motion of Senator Winkelman, Senate File 317, a bill for an act relating to fish and game licenses and providing a penalty, was taken up for consideration.

Senator Winkelman moved that the bill 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. 317) the vote was:

Ayes, 48:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Junkins Lamborn

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

Senate File 329

On motion of Senator Doderer, Senate File 329, a bill for an act relating to the disbursement of costs in actions on appeal to the supreme court, was taken up for consideration.

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. 329) the vote was:

Ayes, 47

Andersen	Griffin	Nolin	Rodgers
Bergman	Hansen	Nolting	Schwengels
Briles	Heying	Norpel	Scott
Burroughs	Hill of Jasper	Nystrom	Shaff
Carr	Hill of Polk	Orr	Shaw
Coleman	Hultman	Palmer	Sovern
Culver	Kinley	Plymat	Taylor
Curtis	Merritt	Priebe	Tieden
DeKoster	Miller of	Rabedeaux	Van Gilst
Doderer	Des Moines	Ramsey	Willits
Gallagher	Miller of	Redmond	Winkelman
Glenn	Marshall	Robinson	
Gluba	Murray		

Nays, none.

Absent or not voting, 3:

Junkins	Kelly	Lamborn

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

Senate File 163

On motion of Senator Shaff, Senate File 163, a bill for an act relating to the temporary service of retired supreme court judges, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn offered amendment S—3376 filed by the committee on judiciary and moved its adoption:

S—3376

Amend Senate File 163 as follows:

1. Page 1, line 29, by striking the word *"permanent"*.

2. Page 1, by striking lines 33 and 34, and inserting in lieu thereof the following:

"the court, but a quorum shall not exist at any time when a majority of the judges sitting

are temporary judges."

3. Page 2, by striking lines 7 and 8, and by inserting in lieu thereof the following:

"adopt. *A division shall not constitute a quorum at any time when a majority of the judges sitting in that division are temporary judges."*

Amendment S—3376 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. 163) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher	Miller of Marshall	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba		Redmond	
Griffin			

Nays, 1:

Shaw

Absent or not voting, 3:

Coleman	Junkins	Lamborn

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

House File 131

On motion of Senator Bergman, House File 131, a bill for an act relating to a committee supervising steel trade practice, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bergman moved that the bill 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. 131) the vote was:

Ayes, 48:

Andersen	Culver	Gluba	Hultman
Bergman	Curtis	Griffin	Kelly
Briles	DeKoster	Hansen	Kinley
Burroughs	Doderer	Heying	Merritt
Carr	Gallagher	Hill of Jasper	Miller of Des Moines
Coleman	Glenn	Hill of Polk	

Miller of Marshall	Orr	Robinson	Sovern
Murray	Palmer	Rodgers	Taylor
Nolin	Plymat	Schwengels	Tieden
Nolting	Priebe	Scott	Van Gilst
Norpel	Rabedeaux	Shaff	Willits
Nystrom	Ramsey	Shaw	Winkelman
	Redmond		

Nays, none.

Absent or not voting, 2:

Junkins Lamborn

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 418 passed the Senate on April 7, 1975.

JAMES M. REDMOND

SENATE INSISTS

Senate File 44

Senator Priebe called up for consideration Senate File 44, a bill for an act relating to the registration of motor trucks and trailers or semitrailers and making the Act retroactive, amended by the House, and further amended by the Senate, and moved that the Senate insist on its amendment to the House amendment.

The motion prevailed and the Senate **insisted** on its amendment to the House amendment to **Senate File 44.**

House File 99

Senator Merritt called up for consideration House File 99, a bill for an act relating to temporary closing of highways, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed and the Senate **insisted** on its amendment to **House File 99.**

HOUSE AMENDMENT CONSIDERED

Senate File 165

Senator Willits called up for consideration Senate File 165, a bill for an act relating to the report commonly known as the state salary book, amended by the House, and moved that the Senate concur in the following amendment:

S—3341

Amend Senate File 165, as amended and passed by the Senate as follows:

Page 1, lines 21 and 22 by striking the words *"one dollar"* and inserting in lieu thereof the words *"five dollars"*.

A record roll call was requested.

On the question "Shall the motion to concur in House amendment S—3341 be adopted?" (S.F. 165) the vote was:

Ayes, 26:

Andersen	Glenn	Nystrom	Schwengels
Bergman	Hansen	Orr	Scott
Briles	Kelly	Palmer	Shaff
Culver	Kinley	Priebe	Shaw
DeKoster	Miller of Des Moines	Redmond	Sovern
Doderer	Murray	Robinson	Willits
Gallagher		Rodgers	

Nays, 22:

Burroughs	Hill of Jasper	Nolin	Ramsey
Carr	Hill of Polk	Nolting	Taylor
Coleman	Hultman	Norpel	Tieden
Curtis	Merritt	Plymat	Van Gilst
Gluba	Miller of Marshall	Rabedeaux	Winkelman
Griffin			
Heying			

Absent or not voting, 2:

Junkins	Lamborn

The motion prevailed and the Senate concurred in House amendment S—3341.

Senator Willits 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. 165) the vote was:

Ayes, 38:

Andersen	Gallagher	Miller of Marshall	Redmond
Bergman	Glenn	Murray	Robinson
Briles	Griffin	Nolin	Rodgers
Burroughs	Hansen	Norpel	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Kelly	Orr	Shaff
Culver	Kinley	Palmer	Shaw
Curtis	Merritt	Priebe	Sovern
DeKoster	Miller of Des Moines	Rabedeaux	Van Gilst
Doderer			Willits

Nays, 10:

Gluba	Hill of Polk	Ramsey	Tieden
Heying	Nolting	Taylor	Winkelman
Hill of Jasper	Plymat		

Absent or not voting, 2:

Junkins	Lamborn

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

MOTION TO RECONSIDER WITHDRAWN

Senate File 266

Senator Andersen moved to withdraw the motion to reconsider the vote by which Senate File 266 passed the Senate filed by him on April 2, 1975.

Senator Kelly raised the point of order that the motion was out of order under Senate Rule 5.

The Chair ruled the point not well taken, because the mover may call up his motion to reconsider at any time.

A record roll call was requested on the motion to withdraw.

On the question "Shall motion to withdraw the motion to reconsider be adopted?" (S.F. 266) the vote was:

Ayes, 25:

Andersen	Heying	Norpel	Robinson
Carr	Kinley	Orr	Rodgers
Culver	Merritt	Palmer	Scott
Doderer	Miller of Des Moines	Plymat	Sovern
Gallagher	Nolin	Priebe	Van Gilst
Glenn	Nolting	Redmond	Willits
Gluba			

Nays, 22:

Bergman	Hill of Jasper	Murray	Shaff
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Miller of Marshall	Schwengels	Winkelman
Griffin			
Hansen			

Absent or not voting, 3:

Coleman	Junkins	Lamborn

The motion prevailed.

INTRODUCTION OF BILLS

Senate File 432, by Senators Palmer, Lamborn and Rodgers, a bill for an act relating to the use of electronic banking facilities and electronic transfers of funds by banks.

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

Senate File 433, by Senator Shaw, a bill for an act relating to the production and use of juvenile records for use in claims relating to the responsibility of parents of a minor child.

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

Senate File 434, by Senators Doderer, Briles, Murray, Shaw and Gluba, a bill for an act relating to the liability of certain health care practitioners and hospitals.

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

Senate File 435, by Senator Doderer, a bill for an act relating to the operation of school buses.

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

Senate File 436, by Senators Coleman, Miller of Des Moines, Curtis, Tieden and Gluba, a bill for an act relating to contingent attorney fees in certain cases involving liability of health care practitioners and hospitals.

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

Senate File 437, by Senator Coleman, a bill for an act relating to the issuance of permits of public convenience and necessity to intrastate truck operators and contract carriers, subject to penalties provided by law.

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

Senate File 438, by Senator Coleman, a bill for an act authorizing merged areas to acquire and operate dormitories, student centers and parking facilities, and to finance the cost with revenue bonds.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 420 Human resources
S. F. 423 Commerce
S. F. 424 Appropriations
S. F. 428 **Judiciary**
H. F. 221 Judiciary
H. F. 345 Agriculture

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Gordon E. Mau, New Hampton, Chickasaw County, Iowa, for reappointment as a member of the Chemical Technology Commission of the Department of Environmental Quality pursuant to section 455B.4, 1973 Code of Iowa, for the regular four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
GENE W. GLENN
WILLARD R. HANSEN
MILO MERRITT
RAY TAYLOR

COMMUNICATION FROM THE SECRETARY OF STATE

April 4, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 90 was published in the Clinton Herald, Clinton, Iowa, March 29, 1975, and in the State Center Enterprise, State Center, Iowa, April 3, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

ANNOUNCEMENT OF STATUTORY APPOINTMENTS BY THE LIEUTENANT GOVERNOR

CHILD ABUSE INFORMATION COUNCIL

President Neu announced the appointment of Senator Steve Sovern as a member of the Child Abuse Information Council to serve at the pleasure of the President of the Senate pursuant to Section 235A.24, Code 1975.

COMMISSION ON THE AGING

President Neu announced the appointment of Senator Louis P. Culver as a member of the Commission on the Aging to fill an unexpired term ending June 30, 1975, pursuant to Section 249B.1, Code 1975.

CONFIDENTIAL RECORDS COUNCIL

President Neu announced the appointment of Senators James M. Redmond and Ray Taylor as members of the Confidential

Records Council to serve at the pleasure of the President of the Senate pursuant to Section 749B.19, Code 1975.

LAW ENFORCEMENT ACADEMY COUNCIL

President Neu announced the appointment of Senator Robert M. Carr as a member of the Law Enforcement Academy Council to fill an unexpired term ending August 14, 1978, pursuant to Section 80B.6, Code 1975.

MEDICAL ASSISTANCE COUNCIL

President Neu announced the appointment of Senator Philip B. Hill as a member of the Medical Assistance Council to fill an unexpired term ending June 30, 1975 pursuant to Section 249A.4(8), Code 1975.

POLICE COMMUNICATIONS REVIEW COMMITTEE

President Neu announced the appointment of Senator Fred W. Nolting as a member of the Police Communications Review Committee to serve at the pleasure of the President of the Senate pursuant to Section 750.8, Code 1975.

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As members of the State Board of Chiropractic Examiners:

Sister Mary Xavier Coens, Dubuque, Dubuque County, Iowa, as a public member, for a two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Robinson, chairman
Senator Carr
Senator Doderer
Senator Andersen
Senator Taylor

Larry Z. Lindemann, D.C., Jewell, Hamilton County, Iowa, for a three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Nolin, chairman
Senator Culver
Senator Nolting
Senator Nystrom
Senator Winkelman

Larry E. Phipps, D.C., Grinnell, Poweshiek County, Iowa, for a two-year term commencing July 1, 1975, and ending June 30, 1977.

Senator Rodgers, chairman
Senator Merritt
Senator Orr
Senator Briles
Senator DeKoster

Carol H. Schaefer, Davenport, Scott County, Iowa, as a public member, for a three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Junkins, chairman
Senator Glenn
Senator Priebe
Senator Kelly
Senator Shaw

Milton F. Schlein, D.C., Postville, Allamakee County, Iowa, for a three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Hill of Jasper, chairman
Senator Gallagher
Senator Willits
Senator Curtis
Senator Tieden

Gretchen N. Schreffler, D.C., Iowa City, Johnson County, Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Scott, chairman
Senator Doderer
Senator Gluba
Senator Burroughs
Senator Hansen

Anthony Paul Untz, D.C., Dyersville, Dubuque County, Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Orr, chairman
Senator Norpel
Senator Palmer
Senator Miller of Marshall
Senator Ramsey

REPORTS OF COMMITTEES

Senator Orr submitted the following reports:

MR. PRESIDENT: Your committee on education to which was referred House File 275, a bill for an act relating to the date of organization of the state board of public instruction, begs leave to report it has had the same under consideration and recommends the same do pass.

JOAN ORR, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on education to which was referred

House File 287, a bill for an act relating to the date of the meeting of boards of school corporations for settlement of business, begs leave to report it has had the same under consideration and recommends the same do pass.

JOAN ORR, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: **Your committee on state government to which was referred House File 43, a bill for an act permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks, 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:**

S—3471
1 Amend House File 43, as amended and passed by
2 the House, page 1, line 8, by striking the words
3 *"on or"*.

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: **Your committee on ways and means to which was referred House File 230, a bill for an act relating to uniformity of time limits in the inheritance and estate tax laws, begs leave to report it has had the same under consideration and recommends the same do pass.**

NORMAN G. RODGERS, Chairman

Ordered passed on file.

On motion of Senator Kinley, the Senate adjourned at 4:00 p.m., until 9:30 a.m., Tuesday, April 8, 1975.

JOURNAL OF THE SENATE

EIGHTY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, APRIL 8, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Robert Keith Fallgatter, pastor of the St. John Lutheran Church, Dunlap, Iowa.

The Journal of Monday, April 7, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Harry Readinger, New London, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable G. William Gross, former member of the Senate from Woodbury County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six students from St. Cecelia-St. Joseph School, Algona, Iowa, accompanied by the Reverend David Hogan, Mrs. Elizabeth Grill, and Jim Jarchow. Senator Priebe.

Thirty-two students from Danville Junior-Senior High School, Danville, Iowa, accompanied by Robert Heffelfinger. Senator Junkins.

Thirteen students from Preston, Iowa, members of the Preston Cadette Troop, No. 1150, accompanied by Mrs. Verna Clarkson, Mrs. Donald Cook and Mrs. John Butsche. Senator Norpel.

PETITIONS

The following petitions favoring pari-mutuel betting were presented and placed on file by:

Senator Palmer from one hundred twenty-two residents of Polk County.

Senator Robinson from one hundred six residents of Linn County.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator DeKoster from fifty-two residents of Sioux, Lyon and Plymouth Counties.

Senator Nystrom from thirty residents of Boone and Story Counties.

Senator Doderer from sixty-six residents of Johnson County.

INTRODUCTION OF BILL

Senate File 439, by Senator Doderer, a bill for an act relating to agreements entered into between doctors and hospitals in the provision of pathology and radiology services.

Read first time and **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 on April 4, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 558, a bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 558, a bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance, clarifying the provision of auxiliary services, clarifying duties of the area education agency board and administrator, the director of special education, the department of public instruction, and the state comptroller, limiting reorganization under certain conditions, modifying reimbursement provisions for driver education, modifying the two hundred dollar minimum state foundation aid, providing new methods for defining enrollment and augmenting declining enrollment, clarifying authorized expenditures, providing a state percent of growth for the 1975-76 school year, new methods for determining state percent of growth and allowable growth, correcting methods of computing state cost and district

cost per pupil, modifying the authority of the school budget review committee to reduce allowable growth, authorizing an enrichment program funded by property tax, state aid, and an income surtax to replace the former income surtax provisions, providing new methods for determining and funding costs of media services and other services provided through the area education agencies, providing an advance to compensate for increasing enrollment, modifying reimbursement for special education services formerly offered by local districts and county or joint county school systems, correcting references, making an appropriation, and providing a retroactive effective date.

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

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

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 440, by Senator Nystrom, a bill for an act providing an income tax credit for proper insulation of buildings.

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

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 338 H. F. 54

C. JOSEPH COLEMAN, Chairman

CONSIDERATION OF BILLS

Senate File 425

On motion of Senator Willits, Senate File 425, a bill for an act appropriating funds to the department of general services, capitol planning commission, the executive council and the Iowa

merit employment department and relating to a permanent revolving fund used for printing purposes, was taken up for consideration.

Senator Willits moved that the bill 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, 49:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Burroughs	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Doderer	Lamborn	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Griffin			Winkelman

Nays, none.

Absent or not voting, 1:

Briles

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

Senate File 426

On motion of Senator Hultman, Senate File 426, a bill for an act making an appropriation to the department of environmental quality, was taken up for consideration.

Senator Hultman moved that the bill 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, 48:

Andersen	Hansen	Nolin	Rodgers
Bergman	Heying	Nolting	Schwengels
Briles	Hill of Jasper	Norpel	Scott
Burroughs	Hill of Polk	Nystrom	Shaff
Carr	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Gluba	Murray	Robinson	
Griffin			

Nays, none.

Voting present, 1:

Miller of Des Moines

Absent or not voting, 1:

Coleman

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

House File 399

On motion of Senator Van Gilst, House File 399, a bill for an act to appropriate for programs under the jurisdiction of the Iowa commission for the blind, the bonus board, and the educational radio and television division of the department of general services, 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. 399) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Rabedeaux	Willits
Gluba		Ramsey	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Coleman Robinson

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

House File 455

On motion of Senator Hultman, House File 455, a bill for an act making appropriations to the Iowa state fair board, agricultural societies, the geological survey, and the Iowa natural resources council, with report of committee recommending pas-

sage, was taken up, considered, and the report of the committee adopted.

Senator Hultman moved that the bill 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. 455) the vote was:

Ayes, 48:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of	Rabedeaux	Van Gilst
Glenn	Des Moines	Ramsey	Willits
Gluba	Miller of	Redmond	Winkelman
Hansen	Marshall		

Nays, none.

Absent or not voting, 2:

Doderer	Griffin

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

Senate File 427

On motion of Senator Priebe, Senate File 427, a bill for an act making an appropriation to the Iowa state civil rights commission, was taken up for consideration.

Senator Murray offered amendment S—3476, moved its adoption, and requested a record roll call:

S—3476

Amend Senate File 427, page 1, lines 4 and 5 by striking the words "thirty-two thousand eight hundred sixty-four (232,864)" and inserting in lieu thereof the words "forty-nine thousand one hundred nineteen (249,119)".

On the question "Shall amendment S—3476 be adopted?" (S.F. 427) the vote was:

Ayes, 19:

Andersen	Gluba	Lamborn	Plymat
Briles	Griffin	Miller of	Ramsey
Burroughs	Hansen	Marshall	Redmond
Carr	Hill of Polk	Murray	Schwengels
DeKoster	Kelly	Nystrom	Sovern

Nays, 31:

Bergman	Hill of Jasper	Nolting	Scott
Coleman	Hultman	Norpel	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kinley	Palmer	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of	Rabedeaux	Van Gilst
Glenn	Des Moines	Robinson	Willits
Heying	Nolin	Rodgers	Winkelman

Amendment S—3476 lost.

Senator Priebe moved that the bill 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:

Ayes, 50:

Andersen	Griffin	Miller of	Redmond
Bergman	Hansen	Marshall	Robinson
Briles	Heying	Murray	Rodgers
Burroughs	Hill of Jasper	Nolin	Schwengels
Carr	Hill of Polk	Nolting	Scott
Coleman	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of	Rabedeaux	Willits
Gluba	Des Moines	Ramsey	Winkelman

Nays, none.

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 427 passed the Senate on April 8, 1975.

WILLIAM E. GLUBA

MOTION TO RECONSIDER ADOPTED

Senate File 2

Senator Priebe called up the following motion to reconsider filed by him on March 10, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2 passed the Senate on March 10, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2) the vote was:

Ayes, 35:

Andersen	Gluba	Murray	Robinson
Bergman	Heying	Nolting	Rodgers
Carr	Hill of Polk	Nystrom	Scott
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Tieden
Curtis	Kinley	Plymat	Van Gilst
DeKoster	Miller of Des Moines	Priebe	Willits
Doderer	Miller of Marshall	Ramsey	Winkelman
Gallagher		Redmond	
Glenn			

Nays, 14:

Briles	Hill of Jasper	Nolin	Shaff
Burroughs	Hultman	Rabedeaux	Shaw
Griffin	Lamborn	Schwengels	Taylor
Hansen	Merritt		

Absent or not voting, 1:

Norpel

The motion prevailed.

Senator Priebe moved to reconsider the vote by which Senate File 2 went to its last reading, which motion prevailed.

On motion of Senator Priebe, Senate File 2, a bill for an act to prohibit the underground storage of gas within the corporate limits of a city, was taken up for reconsideration.

Senator Rodgers moved to reconsider the vote by which amendment S—3289 as amended was adopted by the Senate on March 10, 1975.

The motion prevailed, and amendment S—3289 as amended was taken up for reconsideration.

Senator Rodgers offered amendment S—3461 to amendment S—3289 filed by him and moved its adoption:

S—3461

Amend the Rodgers, et al., amendment S—3289 to Senate File 2, line 7, by inserting after the word "earth" the words "under or".

Amendment S—3461 to amendment S—3289 was adopted.

On motion of Senator Rodgers, amendment S—3289 as amended was adopted.

Senator Rodgers moved to reconsider the vote by which amendment S—3299 as amended was adopted by the Senate on March 10, 1975.

The motion prevailed, and amendment S—3299 as amended was taken up for reconsideration.

Senator Rodgers offered amendment S—3460 to amendment S—3299 and moved its adoption:

S—3460
1 **Amend the Rodgers amendment, S—3299, to Senate**
2 **File 2, line 4, by inserting before the word "in"**
3 **the words "under or".**

Amendment S—3460 to amendment S—3299 was adopted.

On motion of Senator Rodgers, amendment S—3299 as amended was adopted.

Senator Rodgers moved that the bill 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. 2) the vote was:

Ayes, 31:

Andersen	Glenn	Nolin	Robinson
Bergman	Gluba	Nolting	Rodgers
Carr	Heying	Norpel	Scott
Coleman	Hill of Polk	Orr	Sovern
Culver	Junkins	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
Doderer	Miller of	Priebe	Van Gilst
Gallagher	Des Moines	Redmond	Winkelman

Nays, 19:

Briles	Hill of Jasper	Miller of	Ramsey
Burroughs	Hultman	Marshall	Schwengels
DeKoster	Kelly	Murray	Shaff
Griffin	Lamborn	Nystrom	Shaw
Hansen	Merritt	Rabedeaux	Willits

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

INTRODUCTION OF BILLS

Senate File 441, by Senator Gluba, a bill for an act relating to the permissible locations of games of skill, games of chance and raffles conducted by qualified organizations.

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

Senate File 442, by Senators Rodgers, Lamborn and Priebe, a bill for an act relating to permissible investments by a state bank acting in a fiduciary capacity.

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

Senate File 443, by Senators Rodgers, Lamborn and Priebe, a bill for an act relating to loans on residential real property by state banks.

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

Senate File 444, by Senators Rodgers, Lamborn and Priebe, a bill for an act relating to loans by a state bank to its officers.

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

Senate File 445, by Senators Lamborn, Rodgers and Priebe, a bill for an act relating to the establishment of fees for certain applications filed with the department of banking.

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

Senate File 446, by Senator Tieden, a bill for an act to provide reimbursement to school districts for certain tax free lands and to make an appropriation.

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

Senate File 447, by Senators Griffin, Hansen, Curtis, Rodgers, Norpel and Gallagher, a bill for an act relating to the creation of a joint underwriting association for the writing of medical malpractice liability insurance.

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

Senate File 448, by Senator Rabedeaux, a bill for an act providing for the detachment of land from a benefited fire district or from township fire protection.

Read first time and **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 on March 24, 1975, insisted on the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 5, a bill for an act relating to the membership of the board of review.

Conferees on the part of the House are: the Representative from Clinton, Mr. Mennenga, chairman; the Representative from Benton, Mr. Wyckoff; the Representative from Pottawattamie, Mr. Pavich; the Representative from Polk, Mr. Bittle; the Representative from Ida, Mr. Bennett.

DAVID L. WRAY, Chief Clerk

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.J.R. 11 Judiciary
S. F. 429 Commerce
S. F. 430 Agriculture
S. F. 431 Judiciary
S. F. 432 Commerce
S. F. 433 Judiciary
S. F. 434 Commerce
S. F. 435 Education
S. F. 436 Commerce
S. F. 437 Transportation
S. F. 438 Appropriations
H. F. 208 Commerce
H. F. 313 Commerce
H. F. 395 Cities
H. F. 421 Transportation
H. F. 432 Transportation
H. F. 451 Agriculture
H. F. 463 Human resources
H. F. 485 Appropriations
H. F. 486 Appropriations
H. F. 521 Appropriations

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 8, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 39—Relating to the organization, powers and duties of credit unions.

S. F. 107—Relating to powers of a board of directors of an insurance company other than life.

H. F. 6—Relating to political affiliations of highway safety patrol personnel.

H. F. 48—Relating to lifetime and annual fishing and hunting licenses for resident senior citizens.

H. F. 50—Relating to the definition of snow tires.

H. F. 73—Relating to the duties of the counsel of the transportation regulation board.

H. F. 105—Relating to registration and registration fees for airmen, aeronautics instructors, and aircraft used for the application of herbicides and pesticides.

H. F. 228—Relating to the payment of witnesses by the labor commissioner.

H. F. 229—Relating to the payment of expenses of presidential electors.

H. F. 267—Making an appropriation for use of the Herbert Hoover Birthplace Foundation, Incorporated.

H. F. 333—Making an appropriation from the general fund of the state to examining boards governing the practices of medicine, nursing and pharmacy.

H. F. 368—Appropriating funds to the department of transportation.

H. F. 433—Relating to the establishment and administration of a railroad assistance fund.

REPORT OF COMMITTEE

Senator Robinson submitted the following report:

MR. PRESIDENT: Your committee on labor and industrial relations to which was referred **House File 351**, a bill for an act relating to the payment of wages and expenses by an employer and providing a civil money 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:**

S—3480

Amend House File 351, as amended and passed by the House and reprinted, as follows:

1. Page 2, line 10, by striking the word "twice".

2. Page 2, line 21, by inserting after the period the words "An employer and employee may, upon written agreement which shall be maintained as a record, vary the provisions of this subsection."

3. Page 3, line 1, by striking the word "paid" and inserting in lieu thereof the word "delivered".

4. Page 3, line 2, by striking the word "and" and inserting in lieu thereof the word "or".

5. Page 3, line 3, by inserting after the period the words "A designee under this subsection shall not also be an assignee or buyer of wages under section five hundred thirty-nine point four (539.4) of the Code nor a garnisher of the employee under chapter six hundred forty-two (642) of the Code, unless the designee complies with the provisions of section five hundred thirty-nine point four (539.4) and chapter six hundred forty-two (642) of the Code."

6. Page 3, line 7, by inserting after the word "wages" the words ", less any lawful deductions specified in section five (5) of this Act,".

7. Page 3, by striking everything in lines 13 through 15, inclusive, and by renumbering the following subsection accordingly.

8. Page 3, line 18, by inserting after the word "employer" the words "and incurred by the employee".

9. Page 3, line 28, by inserting after the word "earned" the words ", less any lawful deductions specified in section five (5) of this Act,".

10. Page 3, by striking everything in lines 30 through 33, inclusive, and inserting in lieu thereof the following:

"in section three (3) of this Act. Vacations which are due an employee under an agreement with the employer or under a policy of the employer shall accrue in proportion to the fraction of the year for which the employee was actually employed by the employer."

11. Page 5, line 5, by striking the word "may" and inserting in lieu thereof the words "permitted to".

12. Page 5, line 16, by inserting after the word "employee" the words "on behalf of the employer".

13. Page 5, line 20, by striking the words "defective or faulty workmanship,".

14. Page 6, line 7, by inserting after the word "commissioner" the words "pursuant to subsection

Page 2

two (2) of this section".

15. Page 6, by striking everything in lines 16 through 18, inclusive, and inserting in lieu thereof the following:

"C. Make available to its employees upon written request, a written statement enumerating employment agreements and policies with".

16. Page 6, line 20, by striking the word "and" and inserting in lieu thereof the word "or".

17. Page 6, line 21, by striking the period and inserting in lieu thereof the following:

"with respect to wages. Notice of such availability shall be given to each employee in writing or by a notice posted at a place where employee notices are routinely posted."

18. Page 6, by striking everything in lines 28 through 32, inclusive, and inserting in lieu thereof the words "2. The commissioner".

19. Page 6, line 33, by striking the words "keep records under" and inserting in lieu thereof the words "comply with".

20. Page 6a, by inserting after the period the words "However, a court may, when rendering a judgment for wages or nonreimbursed authorized expenses

and liquidated damages or upholding a civil money penalty assessment, order that an employer shall not be required to keep records or that an employer shall be required to keep records for a particular period of time."

21. Page 7, line 1, by striking the word "Furnish," and inserting in lieu thereof the words "An employer shall furnish".

22. Page 7, line 2, by striking the word "printed" and inserting in lieu thereof the word "written".

23. Page 7, line 16, by inserting after the word "due" the words ", less any lawful deductions specified in section five (5) of this Act".

24. Page 9, line 8, by striking the word "claimants" and inserting in lieu thereof the word "assignments".

25. Page 10, lines 19 and 20, by striking the words ", other than section six (6) of this Act;".

26. Page 10, by striking everything in lines 23 through 26, inclusive, and inserting in lieu thereof the words "The commissioner may recover".

27. Page 11, line 22, by striking the word "must," and inserting in lieu thereof the words "may be required, at the discretion of the district court and" and by inserting before the word "deposit" the word "to".

28. Page 12, line 8 by striking the words "and

Page 3

two (2)" and by striking the word "are" and inserting in lieu thereof the word "is".

29. Page 13, by striking everything in lines 7 through 12, inclusive.

CLOYD E. ROBINSON, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3475

Amend Senate File 152, page 1, by inserting the following after line 5:

3. "Secretary" means the secretary of the state racing commission.

4. "Fund" means the pari-mutuel fund established in section ten (10) of this Act.

5. "Breakage" means the odd cents by which the amount payable on each dollar wagered exceeds a multiple of ten (10) cents.

6. "Pari-mutuel" means a form of wagering on the outcome of horse races in which those who wager purchase tickets of various denominations on a horse or horses and all wagers for each race are pooled and held by the racing association for distribution. When the outcome of the race has been decided, the nonprofit corporation or association distributes the total

wagers comprising the pool less the percentage allowed by the state and the association to holders of tickets on the winning horse or horses.

7. "Pari-mutuel pool" means the total money wagered by patrons and held by the nonprofit corporation or association under the pari-mutuel system on any horse or horses in a particular race to win, place, or show. There shall be a separate pool for win, place, and show, for the daily double, and for quinella when each is used.

8. "Quarter horse racing" means the form of horse racing in which a participating horse is mounted by a jockey and engages in a straightaway race over a distance of less than five sixteenth (5/16) of a mile.

9. "Thoroughbred racing" means a form of horse racing in which each participating horse is a thoroughbred, is mounted by a jockey, and engages in races on the flat but does not include steeplechase or hurdle race.

10. "Harness racing" means the form of horse racing in which each horse is harnessed to a sulky, carriage, or similar vehicle as distinguished from the form of horse racing in which each horse participating is mounted by a jockey.

11. "Thoroughbred horse" means any horse including mare, gelding, colt and filly that meets the requirements of and is registered by the jockey club of New York including foreign thoroughbred horses.

12. "Iowa bred horse" means a foal dropped by a mare in Iowa after being conceived in Iowa and remaining in Iowa until the foal is weaned.

13. "Enclosure" means all areas of the racing grounds of a nonprofit corporation or association

Page 2

to which admission can be obtained only by payment of an admission fee or upon the presentation of authorized credentials.

14. "Enclosure-public" means areas to which the public is admitted upon payment of admission fees but excluding restricted areas such as the jockey room, the racing strip, the receiving barn, and the stable area.

15. "Charity days" means racing days granted to an association for the purpose of contributing the net proceeds from such days to charitable organizations. Charity days are part of a regular race meet and shall not constitute a separate meet.

EUGENE M. HILL

S—3474

Amend Senate File 152, page 1, by inserting the following after line 23:

"Each member of the commission shall have been a resident of the state for two years preceding his

appointment. A person shall be disqualified for membership on the commission for any of the following reasons:

1. Holding any direct or indirect financial interest in any race track, in the operation of any race track, or in any form of legal or illegal wagering, gambling or lottery.

2. Accepting any pecuniary reward from any horse race track, any reward in respect to the operation of the race track, or any reward in respect to the operation of authorized wagering on the results of any horse race in this state.

No member of the commission shall be disqualified from receiving a share of any purse awarded him as a result of being an owner of a horse or as a breeder of an Iowa horse entered in any race."

EUGENE M. HILL

S—3479

Amend Senate File 152, page 2, by inserting after line 11 the following:

Sec. ..... NEW SECTION. It shall be unlawful for any member of the general assembly or his or her spouse to have any direct or indirect financial interest in a race track or the operating of races in this state. Any person elected to the general assembly or his or her spouse shall divest themselves of any such interest before he or she takes the oath of office.

JOHN N. NYSTROM

S—3473

Amend Senate File 152, page 5, line 6, by inserting after "section." the following sentence: "The licensee receiving wagers shall require any person who appears to be under the age of eighteen years to furnish evidence that he or she is eighteen years of age or older, before permitting that person to wager."

ELIZABETH R. MILLER

S—3472

Amend Senate File 152, page 7, line 28, by inserting after "disbursements." the sentence "Such audit shall be made by one or more certified public accountants who are duly certified under the laws of this state."

LEONARD C. ANDERSEN

S—3477

Amend Senate File 374 as follows:

1. Page 2, line 21, by striking the word "ten" and inserting in lieu thereof the words "[ten] *five*".

2. Page 7, line 26, by striking the words and figures, "subsection two (2), Code 1975, is" and inserting in lieu thereof the words and figures "subsection two (2) and three (3), Code 1975 are".

3. Page 7, by inserting after line 32 the following:

"3. A tax not to exceed [three and three-eighths] *thirteen and one-half* cents per thousand dollars of assessed value for support of a symphony orchestra subject to the provisions of subsection 1."

4. Page 10, lines 3 and 4, by striking the words "state [highway] *transportation* commission" and inserting in lieu thereof the words "[state highway commission] *department of transportation*".

JAMES M. REDMOND
EARL WILLITS

S—3481

Amend Senate File 418 as follows:

1. Page 1, line 5, by inserting after the word "*fiduciaries*" the words "*except guardians and conservators*".

2. Page 1, line 9, by inserting after the word "*director*" the words "*which may reasonably tend to prove the amount of tax due*".

JAMES M. REDMOND
LUCAS J. DeKOSTER

S—3478

Amend House File 459, as passed by the House, as follows:

1. Page 1, line 3, by inserting after the word "exists" the words "and whenever the provisions of subsection two (2) of this section have been complied with".

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

"5. A special license issued under this section shall automatically expire upon the special licensee discontinuing service on the academic staff of a medical school in this state. An expired special license shall not be renewed. However, a former special licensee may reapply for a special license."

PHILIP B. HILL
RICHARD R. RAMSEY

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:17 p.m., until 9:30 a.m., Wednesday, April 9, 1975.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, APRIL 9, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Ms. Jo Ann Brown, Chairperson of the Spiritual Assembly of the Des Moines Baha'i Faith, Des Moines, Iowa.

The Journal of Tuesday, April 8, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Eicher, Iowa City, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Harold Anderson, a member of the state Senate of South Dakota.

President Neu welcomed the Honorable Donald S. McGill, former member of the Senate from Monroe County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Three students from Birmingham, England, accompanied by Mr. and Mrs. John Kyte, Mr. James Black and Mr. and Mrs. Larry Minard. Senator Shaw.

Forty-four students from St. Matthews School, Cedar Rapids, Iowa, accompanied by Sister Patrice, R.S.M., and Mrs. Glaza. Senators Redmond and Robinson.

Twenty-six 4-H Club members from Jackson County. Senators Lamborn and Norpel.

Twenty-nine 4-H Club members from Dubuque County, accompanied by Sally Jecklin, Jean Drees and Mrs. Gene Hense. Senator Carr.

Forty-eight 4-H Club members from Delaware County, accom-

panied by Mrs. Tony Broghammer, Mrs. Stanley McDowell, and Lyle Burkett. Senators Norpel and Tieden.

Twenty-five students from Alden Community High School, Alden, Iowa, accompanied by their instructor, Scott Humphrey. Senator Taylor.

Thirty-nine 4-H Club members from Clayton County, accompanied by their leaders, Mrs. Walther, Mr. and Mrs. Frink, and Mr. and Mrs. Noelzke. Senator Tieden.

PETITIONS

The following petition was presented and placed on file:

By Senator Plymat from thirty-eight residents of Polk County favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator DeKoster from forty-two residents of Plymouth County.

Senator DeKoster from fifty-four residents of Lyon County.

Senator Merritt from thirteen residents of Floyd County.

Senator Briles from one hundred twelve residents of Taylor County.

Senator Briles from one hundred one residents of Adams County.

Senator Scott from forty-two residents of Cerro Gordo County.

Senator Ramsey from fifty-three residents of Decatur and Clarke Counties.

Senator Ramsey from thirty-six residents of Decatur County.

CONSIDERATION OF BILLS

House File 230

On motion of Senator Burroughs, House File 230, a bill for an act relating to uniformity of time limits in the inheritance and estate tax laws, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Burroughs moved that the bill 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, 44:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Polk	Nolin	Scott
Burroughs	Hultman	Nolting	Shaff
Carr	Junkins	Norpel	Shaw
Coleman	Kelly	Nystrom	Sovern
Culver	Kinley	Plymat	Taylor
Curtis	Lamborn	Priebe	Tieden
DeKoster	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, none

Absent or not voting, 6:

Doderer	Hill of Jasper	Palmer	Schwengels
Gallagher	Orr		

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

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Bergman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Margaret "Peg" Baehr of Spencer, Clay County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under the provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for the regular one-year term beginning July 1, 1974 and ending June 30, 1975, begs leave to report that it has made investigation and recommends the appointment be confirmed.

IRVIN L. BERGMAN, Chairman
LOUIS P. CULVER
JAMES V. GALLAGHER

The motion prevailed and the report was adopted.

Senator Bergman moved the appointment of Mrs. Margaret Baehr as a member of the Iowa Board of Examiners for Hearing Aid Dealers be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Van Gilst
Glenn	Merritt	Rabedeaux	Willits
Gluba	Miller of Des Moines	Ramsey	Winkelman
Griffin			

Nays, none.

Absent or not voting, 5:

Doderer	Orr	Schwengels	Tieden
Gallagher			

President Neu declared the appointment of Mrs. Margaret Baehr as a member of the Iowa Board of Examiners for Hearing Aid Dealers confirmed for the regular one-year term ending June 30, 1975.

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **House File 351** be made a special order of business for Monday, April 14, 1975, at 2:00 p.m.

On motion of Senator Kinley, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 449, by committee on agriculture, a bill for an act relating to the establishment of a corn promotion fund to receive assessments made on the sale of corn, to establish an Iowa corn promotion board, to provide for a referendum among corn producers, and to provide penalties.

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

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

MOTION TO RECONSIDER ADOPTED

Senate File 418

Senator Redmond called up the following motion to reconsider filed by him on April 7, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 418 passed the Senate on April 7, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 418) the vote was:

Ayes, 44:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Shaff
Culver	Hultman	Nystrom	Shaw
Curtis	Junkins	Orr	Sovern
DeKoster	Kinley	Plymat	Tieden
Doderer	Lamborn	Priebe	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			

Nays, none.

Absent or not voting, 6:

Coleman	Palmer	Scott	Taylor
Kelly	Rabedeaux		

The motion prevailed.

Senator Redmond moved to reconsider the vote by which Senate File 418 went to its last reading, which motion prevailed.

On motion of Senator Redmond, Senate File 418, a bill for an act relating to payment and final returns of inheritance tax, was taken up for reconsideration.

Senator Redmond offered amendment S—3481 filed by Senators Redmond and DeKoster and moved its adoption:

S—3481

Amend Senate File 418 as follows:

1. Page 1, line 5, by inserting after the word *"fiduciaries"* the words *"except guardians and conservators"*.

2. Page 1, line 9, by inserting after the word *"director"* the words *"which may reasonably tend to prove the amount of tax due"*.

Amendment S—3481 was adopted.

Senator Redmond moved that the bill 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, 46:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			
Griffin			

Nays, none.

Absent or not voting, 4:

Coleman	Rabedeaux	Scott	Taylor

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

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 323.

Senate File 323

On motion of Senator Burroughs, Senate File 323, a bill for an act relating to a change in contracting procedures for the purchase of coal, was taken up for consideration.

Senator Burroughs withdrew amendment S—3384 filed by him on March 27, 1975, and found on page 747 of the Senate Journal.

Senator Burroughs offered amendment S—3452 filed by Senator Coleman and moved its adoption:

S—3452

Amend Senate File 323, page 1, by inserting after line 32 the following new section:

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Clarksville Star, a newspaper published in Clarksville, Iowa, and in the Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa.

Amendment S—3452 was adopted.

Senator Burroughs moved that the bill 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, 46:

Andersen	Hansen	Miller of	Redmond
Bergman	Heying	Marshall	Robinson
Briles	Hill of Jasper	Murray	Rodgers
Burroughs	Hill of Polk	Nolin	Schwengels
Carr	Hultman	Nolting	Shaff
Culver	Junkins	Norpel	Shaw
Curtis	Kelly	Nystrom	Sovern
DeKoster	Kinley	Orr	Tieden
Doderer	Lamborn	Palmer	Van Gilst
Gallagher	Merritt	Plymat	Willits
Glenn	Miller of	Priebe	Winkelman
Gluba	Des Moines	Ramsey	
Griffin			

Nays, none.

Absent or not voting, 4:

Coleman	Rabedeaux	Scott	Taylor

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

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 135.

Senate File 135

On motion of Senator Gluba, Senate File 135, a bill for an act relating to public auction of abandoned vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gluba moved that the bill 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. 135) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of	Redmond
Bergman	Heying	Marshall	Robinson
Briles	Hill of Jasper	Murray	Rodgers
Burroughs	Hill of Polk	Nolin	Schwengels
Carr	Hultman	Nolting	Shaff
Culver	Junkins	Norpel	Shaw
Curtis	Kelly	Nystrom	Sovern
DeKoster	Kinley	Orr	Taylor
Doderer	Lamborn	Palmer	Tieden
Gallagher	Merritt	Plymat	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Rabedeaux	Winkelman
Griffin		Ramsey	

Nays, none.

Absent or not voting, 2:

Coleman	Scott

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

Senator Kinley asked and received unanimous consent to take up for consideration House File 106.

House File 106

On motion of Senator Doderer, House File 106, a bill for an act relating to assignment of Iowa highway safety patrol personnel by the director of transportation, with report of committee recommending passage, was taken up, considered, and the report of the committee 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?" (H.F. 106) the vote was:

Ayes, 49:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Doderer	Lamborn	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Griffin			Winkelman

Nays, none.

Absent or not voting, 1:

Coleman

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

Senator Kinley asked and received unanimous consent to take up for consideration House File 146.

House File 146

On motion of Senator Doderer, House File 146, a bill for an act relating to provisions for suspension of the license and registration or nonresident's operating privilege, with report of committee recommending passage, was taken up, considered, and the report of the committee 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?" (H.F. 146) the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of	Rabedeaux	Van Gilst
Glenn	Des Moines	Ramsey	Willits
Gluba	Miller of	Redmond	Winkelman
Griffin	Marshall		

Nays, none.

Absent or not voting, 2:

Coleman	Hill of Jasper

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

Senator Kinley asked and received unanimous consent to take up for consideration House File 176.

House File 176

On motion of Senator Hill of Polk, House File 176, a bill for an act relating to payment of small claims by the department of social services, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Polk moved that the bill 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. 176) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of	Redmond
Bergman	Hansen	Marshall	Robinson
Briles	Heying	Murray	Rodgers
Burroughs	Hill of Polk	Nolin	Schwengels
Carr	Hultman	Nolting	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of	Rabedeaux	Winkelman
Glenn	Des Moines	Ramsey	
Gluba			

Nays, none.

Absent or not voting, 4:

Hill of Jasper	Norpel	Shaw	Tieden

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

Senator Kinley asked and received unanimous consent to take up for consideration House File 459.

House File 459

On motion of Senator Sovern, House File 459, a bill for an act permitting the issuance of a special license by the board of medical examiners to authorize the licensee to practice medicine and surgery, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Polk offered amendment S—3478 filed by Senators Hill of Polk and Ramsey:

S—3478

Amend House File 459, as passed by the House, as follows:

1. Page 1, line 3, by inserting after the word "exists" the words "and whenever the provisions of subsection two (2) of this section have been complied with".

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

"5. A special license issued under this section shall automatically expire upon the special licensee discontinuing service on the academic staff of a medical school in this state. An expired special license shall not be renewed. However, a former special licensee may reapply for a special license."

Senator Doderer called for a division of the amendment, section 1 to be considered as division S—3478A; section 2 to be considered as division S—3478B.

DEFERRED

Senator Hill of Polk asked and received unanimous consent that further action on **House File 459** be deferred and that the bill be placed on the calendar under **unfinished business.**

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 419.

Senate File 419

On motion of Senator Rodgers, Senate File 419, a bill for an

act relating to the planning and implementation of resource recovery systems, was taken up for consideration.

Senator Hultman offered amendment S—3483 and moved its adoption:

S—3483

Amend Senate File 419 as follows:

1. Page 1, line 22, by striking the word *"the"*.

2. Page 1, line 23, by striking the words *"energy policy council"* and inserting in lieu thereof the words *"governmental agencies with primary responsibility for the development and conservation of energy resources"*.

Amendment S—3483 was adopted.

Senator Redmond offered amendment S—3488 by Senators Gallagher and Redmond and moved its adoption:

S—3488

Amend Senate File 419, page 1, line 24, by striking the words *", counties or private agencies"* and inserting in lieu thereof the words *"and counties"*.

Amendment S—3488 was adopted.

Senator Rodgers moved that the bill 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. 419) the vote was:

Ayes, 50:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

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

Senate File 338

On motion of Senator Culver, Senate File 338, a bill for an act relating to the membership of the Iowa natural resources council, was taken up for consideration.

Senator Winkelman moved that further action on Senate File 338 be deferred and that the bill be placed on the calendar under unfinished business.

A record roll call was requested.

On the question "Shall the motion to defer be adopted?" (S.F. 338) the vote was:

Ayes, 21:

Andersen	Hansen	Murray	Schwengels
Bergman	Hill of Polk	Nystrom	Shaff
Burroughs	Kelly	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Miller of Marshall	Ramsey	Winkelman
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 3:

Briles	Hultman	Shaw

The motion lost.

Senator Ramsey raised the point of order that Senate File 338 should be referred to the committee on state government under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Griffin offered amendment S—3491, moved its adoption and requested a record roll call:

S—3491
Amend Senate File 338, as follows:
1. Page 1, by striking lines 34 and 35.
2. Page 2, by striking lines 1, 2 and 3.

On the question "Shall amendment S—3491 be adopted?" (S.F. 338) the vote was:

Rule 25 was invoked.

Ayes, 21:

Andersen	Hansen	Miller of Marshall	Schwengels
Bergman	Hill of Polk	Nystrom	Shaff
Burroughs	Hultman	Plymat	Taylor
Curtis	Kelly	Rabedeaux	Tieden
DeKoster	Lamborn	Ramsey	Winkelman
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Absent or not voting, 3:

Briles	Murray	Shaw

Amendment S—3491 lost.

Senator Winkelman offered amendment S—3492 and moved its adoption:

S—3492

Amend Senate File 338, page 1, by striking lines 22 through 33.

Amendment S—3492 lost.

Senator Culver moved that the bill 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. 338) the vote was:

Ayes, 27:

Carr	Hill of Jasper	Nolin	Robinson
Coleman	Junkins	Nolting	Rodgers
Culver	Kelly	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	
Heying			

Nays, 19:

Andersen	Hill of Polk	Nystrom	Shaff
Bergman	Hultman	Plymat	Taylor
Burroughs	Lamborn	Rabedeaux	Tieden
Curtis	Miller of	Ramsey	Winkelman
Griffin	Marshall	Schwengels	
Hansen			

Absent or not voting, 4:

Briles	DeKoster	Murray	Shaw

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

Senator Culver moved that the vote by which Senate File 338 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

A record roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" (S.F. 338) the vote was:

Ayes, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Nays, 19:

Andersen	Hansen	Nystrom	Shaff
Bergman	Hill of Polk	Plymat	Taylor
Burroughs	Hultman	Rabedeaux	Tieden
Curtis	Kelly	Ramsey	Winkelman
Griffin	Lamborn	Schwengels	

Absent or not voting, 5:

Briles	Miller of	Murray	Shaw
DeKoster	Marshall		

The motion prevailed.

INTRODUCTION OF BILLS

Senate File 450, by Senators Kelly and Doderer, a bill for an act relating to the use of probation by the court.

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

Senate File 451, by Senators Kelly and Doderer, a bill for an act relating to the repeal of certain fringe benefits for employees of correctional institutions.

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 399 passed the Senate on April 8, 1975.

RICHARD J. NORPEL, SR.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 439 Commerce

S. F. 440 Ways and means

S. F. 441 Judiciary

S. F. 442 Commerce

S. F. 443 Commerce

S. F. 444 Commerce

S. F. 445 Commerce

S. F. 446 Appropriations

S. F. 447 Commerce

S. F. 448 County government

H. F. 558 Education

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate from:

STATE HISTORICAL DEPARTMENT

A preliminary report for the planning and study of a memorial to Ansel Briggs, the first Governor of Iowa, pursuant to Chapter 1046 of the Acts of the Sixty-fifth General Assembly, 1974 Regular Session.

LIBRARY COMMISSION OF IOWA

A 1973 public library information directory for Iowa. Copies are available for members of the Senate. If they desire one for personal use, please contact the State Library.

REPORT OF COMMITTEE

Senator Glenn submitted the following report:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 309**, a bill for an act relating to the reproduction and duplication of sound recordings 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:**

S—3486

Amend Senate File 309, page 1, line 30, by inserting after the word "uses" the words ", synchronized sound tracts of motion pictures or sound tracks recorded for synchronizing with motion pictures".

GENE W. GLENN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3484

Amend Senate File 152, page 3, line 19, by inserting after "licensee." the sentence "The commission shall not allow horse racing with pari-mutuel wagering during the time of any fair within fifty miles of the pari-mutuel track."

IRVIN L. BERGMAN

S—3482

Amend Senate File 152, page 6, by striking lines 8 through 13 and inserting in lieu thereof the following:

"Sec. 10. *NEW SECTION.* PARI-MUTUEL WAGERING—TAX—RATE. A non-profit corporation or association licensed under this Act which conducts a horse race meet shall pay a tax equal to the sum of the following:

1. Five percent of all money over one million dollars and not in excess of ten million dollars handled in the pari-mutuel pools operated by the association during the period of the license.

2. Six percent of the amount by which the total amount so handled by the non-profit corporation or association in the pari-mutuel pools exceeds ten million dollars but is not in excess of twenty million dollars.

3. Seven and one-half percent of the amount by which the total amount so handled by the non-profit corporation or association in the pari-mutuel pools exceeds twenty million dollars.

4. The breakage shall be retained by the non-profit corporation or association. The tax imposed by this section shall, within ten days after the close of each race meeting, be paid to the treasurer of the state for deposit in a separately established pari-mutuel fund. The General Assembly shall appropriate out of the pari-mutuel fund such sums as it deems necessary for the purposes designated in section thirteen (13) of this Act."

ROGER J. SHAFF

S—3490

Amend Senate File 184, page 1, line 17 by striking the words "each day's attendance" and inserting in lieu thereof the words "each *full* day's attendance, *and five dollars for each attendance less than a full day,*".

RICHARD R. RAMSEY

S—3489

Amend Senate File 188, page 1, by inserting after line 28 the following:

"If the commission determines that the construction of a transmission line over property owned by

the state conservation commission or a county conservation board is practicable and reasonable and approves the route, the property owned by the state conservation commission or a county conservation board shall be subject to the condemnation under chapter four hundred seventy-two (472) of the Code."

RAY TAYLOR

S—3487

Amend House File 351 as follows:

1. Page 5, line 15, by inserting after the word "employer" the words "unless such shortage shall be the act of that employee which that employee has admitted in writing".

2. Page 7, line 21, by striking the word "knowingly" and inserting in lieu thereof the word "intentionally".

3. Page 7, line 25, by striking the word "knowingly" and inserting in lieu thereof the word "intentionally".

4. Page 7A, line 41, by inserting after the word "records" the words "concerning wages and payrolls".

5. Page 10, line 2, by inserting after the word "state" the words "to the extent permitted by the laws of that state".

LUCAS J. DeKOSTER

S—3485

Amend Senate File 366, page 3, line 9, by inserting after the word "address" the words "and telephone number".

CLIFF BURROUGHS

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:00 p.m., until 9:30 a.m., Thursday, April 10, 1975.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, APRIL 10, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Sister Eleanor Anstey, of the Congregation of Humility of Mary, Iowa City, Iowa.

The Journal of Wednesday, April 9, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Carney, Grinnell, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Plymat for the afternoon session on request of Senator Curtis.

PRESENTATION OF VISITORS

President Neu welcomed the following visitors who were present in the Senate chamber:

The Honorable Ernest Kosek, former member of the Senate and the House of Representatives from Linn County.

The Honorable James F. Schaben, former member of the Senate from Harrison County.

The Honorable Andrew G. Frommelt, former member of the Senate and the House of Representatives from Dubuque County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six students from Pella Christian Grade School, Pella, Iowa, accompanied by Merl Alons and Elroy Vander Ley. Senator Hill of Jasper.

Thirty-two students from Farragut Community School, Farragut, Iowa, accompanied by Mrs. Henstorf and Mrs. Wing. Senator Hultman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kelly from five hundred twenty-nine residents of Woodbury County opposing legislation that requires motorcycle operators to wear protective headgear.

By Senator Taylor from one hundred three residents of Hancock and Winnebago Counties opposing pari-mutuel betting.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONSIDERATION OF BILLS

House File 54

On motion of Senator Hill of Polk, House File 54, a bill for an act changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts and for filling certain nonpartisan offices at the general election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolin asked and received unanimous consent to withdraw amendment S—3363 filed by Senators Nolin and Priebe on March 25, 1975, and found on pages 706-708, inclusive, of the Senate Journal.

Senator Hill of Polk moved that the bill 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. 54) the vote was:

Ayes, 42

Andersen	Griffin	Miller of Des Moines	Ramsey
Bergman	Hansen	Murray	Redmond
Burroughs	Heying	Nolting	Robinson
Carr	Hill of Jasper	Norpel	Rodgers
Coleman	Hill of Polk	Nystrom	Schwengels
Culver	Hultman	Orr	Shaw
Curtis	Junkins	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Willits
Glenn			Winkelman

Nays, 2:

Kelly	Miller of Marshall

Absent or not voting, 6:

Briles	Nolin	Shaff	Van Gilst
Gluba	Scott		

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

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the appointment of the following **conference committee** on **House File 99,** on the part of the Senate: Senators Scott, chairman; Merritt, Nolting, Taylor and Kelly.

The Chair announced the appointment of the following **conference committee** on **Senate File 44,** on the part of the Senate: Senators Priebe, chairman; Heying, Carr, Lamborn and Hill of Polk.

On motion of Senator Kinley, the Senate recessed until 1:55 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu 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 Senate Concurrent Resolution 18, 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—2:00 p.m.)

In accordance with Senate Concurrent Resolution 18, duly adopted, the joint convention was called to order, President Neu presiding.

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

Senator Kinley 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 Van Gilst, Senator Briles, Representative Caffrey and Representative Crabb.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Neu presented Senator Minnette Doderer, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate as follows:

Lieutenant Governor Neu, Speaker Cochran, Senators Schroeder and Frommelt, Fellow Officers, Members of the Iowa Legislature and Staff and Guests:

Please join me in extending a warm and enthusiastic welcome to our honored guests today, the members of the Pioneer Lawmakers Association of Iowa. Almost every day during the session we welcome Iowa school children, members or organizations and concerned citizens who come here to witness their state government in action. Today, however, we have the special opportunity to greet the men and women who have worked and served, cared and struggled, for our people. Ladies and gentlemen of the House and Senate, let us rise and thank the Pioneer Lawmakers of Iowa, on behalf of the people they have served so well.

Since you were here, the rules may have been changed and the issues and problems given new names and labels . . . but the preservation of the rights and privileges of our citizens was the goal you were striving for, and remains the same one we diligently struggle to achieve.

There is value in setting aside time to honor traditions and participate in public ceremony. We all recognize how fragile and precious the democratic process can be. Together let us publicly reaffirm our collective commitment to the constitutional protection of individual liberties, the pursuit of just and open government and the dignity of public service.

This ceremony is a *good* tradition; these are priceless values. We have not forgotten and shall not overlook the Pioneer Lawmakers' contributions to the State of Iowa. Public service is a high calling. On behalf of the members of the Iowa Senate, it is my privilege to officially welcome you to these chambers. Thank you for the opportunity to do so.

President Neu presented Representative Dale M. Cochran, Speaker of the House, who welcomed the Pioneer Lawmakers on behalf of the House as follows:

Mr. President, President pro tempore, Members of the Pioneer Lawmakers Association of Iowa, Joint Convention and Guests:

On behalf of the Iowa House of Representatives, it is my pleasure as Speaker to welcome you, the Pioneer Lawmakers of the State of Iowa, to the Sixty-sixth General Assembly.

It is evident to me by the number who are here that you still hold a deep affection for this governmental body of which you were once an integral part, and that you hold a love for our great state.

Robert Frost defined "home" as the place that "when you have to go there, they have to take you in." This House on Capitol Hill is always "home" to an Iowa lawmaker, because it is plain that once a legislator, always a legislator. Serving here gets in your blood. We in the House are proud to welcome you "home" today.

You are renewing the fellowship of old acquaintances: You have noticed many new faces as well. There are physical changes in the chambers—I am sure that you noticed those, too.

Let me assure you, however, there is a strong bond between us which transcends the surface changes. It is the continuing tradition which you worked very hard during your years of service to build upon and to maintain for those of us who follow you today. We are keenly aware that we are temporary custodians of those traditions and of the foundation you forged for the legislative branch of Iowa government.

I wish each and every one of you could have stood with Representative Varley, Senator Doderer, Senator Shaff, and myself in the White House this past January when we represented the Iowa legislature as we accepted from President Gerald Ford an award for legislative excellence. The Iowa Assembly is considered and is recognized as the finest state lawmaking body in this nation on many counts: One of these is our continued effort to open the legislative process to the participation and scrutiny of the people we serve. Your contribution to that award is one of which you can be most proud and it is a legacy that we all cherish.

I would like to mention that I am so proud to have with us today a man from Webster County who served in this very body in 1935 as Speaker of the House—John Mitchell.

If we are realistic, we keep in our conscious minds the old saying that "We, too, must return to the ranks." When we join your ranks as Iowa's Pioneer Lawmakers, please welcome us "home," for we will have striven, as you have done, to maintain and build Iowa legislative excellence so that future legislators may serve from a solid, open tradition in writing the state's laws.

Thank you for being with us today. We hope you will return many times to advise, to observe, and to share your wisdom and your good and warm anecdotes of the past with us all. We need that and we need you!

President Neu presented the Honorable Jack Schroeder who responded to the welcome and addressed the joint convention briefly.

The Honorable Jack Schroeder then presented an honorary membership of the Pioneer Lawmakers Association to Wayne Faupel, Code Editor, in appreciation of his service.

President Neu then presented the Honorable Andrew Frommelt who addressed the joint convention, reminiscing of past years and goals for the future.

Fitzgerald of Webster moved that the joint convention be now dissolved.

The motion prevailed.

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

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 18 **S. F. 162** **S. F. 367**

C. JOSEPH COLEMAN, Chairman

WITHDRAWN

Senator Hill of Polk asked and received unanimous consent that **Senate File** 8 be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 18.

Senate File 18

On motion of Senator Priebe, Senate File 18, a bill for an act relating to the reporting of vehicle accidents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond asked unanimous consent that further action on Senate File 18 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

Senator Redmond moved that further action on Senate File 18 be deferred and that the bill be placed on the calendar under unfinished business.

(Action on Senate File 18 and the motion to defer pending on adjournment.)

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

The Senate resumed session, President pro tempore Doderer presiding.

QUORUM CALL

Senator Van Gilst requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March, 26, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs Helen J. Gleeson, Sioux City, Woodbury County, Iowa, for appointment to the Air Quality Commission of the Department of Environmental Quality for the State of Iowa pursuant to Section 455B.4, 1975 Code of Iowa, for an unexpired term ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

CONSIDERATION OF BILLS

Senator Van Gilst asked and received unanimous consent to take up for consideration Senate File 162.

Senate File 162

On motion of Senator Nystrom, Senate File 162, a bill for an act relating to holidays for state employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nystrom moved that the bill 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. 162) the vote was:

Ayes, 40:

Andersen	Glenn	Miller of Des Moines	Rodgers
Bergman	Gluba	Murray	Scott
Briles	Hansen	Nolin	Shaff
Burroughs	Heying	Nolting	Shaw
Carr	Hill of Jasper	Norpel	Sovern
Coleman	Hill of Polk	Nystrom	Taylor
Culver	Hultman	Palmer	Tieden
Curtis	Junkins	Ramsey	Van Gilst
DeKoster	Kelly	Redmond	Willits
Doderer	Merritt		Winkelman
Gallagher			

Nays, none.

Absent or not voting, 10:

Griffin	Miller of Marshall	Plymat	Robinson
Kinley	Orr	Priebe	Schwengels
Lamborn		Rabedeaux	

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 184

Senator Shaff called up the following motion to reconsider filed by him on April 7, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 184 passed the Senate on April 7, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 184) the vote was:

Ayes, 39:

Andersen	Gluba	Murray	Scott
Bergman	Hansen	Nolin	Shaff
Briles	Heying	Nolting	Shaw
Burroughs	Hill of Jasper	Norpel	Sovern
Carr	Hill of Polk	Nystrom	Taylor
Coleman	Junkins	Orr	Tieden
Culver	Kelly	Palmer	Van Gilst
Curtis	Merritt	Ramsey	Willits
DeKoster	Miller of	Redmond	Winkelman
Doderer	Des Moines	Rodgers	
Glenn			

Nays, none.

Absent or not voting, 11:

Gallagher	Lamborn	Plymat	Robinson
Griffin	Miller of	Priebe	Schwengels
Hultman	Marshall	Rabedeaux	
Kinley			

The motion prevailed.

Senator Shaff moved to reconsider the vote by which Senate File 184 went to its last reading, which motion prevailed.

On motion of Senator Shaff, Senate File 184, a bill for an act increasing the mileage rate paid to jurors and witnesses, was taken up for reconsideration.

Senator Ramsey offered amendment S—3490 filed by him and moved its adoption:

S—3490

Amend Senate File 184, page 1, line 17 by striking the words "each day's attendance" and inserting in lieu thereof the words "each *full* day's attendance, *and five dollars for each attendance less than a full day*,".

Amendment S—3490 was adopted.

Senator Miller of Des Moines moved that the bill 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. 184) the vote was:

Ayes, 43:

Andersen	Glenn	Miller of Des Moines	Robinson
Bergman	Gluba	Murray	Rodgers
Briles	Griffin	Nolin	Scott
Burroughs	Hansen	Nolting	Shaff
Carr	Heying	Norpel	Shaw
Coleman	Hill of Jasper	Nystrom	Sovern
Culver	Hill of Polk	Orr	Taylor
Curtis	Hultman	Palmer	Tieden
DeKoster	Junkins	Ramsey	Van Gilst
Doderer	Kelly	Redmond	Willits
Gallagher	Merritt		Winkelman

Nays, none.

Absent or not voting, 7:

Kinley	Miller of Marshall	Plymat	Rabedeaux
Lamborn		Priebe	Schwengels

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

CONSIDERATION OF BILLS

Senator Van Gilst asked and received unanimous consent to take up for consideration Senate File 367.

Senate File 367

On motion of Senator Van Gilst, Senate File 367, a bill for an act relating to the location and operation of livestock feed lots, and defining nuisance as the term relates thereto, was taken up for consideration.

DEFERRED

Senator Hill of Polk asked and received unanimous consent that further action on **Senate File 367** be deferred and that the bill be placed on the calendar under **unfinished business.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 450 Judiciary

S. F. 451 State government

REPORTS OF COMMITTEES

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 289, a bill for an act to create an energy research

and development fund within the energy policy council and making an appropriation, 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:**

S—3505

Amend Senate File 289 on page 1, line 20, by striking the words "one million (1,000,000)" and inserting in lieu thereof the words "two hundred fifty thousand (250,000)".

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 334,** a bill for an act appropriating funds to the Iowa state commerce commission and the department of public defense and providing for the deposit of receipts of such departments in the general fund of the state, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 485,** a bill for an act appropriating funds from the Iowa public employees' retirement system fund to the employment security commission for cost 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.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Willits submitted the following report:

MR. PRESIDENT: Your committee on cities to which was referred **House File 77,** a bill for an act relating to the installation of automatic fire extinguishing systems in highrise buildings, and providing penalties, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL M. WILLITS, Chairman

Ordered passed on file.

Senator Gallagher submitted the following report:

MR. PRESIDENT: Your committee on energy to which was referred **Senate Concurrent Resolution 24,** a resolution relating to the achievement of a zero energy growth rate by January 1, 1976, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the resolution be adopted:**

S—3501

Amend Senate Concurrent Resolution 24, as found on page 647 of the Senate Journal, as follows:

1. Line 10, by striking the word "and" and inserting in lieu thereof the words *"Now Therefore"*.

2. By striking all of lines 11 through 13.

JAMES V. GALLAGHER, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 303**, a bill for an act relating to the composition and appointment of members of the Iowa crime 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:**

S—3497

Amend Senate File 303, page 1, line 28, by inserting after the word "pleasure." the following sentence: "No member of the General Assembly shall be appointed as a member of the commission."

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 228**, a bill for an act relating to the use of bicycles upon the public roads and highways and providing penalties for violations, 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:**

S—3500

Amend Senate File 228 as follows:

1. Page 1, by striking lines 3 through 5 and inserting in lieu thereof the following:

"1. 'Bicycle' means every device propelled by **human power upon which** any person may ride, having two tandem wheels either of which is more than fourteen inches in diameter."

2. Page 2, by striking lines 27 through 35 and inserting in lieu thereof the following:

"Sec. 9. Section three hundred twenty-one point two hundred thirty-four (321.234), Code 1975, is amended to read as follows:

321.234 BICYCLES OR ANIMAL-DRAWN VEHICLES. Every person riding [a bicycle or] an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions of this chapter which by their nature can have no application."

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 421**, a bill for an act relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law, 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**:

S—3499

Amend House File 421 as amended, passed and reprinted by the House, page 1, line 12, by inserting after the word "riding" the following:

"within an area with a speed limit of thirty-five miles per hour or less and".

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3503

Amend Senate File 18 as follows:

1. Page 1, line 9, by inserting after the period the sentence: "However, the driver of a vehicle involved in an accident resulting in total property damage to an apparent extent of one hundred dollars or more may, within seventy-two hours after such accident forward a written report of such accident to the department."

2. Page 1, by striking lines 10 through 31.

JAMES M. REDMOND
EARL M. WILLITS

S—3495

Amend Senate File 152, page 7, by striking lines 1 through 16 and inserting in lieu thereof the following:

Sec. 13. *NEW SECTION.* The funds paid into the state treasury under this Act shall be appropriated by the General Assembly to pay insofar as possible for the increased costs of welfare programs as determined by the Department of Social Services, law enforcement agencies as determined by the Department of Public Safety, and penal institutions as determined by the Division of Adult Corrections, resulting from the parimutuel gambling permitted by this Act, and for such other purposes as the General Assembly shall designate during the first session of the General Assembly.

RAY TAYLOR

S—3502

Amend Senate File 154, page 1, by striking from lines 15 and 16 the words ". The principal shall be responsible for" and inserting in lieu thereof the words "; such responsibility will **encompass**".

ELIZABETH SHAW

S—3496

Amend Senate File 421 as follows:

1. Page 3, by striking lines 19 through 24 and inserting in lieu thereof the following:

"e. Whenever a dealer or broker's weekly purchases exceed one hundred fifty percent of his average weekly volume, the secretary may require additional bond in an amount determined by the secretary."

2. Page 4, line 29, by striking the words "one hundred twenty" and inserting in lieu thereof the word "ninety".

3. Page 5, line 26, by striking the words "one hundred twenty" and inserting in lieu thereof the word "ninety".

4. Page 7, by striking lines 25 and 26 and inserting in lieu thereof the following:

"2. Payment to the seller shall be made by cash, check, or wire transfer of funds. If payment to the seller is by check, the check shall be drawn on a bank located in this state. For the purpose of this subsection, 'wire transfer' means any telephonic, telegraphic, electronic, or similar communication between the bank of the purchaser and the bank of the seller which results in the transfer of funds or credits of the purchaser to an account of the seller."

COMMITTEE ON AGRICULTURE
KARL NOLIN, Chairman

S—3498

Amend Senate Concurrent Resolution 24, line 23, by striking the words "within their current authority" and inserting in lieu thereof the words "through conservation and the development of renewable energy resources, including sun, wind, and wastes".

NORMAN G. RODGERS

S—3493

Amend House File 77 as follows:

1. Page 1, by striking line 35.

2. Page 2, by striking lines 1, 2, 3, and 4.

JAMES W. GRIFFIN, SR.

S—3504

Amend House File 421 as amended, passed and reprinted by the House, page 2, by striking lines 22 through 25 and inserting in lieu thereof the following:

"Sec. 4. This Act shall become effective upon the receipt of federal highway safety funds."

JAMES V. GALLAGHER

S—3494

Amend House File 558, as amended, passed and re-

printed by the House, as follows:

1. Page 18A, by inserting after line 25 the following new section:

"Sec. ..... Section four hundred forty-two point thirteen (442.13), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The school budget review committee shall reimburse upon application each school district for actual costs incurred for prekindergarten programs during the period from the second Friday in January of 1975, to July 1, 1975, established by the district in compliance with the school standards provided by chapter two hundred fifty-seven (257) of the Code."

2. Renumber the sections and correct internal references in conformance with this amendment.

3. Amend the title, line 17, by inserting after the word "growth" the words "and reimburse school districts for prekindergarten programs".

WARREN E. CURTIS
FORREST V. SCHWENGELS

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Van Gilst, the Senate adjourned at 4:30 p.m., until 9:30 a.m., Friday, April 11, 1975.

JOURNAL OF THE SENATE

EIGHTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, APRIL 11, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend David Ash, pastor of the United Methodist Church, representing the Decorah Ministerial Association, Decorah, Iowa.

The Journal of Thursday, April 10, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. George Kerns, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Plymat for the day on request of Senator Curtis; Senator Priebe for the day on request of Senator Kinley; Senator Miller of Marshall for the day on request of Senator Burroughs; Senator Sovern for the day on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable John P. Kibbie, former member of the Senate and the House of Representatives from Palo Alto County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifteen students from Montezuma High School, Montezuma, Iowa, accompanied by Dennis Oliver. Senator Hill of Jasper.

Fifty-one students from Panora-Linden Middle School, Panora, Iowa, accompanied by Mary Jane Carson and Hal Rosson. Senator Rodgers.

Ten students from Kanawha Christian School, Kanawha, Iowa, accompanied by Virgil Baker. Senator Taylor.

Twenty-seven students from Roosevelt Elementary School, Ames, Iowa. Senator Murray.

Twenty-seven students from Grand Valley Community School, Kellerton, Iowa, accompanied by Mrs. Nina Elliott, Mrs. Campbell, Mrs. Wookey, and Mrs. Wilkey. Senator Ramsey.

Forty-eight students from Franklin Elementary School, Ottumwa, Iowa. Senator Glenn.

PETITIONS

The following petitions were presented and placed on file:

By Senator Andersen from forty-six residents of Plymouth County favoring legislation that defines acts of obscenity, makes certain acts in regard to obscenity crimes, and establishes certain presumptions and defenses in regard to such crimes.

By Senator Andersen from fifteen residents of Monona County opposing the legalization of marijuana and other such drugs.

By Senator Kinley from thirty-three residents of Cedar and Linn Counties favoring pari-mutuel betting.

By Senator Kinley from thirty residents of Des Moines County favoring increased retirement benefits for teachers.

By Senator Kinley from ten residents of Union and Clay Counties favoring pari-mutuel betting.

INTRODUCTION OF BILL

Senate File 452, by Senator Redmond, a bill for an act changing the title of the chairman of the county board of supervisors.

Read first time and **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 members of the conference committee on the part of the House on Senate File 44, a bill relating to the registration of farm trailers, are as follows: The Representative from Guthrie, Mr. Hutchins, chairman; the Representative from Tama, Mr. Husak; the Representative from Mahaska, Mr.

Koogler; the Representative from Muscatine, Mr. Drake; the Representative from Cass, Mr. Pellett.

DAVID L. WRAY, Chief Clerk

MOTIONS TO RECONSIDER WITHDRAWN

Senator Norpel asked and received unanimous consent to withdraw the motion to reconsider the vote by which **House File 399** passed the Senate filed by him on April 9, 1975.

Senator Gluba asked and received unanimous consent to withdraw the motion to reconsider the vote by which **Senate File 427** passed the Senate filed by him on April 8, 1975.

UNFINISHED BUSINESS

Senate File 50

The Senate resumed the reconsideration of Senate File 50, pending April 1, 1975.

Senator Norpel moved to reconsider the vote by which Senate File 50 went to its last reading, which motion prevailed.

On motion of Senator Norpel, Senate File 50, a bill for an act relating to office facilities for county conservation boards, was taken up for reconsideration.

Senator Ramsey offered amendment S—3422 filed by him:

S—3422
Amend Senate File 50 as follows:

Division S—3422A

1. Page 1, line 17, by striking the words *"and its employees,* and for the safekeeping of" and inserting in lieu thereof the words "[and for the safekeeping of] *to hold its meetings and safekeep*".

Division S—3422B

2. Page 1, line 18, by inserting before the word *"If"* the words *"The board of supervisors may also provide other office space for the county conservation board."*

Senator Norpel called for a division of the amendment, section 1 to be considered as division S—3422A; section 2 to be considered as division S—3422B.

Senator Ramsey moved the adoption of division S—3422A of the amendment and requested a record roll call.

On the question "Shall division S—3422A of the amendment be adopted?" (S.F. 50) the vote was:

Ayes, 25:

Andersen	Heying	Nolin	Shaw
Bergman	Hill of Jasper	Nystrom	Taylor
Burroughs	Hill of Polk	Rabedeaux	Tieden
Curtis	Hultman	Ramsey	Van Gilst
DeKoster	Lamborn	Schwengels	Willits
Glenn	Murray	Shaff	Winkelman
Hansen			

Nays, 17:

Briles	Gluba	Miller of	Redmond
Carr	Junkins	Des Moines	Robinson
Coleman	Kinley	Nolting	Rodgers
Culver	Merritt	Norpel	Scott
Doderer		Palmer	

Absent or not voting, 8:

Gallagher	Miller of	Orr	Priebe
Griffin	Marshall	Plymat	Sovern
Kelly			

Division S—3422A of the amendment was adopted.

Senator Ramsey moved the adoption of division S—3422B of the amendment and requested a record roll call.

On the question "Shall division S—3422B of the amendment be adopted?" (S.F. 50) the vote was:

Ayes, 24:

Andersen	Hansen	Murray	Shaw
Bergman	Heying	Nolin	Taylor
Burroughs	Hill of Jasper	Nystrom	Tieden
Curtis	Hill of Polk	Ramsey	Van Gilst
DeKoster	Hultman	Schwengels	Willits
Glenn	Lamborn	Shaff	Winkelman

Nays, 17:

Carr	Junkins	Nolting	Redmond
Coleman	Kinley	Norpel	Robinson
Culver	Merritt	Palmer	Rodgers
Doderer	Miller of	Rabedeaux	Scott
Gluba	Des Moines		

Absent or not voting, 9:

Briles	Kelly	Orr	Priebe
Gallagher	Miller of	Plymat	Sovern
Griffin	Marshall		

Division S—3422B of the amendment was adopted.

Senator Lamborn asked and received unanimous consent to withdraw amendment S—3423 filed by Senators Priebe and Lamborn on April 1, 1975, and found on pages 783 and 784 of the Senate Journal.

Senator Curtis took the chair at 10:10 a.m.

Senator Norpel moved that the bill 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. 50) the vote was:

Ayes, 41:

Andersen	Gluba	Miller of	Robinson
Bergman	Hansen	Des Moines	Rodgers
Briles	Heying	Murray	Schwengels
Burroughs	Hill of Jasper	Nolin	Scott
Carr	Hill of Polk	Nolting	Shaff
Coleman	Hultman	Norpel	Shaw
Culver	Junkins	Nystrom	Tavlor
Curtis	Kinley	Palmer	Van Gilst
DeKoster	Lamborn	Rabedeaux	Willits
Doderer	Merritt	Ramsey	Winkelman
Glenn		Redmond	

Nays, none.

Absent or not voting, 9:

Gallagher	Miller of	Plymat	Sovern
Griffin	Marshall	Priebe	Tieden
Kelly	Orr		

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

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 296.

Senate File 296

On motion of Senator Coleman, Senate File 296, a bill for an act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties, was taken up for consideration.

Senator Doderer offered amendment S—3400 filed by Senators Doderer and Nolin:

S—3400

Amend Senate File 296 as follows:

Division S—3400B

1. Page 1, by striking lines 3 through 12 and inserting in lieu thereof the following:

"1. 'Cosmetology' means practices which include but are not necessarily limited to the practices listed in this subsection:"

Division S—3400C

2. Page 4, line 22, by striking the words "if a license to operate as".

3. Page 4, by striking line 23 and inserting

in lieu thereof the words "for any space in any location where the same space is also licensed as a barber school".

4. Page 6, lines 5 and 6, by striking the words "Managers of beauty salons shall be licensed cosmetologists."

Division S—3400F

5. Page 6, line 14, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

6. Page 6, line 19, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

7. Page 7, line 9, by striking the word "may" and inserting in lieu thereof the word "shall".

Division S—3400D

8. Page 7, by inserting after line 10, the following section and renumbering the remaining sections:

"Sec. ..... *NEW SECTION.* EXCEPTIONS.

1. Notwithstanding the provisions of section twelve (12) of this Act, the board may waive the requirement that a beauty salon located in a city of less than one thousand population employ a licensed manager.

2. Notwithstanding the provisions of section twelve (12) of this Act, the board may waive for a temporary period the requirement that a beauty salon located in a city of more than one thousand population employ a licensed manager if there is not an adequate number of cosmetologists practicing in the city and surrounding geographic area to serve the public."

Division S—3400A

9. Page 7, line 17, by inserting after the word "cosmetology" the words ", except that a licensed cosmetologist may practice cosmetology at a location which is not a licensed beauty salon or school of cosmetology under extenuating circumstances arising from physical or mental disability of a customer".

10. Page 7, line 26, by striking the words "clearly and".

11. Page 8, line 4, by striking the words "clearly and".

12. Page 8, by striking lines 9 and 10 and

Page 2

inserting in lieu thereof the words "one hundred dollars."

Division S—3400E

13. Page 13, lines 29 and 30, by striking the words "Managers of barber shops shall be licensed barbers."

14. Page 14, line 3, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

15. Page 14, line 8, by striking the word "sixteen" and inserting in lieu thereof the word "twenty-four".

16. Page 14, line 32, by striking the word "may" and inserting in lieu thereof the word "shall".

Division S—3400A (cont'd)

17. Page 16, lines 22 and 23, by striking the words "clearly and".

18. Page 16, line 34, by striking the words "clearly and".

19. Page 17, line 8, by inserting after the word "location" the words "with the same owner".

20. Page 17, by striking lines 12 and 13 and inserting in lieu thereof the words "exceed one hundred dollars."

Senator Doderer offered amendment S—3451 to amendment S—3400 filed by Senators Doderer and Nolin and moved its adoption:

S—3451

Amend the Doderer and Nolin amendment S—3400 to Senate File 296 on page 2, line 1, by striking the word "one".

Amendment S—3451 to amendment S—3400 was adopted.

Senator Coleman called for a division of the amendment, sections 9 through 20 to be considered as division S—3400A; section 1 to be considered as division S—3400B; sections 2, 3, and 4, as divisions S—3400C; sections 5 through 8, as division S—3400D.

Senator Hill of Polk called for a further division of the amendment, sections 13 through 16 to be considered as division S—3400E.

On motion of Senator Doderer, division S—3400A of the amendment was adopted.

Action on amendment S—3400 was temporarily deferred.

Senator Hill of Polk offered amendment S—3508 and called for a division of the amendment as follows: section 1 to be considered as division S—3508A, and the remainder of the amendment to be considered as division S—3508B:

S—3508

Amend Senate File 296 as follows:

Division S—3508A

1. Page 1, by striking lines 3 through 12 and inserting in lieu thereof the following:

"1. 'Cosmetology' means practices performed by persons holding themselves out as cosmetologists which

include but are not necessarily limited to the practices listed in this subsection:".

Division S—3508C

2. Page 2, line 15, by inserting after the word "Persons" the words "holding themselves out as cosmetologists".

3. Page 2, line 20, by striking the words "satisfactorily completes" and inserting in lieu thereof the word "satisfies".

4. Page 4, by striking lines 13, 14, and 15 and inserting in lieu thereof the words "ten (10) of this Act."

5. Page 4, by striking lines 21, 22, and 23 and inserting in lieu thereof the words "for one year and may be renewed."

6. Page 5, by striking line 35.

7. Page 6, by striking lines 1 and 2.

Division S—3508B

8. Page 6, line 3, by striking the words "MANAGER'S LICENSE" and inserting in lieu thereof the word "MANAGER".

9. Page 6, by striking lines 5 through 35 and inserting in lieu thereof the word "cosmetologists."

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

Division S—3508C (cont'd)

11. Page 8, line 26, by inserting after the word "practices" the words "performed by persons holding themselves out as barbers".

12. Page 10, line 1, by inserting after the word "Persons" the words "holding themselves out as barbers".

13. Page 10, lines 12 and 13, by striking the words "satisfactorily completes" and inserting in lieu thereof the word "satisfies".

14. Page 10, by striking lines 27 through 32.

15. Page 12, by striking lines 18, 19, and 20.

16. Page 13, by striking lines 24, 25, and 26.

17. Page 13, line 27, by striking the words "MANAGER'S LICENSE" and inserting in lieu thereof the word "MANAGER".

18. Page 13, line 28, by inserting a period after the word "barbers".

19. Page 13, by striking lines 29 through 35.

20. Page 14, by striking lines 1 through 33.

21. Page 15, by striking lines 7 through 17.

22. Page 17, lines 4 and 5, by striking the words "and thus unfairly competing with its students and graduates".

23. Page 18, by striking lines 3 and 4 and in-

Page 2

serting in lieu thereof the words "*a beauty salon,*".

24. Page 18, lines 18 and 19, by striking the words "*manager's license, renewal of a manager's license*".

25. By renumbering sections and correcting internal references as necessary.

Senator Hill of Polk moved the adoption of division S—3508A of the amendment and requested a non-record roll call.

The ayes were 26, nays 14.

Division S—3508A of the amendment was adopted.

Action on division S—3508B of the amendment was temporarily deferred.

The Senate resumed consideration of amendment S—3400.

Division S—3400B of the amendment was ruled out of order with the adoption of division S—3508A of the Hill of Polk amendment.

On motion of Senator Doderer, division S—3400C of the amendment was adopted.

Senator Doderer called for a further division of the amendment, sections 5, 6 and 7 to be considered as division S—3400F.

Action on amendment S—3400 was temporarily deferred.

The Senate resumed consideration of division S—3508B of the Hill of Polk amendment.

Senator Hill of Polk called for a further division of division S—3508B of the amendment, sections 2 through 7 and sections 11 through 25 to be considered as division S—3508C.

Senator Hill of Polk moved the adoption of division S—3508B of the amendment.

A record roll call was requested.

On the question "Shall division S—3508B of the amendment be adopted?" (S.F. 296) the vote was:

Ayes, 19:

Culver	Hill of Polk	Nolin	Scott
DeKoster	Junkins	Orr	Shaff
Doderer	Lamborn	Palmer	Shaw
Glenn	Merritt	Ramsey	Willits
Heying	Murray	Redmond	

Nays, 23:

Andersen	Curtis	Miller of Des Moines	Rodgers
Bergman	Gluba	Nolting	Schwengels
Briles	Hansen	Norpel	Taylor
Burroughs	Hill of Jasper	Rabedeaux	Tieden
Carr	Hultman	Robinson	Van Gilst
Coleman	Kinley		Winkelman

Absent or not voting, 8:

Gallagher	Miller of	Nystrom	Priebe
Griffin	Marshall	Plymat	Sovern
Kelly			

Division S—3508B of the amendment lost.

Action on division S—3508C of the amendment was temporarily deferred.

The Senate resumed consideration of amendment S—3400.

On motion of Senator Doderer, division S—3400F of the amendment was adopted.

Senator Doderer moved the adoption of division S—3400D of the amendment.

A record roll call was requested.

On the question "Shall division S—3400D of the amendment be adopted?" (S.F. 296) the vote was:

Rule 25 was invoked.

Ayes, 21:

Bergman	Hill of Polk	Murray	Schwengels
Culver	Junkins	Nolin	Scott
DeKoster	Lamborn	Palmer	Shaff
Doderer	Merritt	Ramsey	Shaw
Glenn	Miller of	Redmond	Willits
Heying	Des Moines		

Nays, 20:

Andersen	Curtis	Kinley	Rodgers
Briles	Gluba	Nolting	Taylor
Burroughs	Hansen	Norpel	Tieden
Carr	Hill of Jasper	Rabedeaux	Van Gilst
Coleman	Hultman	Robinson	Winkelman

Absent or not voting, 9:

Gallagher	Miller of	Orr	Priebe
Griffin	Marshall	Plymat	Sovern
Kelly	Nystrom		

Division S—3400D was adopted.

On motion of Senator Doderer, division S—3400E of the amendment was adopted.

(Senate File 296 and division S—3508C of the Hill of Polk amendment pending on adjournment.)

INTRODUCTION OF BILL

Senate File 453, by committee on education, a bill for an act

relating to the levy of a tax for buildings and sites in merged areas.

Read first time and referred to the committee on ways and means (under Senate Rule 38).

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 on April 7, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 450, a bill for an act relating to persons engaged in the buying and selling of certain motor vehicles and relating to vehicle registration by revising the registration application form and the registration filing system, etc.

Also: That the House has amended the Senate amendment, concurred in the Senate amendment as amended and adopted the following resolution in which the concurrence of the House was asked:

House Concurrent Resolution 18 urging that the United States Railway Association reconsider its decision to deny loan funds to support the operation and capital needs of the Rock Island Railroad.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION 18

S—3507

Amend the Senate amendment H—3340, to House Concurrent Resolution 18, as follows:

1. Line 1, by inserting after the numeral 18 the following: ", appearing on page 480 of the House Journal,".

2. Line 2, by inserting after the numeral 18 the following: "on page 1".

3. By inserting after line 2 the following:

"Page 2, lines 6 and 7, by striking the words 'Railway Association reconsider its decision to deny loan funds' and inserting in lieu thereof the words 'Congress pass legislation providing for a one hundred million dollar loan'."

HOUSE MESSAGE CONSIDERED

House File 450, a bill for an act relating to persons engaged in the buying and selling of certain motor vehicles and relating to vehicle registration by revising the registration application form and the registration filing system, requiring a bond to be posted in situations where vehicle ownership is not established, providing for publication of notice regarding vehicle registration renew-

als, increasing motorcycle and hearse registration fees, providing for receipt of new registration for all vehicles transferred in December, relating to braking and hitching requirements for certain travel trailers and semitrailers operated on the highways, and relating to the base price of a vehicle for registration purposes, subject to penalties provided by law.

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

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber **because of personal business on Monday, April 7, 1975. Had I been present, I would have voted "aye" on the following:** Final passage of Senate Files 418, 184, 276, 317, 329, 163, and 165; final passage of House **Files 69, 74 and 131; motion to withdraw** motion to reconsider on Senate File 205; motion to concur in House amendment S—3341 to Senate File 165; motion to withdraw motion to reconsider on Senate File 266.

LOWELL JUNKINS

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate from:

DEPARTMENT OF TRANSPORTATION

The quarterly progress report for the Department of Transportation in accordance with Chapter 1180, Section 33, Acts of the Sixty-fifth General Assembly, 1974 Regular Session.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Edmund Chamberlain, Jr., of Clear Lake, Cerro Gordo County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under the provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, for the regular three-year term beginning July 1, 1974 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
STEVE SOVERN
E. KEVIN KELLY

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 10
Judiciary
Coleman, Chairman
DeKoster
Rodgers

Senate Joint Resolution 11
Judiciary
DeKoster, Chairman
Doderer
Coleman

Senate File 326
Appropriations
Junkins, Chairman
Hultman
Heying

Senate File 337
Appropriations
Junkins, Chairman
Gluba
Tieden

Senate File 353
Appropriations
DeKoster, Chairman
Willits
Culver

Senate File 365
Appropriations
Hill of Jasper, Chairman
Van Gilst
Plymat

Senate File 373
Appropriations
Van Gilst, Chairman
Nolting
Bergman

Senate File 394
State Government
Coleman, Chairman
Redmond
Curtis

Senate File 397
Cities
Nolting, Chairman
Nystrom
Palmer

Senate File 400
Commerce
Junkins, Chairman
Curtis
Briles

Senate File 401
Agriculture
Priebe, Chairman
Heying
Tieden

Senate File 402
Appropriations
Hill of Jasper, Chairman
Junkins
Lamborn

Senate File 403
Judiciary
Ramsey, Chairman
Redmond
Coleman

Senate File 404
State Government
Redmond, Chairman
Doderer
Nystrom

Senate File 405
Energy
Scott, Chairman
Burroughs
Tieden

Senate File 406
Judiciary
Hill of Polk Chairman
Miller of Des Moines
Willits

Senate File 407
Ways and Means
Rodgers, Chairman
Curtis
Gluba
Nolting
Schwengels

Senate File 408
Commerce
Rabedeaux, Chairman
Junkins
Curtis

Senate File 409
Ways and Means
Gluba, Chairman
Nolting
Burroughs

Senate File 411
Commerce
Rabedeaux, Chairman
Glenn
Bergman

Senate File 412
Judiciary
Willits, Chairman
Kelly
Rodgers

Senate File 413
Cities
Palmer, Chairman
Nystrom
Miller of Des Moines

Senate File 420
Human Resources
Hill of Polk, Chairman
Ramsey
Sovern

Senate File 423
Commerce
Priebe, Chairman
Rabedeaux
Rodgers

Senate File 424
Appropriations
Junkins, Chairman
Robinson
Hultman

Senate File 428
Judiciary
Rodgers, Chairman
Shaw
Ramsey

Senate File 429
Commerce
Curtis, Chairman
Rodgers
Junkins
Carr
Rabedeaux

Senate File 430
Agriculture
Priebe, Chairman
Heying
Tieden

Senate File 431
Judiciary
Kelly, Chairman
Hill of Polk
Miller of Des Moines

Senate File 432
Commerce
Carr, Chairman
Gallagher
Rabedeaux

Senate File 433
Judiciary
Coleman, Chairman
Willits
Ramsey

Senate File 434
Commerce
Curtis, Chairman
Rodgers
Junkins
Carr
Rabedeaux

Senate File 435
Education
Carr, Chairman
Griffin
Sovern

Senate File 436
Commerce
Curtis, Chairman
Rodgers
Junkins
Carr
Rabedeaux

Senate File 439
Commerce
Curtis, Chairman
Junkins
Rodgers
Carr
Rabedeaux

Senate File 442
Commerce
Glenn, Chairman
Rabedeaux
Bergman

Senate File 443
Commerce
Bergman, Chairman
Rabedeaux
Glenn

Senate File 444
Commerce
Rabedeaux, Chairman
Glenn
Bergman

Senate File 445
Commerce
Rabedeaux, Chairman
Glenn
Bergman

Senate File 447
Commerce
Curtis, Chairman
Junkins
Rodgers
Carr
Rabedeaux

House File 195
County Government
Gallagher, Chairman
Taylor
Merritt

House File 208
Commerce
Rabedeaux, Chairman
Gallagher
Carr

House File 221
Judiciary
Kelly, Chairman
Miller of Des Moines
Doderer

House File 313
Commerce
Rabedeaux, Chairman
Glenn
Gallagher

House File 345
Agriculture
Priebe, Chairman
Heying
Tieden

House File 395
Cities
Redmond, Chairman
Nolting
Schwengels

House File 421
Transportation
Doderer, Chairman
Gallagher
Norpel

House File 432
Transportation
Doderer, Chairman
Gallagher
Rabedeaux

House File 451
Agriculture
Tieden, Chairman
Merritt
Taylor

House File 463
Human Resources
Gluba, Chairman
Hill of Polk
Scott

House File 485
Appropriations
State Departments

House File 486
Appropriations
State Departments

House File 521
Appropriations
State Departments

House File 558
Education
Hansen, Co-chairman
Sovern, Co-chairman
Orr
Shaw
Willits

REPORT OF COMMITTEE

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 390**, a bill for an act relating to trust companies, begs leave to report it has had the same under consideration and recommends the same do pass.

LOWELL JUNKINS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3509

Amend Senate File 152, page 2, line 7, by striking the word "ten" and inserting in lieu thereof the word "fifty".

LUCAS J. DeKOSTER

S—3510

Amend Senate File 152, page 9, by adding the following after line 3:

"Any person who bets upon the results of a horse race except by the pari-mutuel method of wagering

conducted by a licensee under this Act and upon or within the grounds or enclosure of such licensee shall upon conviction be punished by a fine not to exceed one hundred dollars or by imprisonment in the county jail not to exceed thirty days."

LUCAS J. DeKOSTER

S—3512

Amend the Hill amendment S—3474 to page 1 of Senate File 152 by inserting after line 16 the following:

3. Having been convicted of violating any federal, state, or local law against gambling, bookmaking, lotteries, or wagering.

4. Holding a federal gambling stamp or customarily engaging in any form of illegal gambling, bookmaking, lotteries or other wagering.

CLIFTON C. LAMBORN

S—3511

Amend Senate File 296, page 1, line 17, by striking the word "manipulating,".

CHARLES P. MILLER

S—3506

Amend House File 43, as amended and passed by the House, as follows:

1. Page 1, line 4, by adding after the word "beer", the words *"or alcoholic liquor, subject to the restriction provided in subsection one (1) of section one hundred twenty-three point fifty-one (123.51) of the Code,"*.

2. Page 1, line 6, by inserting after the word "beer", the words *"or alcoholic liquor"*.

3. Amend the title, by striking line 2 and inserting in lieu thereof the words "on the inside of fences surrounding ballparks or other outside recreational areas."

WILLIAM E. GLUBA

S—3515

Amend House File 351, as amended and passed by the House and reprinted, as follows:

By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. *NEW SECTION.* DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Employer" includes any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person.

2. "Employee" includes any individual employed by an employer but shall not include:

a. Any individual employed by the United States, or by the state or any of its political subdivisions thereof;

b. Any individual who renders service gratuitously

for a nonprofit organization as this term is defined by regulation of the commissioner.

3. "Wages" means compensation for labor or services rendered by an employee, whether the amount is determined on a time, task, piece, commission, or other basis of calculation.

4. "Commissioner" means the labor commissioner.

Sec. 2. *NEW SECTION.* TIME OF PAYMENT.

1. All employers shall pay to their employees all wages due them at least once during each calendar month, on regular paydays designated in advance by the employer, in lawful money of the United States or by checks or warrants payable at face value upon demand, and shall furnish each employee with a statement of deductions each pay period.

2. The commissioner may, upon application showing good and sufficient reasons, permit an employer to establish regular paydays less frequently than once each month.

Sec. 3. *NEW SECTION.* TERMINATION OF EMPLOYMENT. When an employee quits or resigns, or whenever an employer discharges an employee, the employer shall pay such an employee all wages due him for all prior work. The final wage payment shall be made on or before the date on which he would have been paid had his employment not been terminated. Payment shall be made either through the regular pay channels or by certified mail if the employee requests payment by mail.

Sec. 4. *NEW SECTION.* PENALTY PAYABLE TO WORKER. If an employer fails to pay an employee wages as required, the employer shall be additionally liable to the employee for damages in the amount of five

Page 2

percent of unpaid wages for each day except Sunday and legal holidays upon which the failure continues after the day payment is required or in an amount equal to unpaid wages, whichever is smaller.

Sec. 5. *NEW SECTION.* WITHHOLDING OF WAGES. An employer may not withhold any portion of an employee's wages unless:

1. The employer is required or empowered to do so by state or federal law or by court order, or

2. The employer has a written authorization by the employee for deductions for a lawful purpose.

Sec. 6. *NEW SECTION.* ENFORCEMENT, RULES AND REGULATIONS. The commissioner shall enforce and administer this Act and may issue, pursuant to chapter seventeen A (17A) of the Code, any rule necessary to carry out the provisions of this Act.

Sec. 7. *NEW SECTION.* RIGHT OF ENTRY. The commissioner or his authorized representative may, only after a formal complaint has been filed, enter and inspect such places, question such employees, and investigate such facts, conditions, or matters

as he may deem appropriate, to determine whether any person has violated any provision of this Act or any rule promulgated under this Act.

Sec. 8. *NEW SECTION.* AUTHORITY TO TAKE ASSIGNMENTS OF WAGE CLAIMS.

1. Whenever the commissioner determines that wages have not been paid and that the unpaid wages constitute an enforceable claim, the commissioner shall, upon the request of the employee, take an assignment in trust for the assigning employee of the wages and any claim for damages, not to exceed five hundred dollars in the case of any one claim, and may bring any legal action necessary to collect the claim. Upon an assignment, the commissioner may settle and adjust the claim to the same extent as the assigning employee.

2. The commissioner may join various claimants in one preferred claim or lien and also join them in one cause of action.

Sec. 9. *NEW SECTION.* PENALTY. Any employer who willfully violates any provision of this Act or who fails to comply with any other requirements of this Act shall be, upon conviction, guilty of a misdemeanor and be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each separate offense.

JOHN N. NYSTROM
JOHN S. MURRAY
ELIZABETH SHAW
LUCAS J. DeKOSTER

S—3514

Amend the committee on labor and industrial relations amendment S—3480 to House File 351 as amended and passed and reprinted by the House as follows:

1. Page 2, line 27, by striking the words "keep records" and inserting in lieu thereof the words "comply with the provisions of subsection one (1) of this section".

2. Page 2, line 28, by striking the words "keep records" and inserting in lieu thereof the words "comply with the provisions of subsection one (1) of this section".

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS
CLOYD ROBINSON, Chairman

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 12:05 p.m., until 10:00 a.m., Monday, April 14, 1975.

JOURNAL OF THE SENATE

NINETY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, APRIL 14, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Francis Mennenga, pastor of the St. Paul's Lutheran Church, Hartley, Iowa.

The Journal of Friday, April 11, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. L. Bendixen, Denison, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murray for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-seven students from Irwin Elementary School, Irwin, Iowa, accompanied by Judy Wilson. Senator Nolin.

Thirty-four students from Arion Elementary School, Arion, Iowa, accompanied by Mr. Ray, Mr. Gordon, and Mrs. McConnell. Senator Culver.

Eighteen students from Walnut Community School, Walnut, Iowa, accompanied by their instructor, Mr. De Graaf. Senator Culver.

PETITIONS

The following petitions were presented and placed on file:

By Senator Priebe from sixty-five residents of Kossuth and Humboldt Counties favoring the unemployment compensation bill.

By Senator Culver from fourteen residents of Monona County opposing the legalization of marijuana and other such drugs.

By Senator Hill of Jasper from two hundred ninety-eight residents of Iowa favoring legislation to halt the sale and distribution of obscene materials in Iowa.

By Senator Hill of Jasper from two hundred twenty-nine residents of Iowa urging rescission of the Equal Rights Amendment.

By Senator Doderer from eighteen residents of Wapello County favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

By Senator Redmond from thirty-one residents of Linn County opposing legislation that prohibits shooting any firearm on or over the public waters or any railroad right of way.

By Senator Redmond from thirty-seven residents of Linn County opposing legislation requiring motorcycle riders to wear protective equipment.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Priebe from forty-three residents of Palo Alto and Kossuth Counties.

Senator Van Gilst from sixty-three residents of Mahaska County.

CONSIDERATION OF BILLS

Senate File 289

On motion of Senator Hultman, Senate File 289, a bill for an act to create an energy research and development fund within the energy policy council and making an appropriation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hultman offered amendment S—3505 by the committee on appropriations and moved its adoption:

S—3505

Amend Senate File 289 on page 1, line 20, by striking the words "one million (1,000,000)" and inserting in lieu thereof the words "two hundred fifty thousand (250,000)".

Amendment S—3505 was adopted.

Senator Hultman moved that the bill 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, 47:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman
Griffin			

Nays, none.

Absent or not voting, 3:

Doderer	Murray	Redmond

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

House File 334

On motion of Senator Norpel, House File 334, a bill for an act appropriating funds to the Iowa state commerce commission and the department of public defense and providing for the deposit of receipts to such departments in the general fund of the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel moved that the bill 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, 47:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Nolin	Robinson
Briles	Hill of Jasper	Nolting	Rodgers
Burroughs	Hill of Polk	Norpel	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman
Griffin			

Nays, none.

Absent or not voting, 3:

Culver	Murray	Shaff

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

House File 485

On motion of Senator Willits, House File 485, a bill for an act appropriating funds 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 485) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Culver	Murray

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Betty Jo Harker, Ames, Story County, Iowa, for appointment as a member of the City Finance Committee pursuant to Section 384.13, 1975 Code of Iowa, for a term beginning July 1, 1974 and

ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
WILLIAM E. GLUBA
FRED W. NOLTING
JOHN S. MURRAY
ELIZABETH SHAW

The motion prevailed and the report was adopted.

Senator Coleman moved the appointment of Betty Jo Harker as a member of the City Finance Committee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Griffin	Miller of	Robinson
Bergman	Hansen	Marshall	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of	Rabedeaux	Willits
Glenn	Des Moines	Ramsey	Winkelman
Gluba		Redmond	

Nays, none.

Absent or not voting, 2:

Hultman Murray

President Neu declared the appointment of Betty Jo Harker as a member of the City Finance Committee confirmed for the regular four-year term ending June 30, 1978.

Senator Hill of Jasper called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Gordon E. Mau, New Hampton, Chickasaw County, Iowa, for reappointment as a member of the Chemical Technology Commission of the Department of Environmental Quality pursuant to section 455B.4, 1973 Code of Iowa, for the regular four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
GENE W. GLENN

WILLARD R. HANSEN
MILO MERRITT
RAY TAYLOR

The motion prevailed and the report was adopted.

Senator Hill of Jasper moved the appointment of Gordon E. Mau as a member of the Chemical Technology Commission of the Department of Environmental Quality be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Griffin	Miller of	Redmond
Bergman	Hansen	Marshall	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Miller of	Ramsey	Winkelman
Gluba	Des Moines		

Nays, none.

Absent or not voting, 2:

Murray Tieden

President Neu declared the appointment of Gordon E. Mau as a member of the Chemical Technology Commission of the Department of Environmental Quality, confirmed for the regular four-year term ending June 30, 1978.

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

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 454, by committee on state government, a bill for an act relating to sexual contact performed for a fee and providing a penalty.

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

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of House File 351.

House File 351

On motion of Senator Robinson, House File 351, a bill for an act relating to the payment of wages and expenses by an employer and providing a civil money penalty, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

Senator Nystrom offered amendment S—3515 filed by Senators Nystrom, et al., on April 11, 1975, and found on pages 917-919, inclusive, of the Senate Journal.

Senator Ramsey offered amendment S—3524 to amendment S—3515, moved its adoption and requested a record roll call:

S—3524

Amend the Nystrom amendment S—3515 to House File 351, as amended and passed by the House and reprinted, as follows:

Page 2, by striking everything in lines 27 through 40, inclusive, and inserting in lieu thereof the following:

"1. An employee may complain to the commissioner that his or her employer has violated the provisions of this Act. The commissioner may require that the complaint be in writing, affirmed by oath, and signed by the complainant on forms supplied by the commissioner.

2. Whenever the commissioner determines that wages have not been paid and that the unpaid wages constitute an enforceable claim, the commissioner may, upon the request of the employee, for a period of one year from the date the wages became due and payable:

a. Take an assignment in trust for the assigning employee of the wages and any claim for damages; or

b. Take an assignment of the wages and any claim for damages due the employee, and pay the employee the amount determined by the commissioner to be due the employee from funds appropriated to the bureau of labor for that purpose.

3. Upon receipt of an assignment, the commissioner shall bring any legal action necessary to collect

the claim. The commissioner also may settle and adjust the claim to the same extent as the assigning employee. For the purpose of bringing a legal action or settling a claim, the commissioner may join various complainants in one preferred claim or lien and also join them in one cause of action."

On the question "Shall amendment S—3524 to amendment S—3515 be adopted?" (H.F. 351) the vote was:

Ayes, 21:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Nystrom	Shaff
Briles	Heying	Plymat	Shaw
Burroughs	Hill of Polk	Ramsey	Taylor
Curtis	Hultman		Tieden
DeKoster	Lamborn		

Nays, 25:

Carr	Junkins	Nolting	Robinson
Culver	Kelly	Norpel	Rodgers
Doderer	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of Des Moines	Priebe	Van Gilst
Gluba	Nolin	Redmond	Willits
Hill of Jasper			

Absent or not voting, 4:

Coleman	Murray	Rabedeaux	Winkelman

Amendment S—3524 to amendment S—3515 lost.

Senator Nystrom moved the adoption of amendment S—3515 and requested a record roll call.

On the question "Shall amendment S—3515 be adopted?" (H.F. 351) the vote was:

Ayes, 23:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Nystrom	Shaff
Briles	Hill of Polk	Plymat	Shaw
Burroughs	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn		Winkelman

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 1:

Murray

Amendment S—3515 lost.

Senator Robinson offered amendment S—3480 by the committee on labor and industrial relations found on pages 866-868, inclusive, of the Senate Journal.

Senator Hultman offered amendment S—3523 to amendment S—3480 by Senators Hultman and DeKoster, moved its adoption and requested a non-record roll call:

S—3523

Amend the committee on labor and industrial relations amendment S—3480 to House File 351 as amended and passed by the House and reprinted, page 1, by striking all of lines 35 through 40 and inserting in lieu thereof the following:

"in section three (3) of this Act."

The ayes were 23, nays 25.

Amendment S—3523 to amendment S—3480 lost.

Senator Shaw offered amendment S—3527 to amendment S—3480 and moved its adoption:

S—3527

Amend the committee on labor and industrial relations amendment S—3480 to House File 351 as amended and passed and reprinted by the House, page 1, by striking lines 35 through 40 and inserting in lieu thereof the following:

"in section three (3) of this Act. If vacations are due an employee under an agreement with the employer or a policy of the employer establishing pro-rata vacation accrued, the increment shall be in proportion to the fraction of the year which the employee was actually employed."

Amendment S—3527 to amendment S—3480 was adopted.

Senator Robinson offered amendment S—3514 to amendment S—3480, filed by the committee on labor and industrial relations, and moved it adoption:

S—3514

Amend the committee on labor and industrial relations amendment S—3480 to House File 351 as amended and passed and reprinted by the House as follows:

1. Page 2, line 27, by striking the words "keep records" and inserting in lieu thereof the words "comply with the provisions of subsection one (1) of this section".

2. Page 2, line 28, by striking the words "keep records" and inserting in lieu thereof the words "comply with the provisions of subsection one (1) of this section".

Amendment S—3514 to amendment S—3480 was adopted.

Senator Gluba offered amendment S—3529 to amendment S—3480 by Senators Gluba and Carr, moved its adoption and requested a record roll call:

S—3529
Amend the committee on labor and industrial relations amendment S—3480 to House File 351 as amended, passed and reprinted by the House, as follows:
1. Page 1, by striking lines 47 and 48.
2. By renumbering the remaining paragraphs in accordance with this amendment.

On the question "Shall amendment S—3529 to amendment S—3480 be adopted?" (H.F. 351) the vote was:

Ayes, 13:

Carr	Gluba	Orr	Redmond
Culver	Merritt	Priebe	Rodgers
Gallagher	Nolting	Ramsey	Scott
Glenn			

Nays, 36:

Andersen	Heying	Miller of	Schwengels
Bergman	Hill of Jasper	Marshall	Shaff
Briles	Hill of Polk	Nolin	Shaw
Burroughs	Hultman	Norpel	Sovern
Coleman	Junkins	Nystrom	Taylor
Curtis	Kelly	Palmer	Tieden
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Lamborn	Rabedeaux	Willits
Griffin	Miller of	Robinson	Winkelman
Hansen	Des Moines		

Absent or not voting, 1:
Murray

Amendment S—3529 to amendment S—3480 lost.

Senator Shaw offered amendment S—3530 to amendment S—3480 and moved its adoption:

S—3530
Amend the committee on labor and industrial relations amendment S—3480 to House File 351 as amended and passed and reprinted by the House, page 2, by striking lines 30 through 34 and inserting in lieu thereof the following:
"21. Page 7, by striking all of lines 1 through 10 and inserting in lieu thereof the following:
"3. Within ten working days of a request by an employee, an employer shall furnish to the employee a written, itemized statement listing the earnings and deductions made from the wages for each pay period in which the deductions were made together with an explanation of how the wages and deductions were com-

puted. An employer need honor only one such request in any calendar year unless the rate of earnings, hours or deductions are changed during the calendar year. Each change shall entitle an employee to a further request for an itemized statement."

A non-record roll call was requested.

The ayes were 27, nays 22.

Amendment S—3530 to amendment S—3480 was adopted.

On motion of Senator Robinson, amendment S—3480 as amended was adopted.

Senator Hultman offered amendment S—3525 by Senators Hultman and Rabedeaux, moved its adoption and requested a non-record roll call:

S—3525

Amend House File 351 as amended, passed and reprinted by the House, page 1, line 9, by striking the words "a natural person" and inserting in lieu thereof the following: "twenty-five or more natural persons".

The ayes were 19, nays 29.

Amendment S—3525 lost.

Amendment S—3520 by Senators Hultman and DeKoster was ruled out of order with consideration and rejection of amendment S—3523 to amendment S—3480 containing the same subject matter:

S—3520

Amend House File 351, as amended and passed by the House and reprinted, page 3 by striking all of lines 30 through 33 and inserting in lieu thereof "in section three (3) of this Act."

Amendment S—3434 filed by Senator Andersen April 1, 1975, and found on page 791 of the Senate Journal was ruled out of order with the adoption of amendment S—3480.

Senator Griffin offered amendment S—3517 and moved its adoption:

S—3517

Amend House File 351, as amended and passed by the House and reprinted, as follows:

1. Page 5, by inserting after line 10, the following:

"c. The employer and one full-time employee have agreed in writing signed by both parties that the employee will be responsible for cash shortages

and losses. Not more than one such agreement shall be in effect per establishment."

2. Page 5, by striking everything in lines 11 and 12 and inserting in lieu thereof the following:

"2. Except as provided in subsection one (1) of this section, the following shall not be deducted from an employee's wages:".

A non-record roll call was requested.

The ayes were 24, nays 25.

Amendment S—3517 lost.

Senator DeKoster offered amendment S—3487 filed by him and called for a division of the amendment as follows:

S—3487

Amend House File 351 as follows:

Division S—3487A

1. Page 5, line 15, by inserting after the word "employer" the words "unless such shortage shall be the act of that employee which that employee has admitted in writing".

Division S—3487B

2. Page 7, line 21, by striking the word "knowingly" and inserting in lieu thereof the word "intentionally".

3. Page 7, line 25, by striking the word "knowingly" and inserting in lieu thereof the word "intentionally".

Division S—3487C

4. Page 7A, line 41, by inserting after the word "records" the words "concerning wages and payrolls".

Division S—3487D

5. Page 10, line 2, by inserting after the word "state" the words "to the extent permitted by the laws of that state".

Senator Nystrom took the chair at 5:15 p.m.

Senator DeKoster moved the adoption of division S—3487A of the amendment and requested a non-record roll call.

President Neu took the chair at 5:20 p.m.

The ayes were 24, nays 25.

Division S—3487A of the amendment lost.

Senator DeKoster moved the adoption of division S—3487B of the amendment and requested a non-record roll call.

The ayes were 25, nays 23.

Division S—3487B of the amendment was adopted.

On motion of Senator DeKoster, division S—3487C of the amendment was adopted.

On motion of Senator DeKoster, division S—3487D of the amendment was adopted.

(House File 351 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 455, by committee on county government, a bill for an act providing for a fee for the collection of special city assessments.

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

Senate File 456, by committee on judiciary, a bill for an act relating to furnishing discharged inmates of the women's reformatory, men's reformatory, and state penitentiary with clothing, money and transportation.

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

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 452 County government

H. F. 450 Transportation

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Joan Jacob of Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
LEONARD C. ANDERSEN
WILLIAM E. GLUBA
CALVIN O. HULTMAN
CLOYD E. ROBINSON

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed

by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of April, 1975: Senate Files 165 and 283.

CLARK R. RASMUSSEN
Secretary of the Senate

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Monday, April 14, 1975. Had I been present, I would have voted "aye" on the final passage of House File 334.

LOUIS P. CULVER

AMENDMENTS FILED

S—3518

Amend Senate File 152 as follows:

1. Page 2, line 35, by striking the words "or which".

2. Page 3, by striking lines 1 and 2 and inserting in lieu thereof the words "may apply".

3. Page 3, line 4, by striking the word "centralized".

4. Page 8, line 8, by striking the words "No license shall be granted".

5. Page 8, line 9, by striking the words "for racing on more than one race track."

6. Page 9, by striking lines 34 and 35.

7. Page 10, by striking lines 1, 2 and 3.

JAMES W. GRIFFIN, SR.

S—3516

Amend Senate File 152 as follows:

1. Page 6, line 2, by striking the word "No" and inserting in lieu thereof the words "Except for the tax imposed upon the sales of tickets or admissions to places of amusement by section four hundred twenty-two point forty-three (422.43) of the Code, no".

2. Page 6, line 3, by striking the word "except" and inserting in lieu thereof the words "other than".

3. Page 6, line 7, by inserting after the period the following: "However, the sales of concessions, whether operated by independent concessionaires pursuant to contract or operated by the nonprofit corporation, shall be subject to the retail sales tax imposed under division four (4) of chapter four hundred twenty-two (422) of the Code."

KENNETH D. SCOTT

S—3533

Amend Senate File 154 as follows:

1. Page 1, line 15, by striking the words "The principal shall be".

2. Page 1, by striking lines 16 through 23 and inserting in lieu thereof the following:

"The principal shall, pursuant to the policies adopted by the board of directors of the school district, be responsible for the planning, management, operation, and evaluation of the educational program offered at the attendance center to which the principal is assigned and shall submit recommendations to the superintendent regarding the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to the attendance center. The principal shall perform such other duties as may be assigned by the superintendent."

STEVE SOVERN

S—3522

Amend Senate File 396, page 1, line 25, by striking the word "[and]" and inserting in lieu thereof the words *"storage of raw agricultural products* and".

NORMAN RODGERS

S—3532

Amend House File 351, as amended and passed by the House and reprinted, as follows:

1. Page 1, by striking everything in lines 20 through 25, inclusive, and inserting in lieu thereof the following:

"b. Any person engaged in agriculture as an owner-operator or tenant-operator and the spouse or relatives of either who reside on the premises while exchanging labor with the operator or for other mutual benefit of any and all such persons.".

2. Page 1, line 12, by striking the words "However, employee" and inserting in lieu thereof the word "Employee".

3. Page 1A, line 37, by striking the word "However,".

4. Page 1A, line 38, by striking the word "the" and inserting in lieu thereof the word "The".

5. Page 2, line 7, by striking the word "discounting" and inserting in lieu thereof the word "excluding".

6. Page 5, line 17, by striking the words "so long as the employee is" and inserting in lieu thereof the words "if the employee has been".

7. Page 7, by striking all of lines 27 through 33 and inserting in lieu thereof the following:

"court costs and any attorney's fees incurred in recovering the unpaid wages and determined to have been usual and necessary. In other instances the employer shall be liable only for unpaid wages or expenses, court costs and usual and necessary attorney's fees incurred in recovering the unpaid wages or expenses."

8. Page 7A, by striking lines 36 and 37 and

inserting in lieu thereof the following:
"1. The commissioner shall administer and enforce the provisions of this Act. The commissioner".
9. Page 8, by striking line 11 and inserting in lieu thereof the words "seventeen A (17A) of the Code, any rules necessary".
10. Page 8, by striking all of lines 16 through 30 and inserting in lieu thereof the following:
"the commissioner may determine whether alleged unpaid wages may constitute an enforceable claim. The commissioner shall make his determination and notify the complaining employee within a reasonable time. If it is determined that an enforceable claim exists, the commissioner shall, with the consent of the employee, take an assignment on trust for the wages and any claim for liquidated damages without being bound by the technical rules respecting the validity of the assign-

Page 2

ment. No complaint for unpaid wages and liquidated damages shall be entertained by the commissioner more than one year from the date the wages become due and payable."
11. Page 11, by striking lines 32 and 33 and inserting in lieu thereof the words "shall request the attorney general to recover the assessed penalties in a civil action."

ELIZABETH SHAW

S—3519

Amend House File 351 as amended and passed by the House and reprinted, page 5, line 21, by inserting after the words "stolen property" the words "other than property specifically assigned to an employee".

CALVIN O. HULTMAN

S—3526

Amend House File 351, as amended and passed by the House and reprinted, as follows:
1. Page 8, line 15, by striking the word "written".
2. Page 8, line 17, by inserting after the period the following:
"The commissioner may require that such complaint be written, affirmed by oath, and signed on forms supplied by the commissioner."
3. Page 8, line 23, by striking the comma.
4. Page 8, line 24, by striking the comma and the word "an" and inserting in lieu thereof the words ":
a. Take".
5. Page 8, line 27, by inserting after the word "assignment" the words "; or
b. Take an assignment for the wages and for any claim for liquidated damages and pay the complaining

employee the amount determined by the commissioner to be due the employee from funds appropriated to the bureau of labor for that purpose."

6. Page 9, line 2, by inserting after the word "recovery" the words "or to recover for the benefit of the state any wage and liquidated damages' claims that have been assigned to the commissioner and for which the assigning employee has been paid."

RICHARD R. RAMSEY

S—3531

Amend House File 351 as amended, passed and reprinted by the House, as follows:

1. Page 8, line 15, by striking the word "written".

2. Page 8, line 17, by inserting after the period the following: "The commissioner may require that such complaint be written, affirmed by oath, and signed on forms supplied by the commissioner."

3. Page 8, by striking lines 24 through 30 and inserting in lieu thereof the following:

"consent of the complaining employee:

a. Take an assignment in trust for the wages and for any claim for liquidated damages without being bound by any of the technical rules respecting the validity of the assignment; or,

b. Take an assignment for the wages and for any claim for liquidated damages and pay the complaining employee the amount determined by the commissioner to be due the employee for the wages from funds appropriated to the bureau of labor for that purpose.

However, the commissioner shall not accept any complaint for unpaid wages and liquidated damages after one year from the date the wages became due and payable.

4. Page 9, line 2, by inserting after the word "recovery" the words "or to recover for the benefit of the state any wage and liquidated damages' claims that have been assigned to the commissioner and for which the assigning employee has been paid".

RICHARD R. RAMSEY

S—3521

Amend House File 351 as amended and passed by the House and reprinted, page 8, line 29, by striking the words "one year", and inserting in lieu thereof the words "ninety days".

CALVIN O. HULTMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 10:00 a.m., Tuesday, April 15, 1975.

JOURNAL OF THE SENATE

NINETY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, APRIL 15, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend David E. Cave, pastor of the Congregational Christian Church, Harlan, Iowa.

The Journal of Monday, April 14, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanley Haugland, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murray for the day on request of Senator Briles.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five students from Aquin High School, Cascade, Iowa, accompanied by Sister Lucille Bresson, O.S.F. Senator Norpel.

Twenty-seven students, members of the Campfire Girls from Iowa City, Iowa, accompanied by Linda Fincham, Marty Nayes and Margie Loomer. Senator Doderer.

One hundred fifty students from the Red Oak Community School District, Red Oak, Iowa, accompanied by Ralph England. Senator Hultman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Andersen from forty-three residents of Plymouth County favoring legislation to define acts of obscenity, to make certain acts in regard to obscenity crimes, and to require a masseur or a masseuse to be fully clothed when giving a massage.

By Senator Schwengels from fifty-six residents of Washington County opposing pari-mutuel betting and a state lottery.

By Senator Orr from eighteen residents of Benton County requesting legislation to ban "pop top" cans.

By Senator Bergman from five residents of O'Brien County favoring pari-mutuel betting.

By Senator Bergman from six residents of Osceola County favoring a local levy for a regional library appropriation.

By Senator Robinson from four thousand four hundred eight residents of Linn County favoring passage of a good, workable obscenity law.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Hill of Jasper from twelve residents of Jasper County.

Senator Taylor from twenty-two residents of Hardin and Franklin Counties.

Senator Van Gilst from ninety residents of Mahaska County.

INTRODUCTION OF BILL

Senate File 457, by Senator Schwengels, a bill for an act relating to the filing of reports relating to land ownership by nonresident aliens, corporations incorporated in any foreign country or corporations organized in this country of which one-half or more of the stock is owned or controlled by nonresident aliens, and providing a penalty for violations.

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

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

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

House File 351

The Senate resumed consideration of House File 351, a bill for an act relating to the payment of wages and expenses by an employer and providing a civil money penalty.

Senator Shaw offered amendment S—3532 filed by her and called for a division of the amendment as follows:

S—3532

Amend House File 351, as amended and passed by the House and reprinted, as follows:

Division S—3532A

1. Page 1, by striking everything in lines 20 through 25, inclusive, and inserting in lieu thereof the following:

"b. Any person engaged in agriculture as an owner-operator or tenant-operator and the spouse or relatives of either who reside on the premises while exchanging labor with the operator or for other mutual benefit of any and all such persons.".

2. Page 1, line 12, by striking the words "However, employee" and inserting in lieu thereof the word "Employee".

3. Page 1A, line 37, by striking the word "However,".

4. Page 1A, line 38, by striking the word "the" and inserting in lieu thereof the word "The".

5. Page 2, line 7, by striking the word "discounting" and inserting in lieu thereof the word "excluding".

6. Page 5, line 17, by striking the words "so long as the employee is" and inserting in lieu thereof the words "if the employee has been".

7. Page 7, by striking all of lines 27 through 33 and inserting in lieu thereof the following:

"court costs and any attorney's fees incurred in recovering the unpaid wages and determined to have been usual and necessary. In other instances the employer shall be liable only for unpaid wages or expenses, court costs and usual and necessary attorney's fees incurred in recovering the unpaid wages or expenses."

8. Page 7A, by striking lines 36 and 37 and inserting in lieu thereof the following:

"1. The commissioner shall administer and enforce the provisions of this Act. The commissioner".

9. Page 8, by striking line 11 and inserting in lieu thereof the words "seventeen A (17A) of the Code, any rules necessary".

Division S—3532B

10. Page 8, by striking all of lines 16 through

30 and inserting in lieu thereof the following:
"the commissioner may determine whether alleged unpaid wages may constitute an enforceable claim. The commissioner shall make his determination and notify the complaining employee within a reasonable time. If it is determined that an enforceable claim exists, the commissioner shall, with the consent of the employee, take an assignment on trust for the wages and any claim for liquidation damages without being bound by the technical rules respecting the validity of the assign-

Page 2

ment. No complaint for unpaid wages and liquidated damages shall be entertained by the commissioner more than one year from the date the wages become due and payable."

Division S—3532A (cont'd)

11. Page 11, by striking lines 32 and 33 and inserting in lieu thereof the words "shall request the attorney general to recover the assessed penalties in a civil action."

President pro tempore Doderer took the chair at 2:30 p.m.

On motion of Senator Shaw, division S—3532A of the amendment was adopted.

Senator Shaw moved the adoption of division S—3532B of the amendment.

A record roll call was requested.

On the question "Shall division S—3532B of the amendment be adopted?" (H.F. 351) the vote was:

Ayes, 20:

Briles	Hansen	Miller of Marshall	Shaff
Burroughs	Hill of Polk	Nystrom	Shaw
Curtis	Hultman	Rabedeaux	Taylor
DeKoster	Kelly	Schwengels	Tieden
Doderer	Lamborn		Winkelman
Glenn			

Nays, 28:

Andersen	Hill of Jasper	Nolting	Redmond
Bergman	Junkins	Norpel	Robinson
Carr	Kinley	Orr	Rodgers
Coleman	Merritt	Palmer	Scott
Culver	Miller of Des Moines	Plymat	Sovern
Gallagher	Nolin	Priebe	Van Gilst
Gluba		Ramsey	Willits
Heying			

Absent or not voting, 2:

Griffin	Murray

Division S—3532B of the amendment lost.

President Neu took the chair at 2:40 p.m.

Senator Robinson offered amendment S—3538 by Senators Robinson and DeKoster and moved its adoption:

S—3538
Amend House File 351, as amended and passed by the House and reprinted, as follows:
1. Page 2, line 19, by inserting after the period the following:
"However, if any of these wages due its employees are determined on a commission basis, the employer may, upon agreement with the employee, pay only a credit against such wages. If such credit is paid, the employer shall, at regular intervals, pay any difference between a credit paid against wages determined on a commission basis and such wages actually earned on a commission basis. These regular intervals shall not be separated by more than twelve months."
2. Page 3, line 30, by inserting after the period the following:
"However, if any of these wages are the difference between a credit paid against wages determined on a commission basis and such wages actually earned on a commission basis, the employer shall pay such difference not more than thirty days after the date of suspension or termination."

A non-record roll call was requested.

The ayes were 38, nays 7.

Amendment S—3538 was adopted.

Senator DeKoster offered amendment S—3537, moved its adoption, and requested a record roll call:

S—3537
Amend House File 351 as amended, passed and reprinted by the House, page 5, line 15, by inserting after the period the sentences: "However, the employer and a full-time employee who is the manager of an establishment may agree in writing signed by both parties that the employee will be responsible for a cash shortage that occurs within forty-five days prior to the most recent regular pay day. Not more than one such agreement shall be in effect per establishment."

On the question "Shall amendment S—3537 be adopted?" (H.F. 351) the vote was:

Rule 25 was invoked.

Ayes, 25:

Andersen	Griffin	Miller of Marshall	Shaff
Bergman	Hansen	Norpel	Shaw
Briles	Hill of Polk	Nystrom	Taylor
Burroughs	Hultman	Rabedeaux	Tieden
Curtis	Kelly	Ramsey	Van Gilst
DeKoster	Lamborn	Schwengels	Winkelman
Gallagher			

Nays, 24:

Carr	Hill of Jasper	Nolin	Redmond
Coleman	Junkins	Nolting	Robinson
Culver	Kinley	Orr	Rodgers
Doderer	Merritt	Palmer	Scott
Glenn	Miller of Des Moines	Plymat	Sovern
Gluba		Priebe	Willits
Heying			

Absent or not voting, 1:

Murray

Amendment S—3537 was adopted.

Senator Hultman withdrew amendment S—3519 filed by him on April 14, 1975, and found on page 935 of the Senate Journal.

Senator Hultman offered amendment S—3539 and moved its adoption:

S—3539

Amend House File 351 as amended and passed by the House and reprinted as follows:

Page 5, line 21, by inserting after the first comma the words "unless such tools and equipment are specifically assigned to and their receipt acknowledged in writing by the employee from whom the deduction is made,".

Amendment S—3539 was adopted.

Senator Ramsey withdrew amendment S—3526 filed by him on April 14, 1975, and found on pages 935 and 936 of the Senate Journal.

Senator Ramsey offered amendment S—3531 filed by him:

S—3531

Amend House File 351 as amended, passed and reprinted by the House, as follows:

1. Page 8, line 15, by striking the word "written".

2. Page 8, line 17, by inserting after the period the following: "The commissioner may require that such complaint be written, affirmed by oath, and signed on forms supplied by the commissioner."

3. Page 8, by striking lines 24 through 30 and inserting in lieu thereof the following:

"consent of the complaining employee:

a. Take an assignment in trust for the wages and for any claim for liquidated damages without being bound by

any of the technical rules respecting the validity of the assignment; or,

b. Take an assignment for the wages and for any claim for liquidated damages and pay the complaining employee the amount determined by the commissioner to be due the employee for the wages from funds appropriated to the bureau of labor for that purpose.

However, the commissioner shall not accept any complaint for unpaid wages and liquidated damages after one year from the date the wages became due and payable.

4. Page 9, line 2, by inserting after the word "recovery" the words "or to recover for the benefit of the state any wage and liquidated damages' claims that have been assigned to the commissioner and for which the assigning employee has been paid".

Senator Robinson raised the point of order that amendment S—3531 was out of order for the reason that it contained the same subject matter already considered and rejected by the Senate.

The Chair ruled the point well taken and amendment S—3531 out of order.

Senator Hultman withdrew amendment S—3521 filed by him on April 14, 1975, and found on page 936 of the Senate 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. 351) the vote was:

Ayes, 31:

Andersen	Hansen	Miller of Des Moines	Palmer
Bergman	Heying		Plymat
Carr	Hill of Jasper	Miller of Marshall	Redmond
Coleman	Hill of Polk		Robinson
Culver	Junkins	Nolin	Rodgers
Doderer	Kelly	Nolting	Sovern
Gallagher	Kinley	Norpel	Van Gilst
Glenn	Merritt	Orr	Willits
Gluba			

Nays, 18:

Briles	Hultman	Ramsey	Shaw
Burroughs	Lamborn	Schwengels	Taylor
Curtis	Nystrom	Scott	Tieden
DeKoster	Priebe	Shaff	Winkelman
Griffin	Rabedeaux		

Absent or not voting, 1:

Murray

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

UNFINISHED BUSINESS

Senate File 296

The Senate resumed consideration of Senate File 296, a bill for an act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties, and division S—3508C of the Hill of Polk amendment, offered and pending on April 11, 1975.

Senator Curtis took the chair at 3:50 p.m.

Senator Hill of Polk called for a further division of division S—3508C, as follows:

Division S—3508C

2. Page 2, line 15, by inserting after the word "Persons" the words "holding themselves out as cosmetologists".

Division S—3508D

3. Page 2, line 20, by striking the words "satisfactorily completes" and inserting in lieu thereof the word "satisfies".

Division S—3508E

4. Page 4, by striking lines 13, 14, and 15 and inserting in lieu thereof the words "ten (10) of this Act."

Division S—3508F

5. Page 4, by striking lines 21, 22, and 23 and inserting in lieu thereof the words "for one year and may be renewed."

Division S—3508G

6. Page 5, by striking line 35.

7. Page 6, by striking lines 1 and 2.

Division S—3508I

11. Page 8, line 26, by inserting after the word "practices" the words "performed by persons holding themselves out as barbers".

Division S—3508H

12. Page 10, line 1, by inserting after the word "Persons" the words "holding themselves out as barbers".

Division S—3508D (cont'd)

13. Page 10, lines 12 and 13, by striking the words "satisfactorily completes" and inserting in lieu thereof the word "satisfies".

Division S—3508J

14. Page 10, by striking lines 27 through 32.

Division S—3508F (cont'd)

15. Page 12, by striking lines 18, 19, and 20.

Division S—3508G (cont'd)

16. Page 13, by striking lines 24, 25, and 26.

Division S—3508I (cont'd)

17. Page 13, line 27, by striking the words

"MANAGER'S LICENSE" and inserting in lieu thereof the word "MANAGER".

18. Page 13, line 28, by inserting a period after the word "barbers".

19. Page 13, by striking lines 29 through 35.

20. Page 14, by striking lines 1 through 33.

21. Page 15, by striking lines 7 through 17.

Division S—3508K

22. Page 17, lines 4 and 5, by striking the words "and thus unfairly competing with its students and graduates".

Division S—3508I (cont'd)

23. Page 18, by striking lines 3 and 4 and in-

Page 2

serting in lieu thereof the words *"a beauty salon,"*.

24. Page 18, lines 18 and 19, by striking the words *"manager's license, renewal of a manager's license"*.

Division S—3508L

25. By renumbering sections and correcting internal references as necessary.

Senator Hill of Polk moved the adoption of division S—3508C.

The Chair called for a non-record roll call.

The ayes were 18, nays 27.

Division S—3508C of the amendment lost.

Senator Hill of Polk moved the adoption of division S—3508D.

Division S—3508D of the amendment lost.

Senator Hill of Polk moved the adoption of division S—3508E and requested a non-record roll call.

The ayes were 15, nays 31.

Division S—3508E of the amendment lost.

Senator Hill of Polk moved the adoption of division S—3508F.

A non-record roll call was requested.

The ayes were 14, nays 32.

Division S—3508F of the amendment lost.

Senator Hill of Polk moved the adoption of division S—3508G.

A record roll call was requested.

On the question "Shall division S—3508G of the amendment be adopted?" (S.F. 296) the vote was:

Ayes, 27:

Bergman	Hill of Polk	Nolin	Shaff
Coleman	Junkins	Norpel	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Merritt	Priebe	Tieden
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	
Heying			

Nays, 21:

Andersen	Hansen	Nolting	Rodgers
Burroughs	Hill of Jasper	Nystrom	Schwengels
Carr	Hultman	Plymat	Scott
Culver	Kinley	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Robinson	Winkelman
Griffin			

Absent or not voting, 2:

Briles	Murray

Division S—3508G of the amendment was adopted.

Senator Hill of Polk moved the adoption of division S—3508H.

Division S—3508H of the amendment lost.

(Senate File 296 and divisions S—3508I, S—3508J, S—3508K and S—3508L of the Hill of Polk amendment pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 458, by Senators Miller of Des Moines and Junkins (Monroe, Spear and Jordan), a bill for an act relating to service fees for issuing hunting and fishing licenses.

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

Senate File 459, by Senator Miller of Des Moines (Hutchins and Perkins), a bill for an act relating to the validity of actions taken by conference boards.

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

Senate File 460, by Senator Miller of Des Moines (Monroe, Spear and Jordan), a bill for an act relating to the place for the filing of mechanic's liens.

Read first time and **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 on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 243, a bill for an act relating to absences of public employees for medically-related disability.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 243, a bill for an act relating to absences of public employees for medically-related disability.

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

ANNOUNCEMENT OF INVESTIGATING COMMITTEE FOR GOVERNOR'S APPOINTMENT

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to an investigating committee:

As a member of the Air Quality Commission of the Department of Environmental Quality:

Helen J. Gleeson, Sioux City, Woodbury County, Iowa, for the unexpired portion of a term ending June 30, 1978.

Senator Coleman, Chairman
Senator Miller of Des Moines
Senator Redmond
Senator Kelly
Senator Shaff

REPORT OF COMMITTEE

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 292,** a bill for an act to abolish certain liens and provide procedures for determining liability for payment of charges for care and treatment at certain institutions or facilities, 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:**

S—3536

Amend House File 292 as amended, passed and reprinted by the House as follows:

1. Page 1, line 9, by inserting after the word "his" the words "or her".

2. Page 1, line 10, by inserting after the word "are" the word "presently".

3. Page 1, line 10, by striking the word "they" and inserting in lieu thereof the word "it".

4. Page 1, by striking line 11 and inserting in lieu thereof the following:

"the auditor not to index the name of that person, as would otherwise be required by section one hundred

twenty-five point thirty-three (125.33) of the Code. However the board may review its finding with respect to any person at any subsequent time at which another similar list is certified upon which that person's name appears. If the board finds upon review that that person or those legally liable for his or her support are presently able to pay for the treatment, that finding shall apply only to charges stated upon the list then before the board and any subsequent charges similarly certified, unless and until the board again changes its finding."

5. Page 1, by inserting after line 11 the following new sections:

"Sec. ..... Section one hundred twenty-five point thirty-two (125.32), Code 1975, is amended to read as follows:

125.32 TRANSFER FROM INSTITUTIONAL FUND. The county auditor upon receipt of [such] certification by the facility *as required by section one hundred twenty-five point twenty-eight (125.28) of the Code* shall enter the same to the credit of the facility and issue a notice [to] *authorizing* the county treasurer[,] [authorizing him] to transfer the amount from the county mental health and institutions fund to the [state] [general fund] *credit of the facility,* which notice shall be filed by the treasurer as [his] authority for making such transfer, and [shall include] the amount transferred [in his] *shall be included in the auditor's* next remittance to the facility.

Sec. ..... Section one hundred twenty-five point thirty-three (125.33), Code 1975, is amended to read as follows:

125.33 COUNTY AUDITOR TO KEEP ACCOUNTS. The auditor of each county shall keep an accurate account of the total cost *to the county* of the care, maintenance, and treatment of any alcoholic and keep an index of the names of the alcoholics admitted from such county.

Page 2

Sec. ..... Section one hundred twenty-five point thirty-four (125.34), Code 1975, is amended to read as follows:

125.34 COLLECTION OF CLAIMS BY BOARD OF SUPERVISORS. The board of supervisors shall collect the total amount of all such claims [and] *as they become due, from those persons whom the board has found, under section one (1) of this Act, are able to pay. The board shall* direct the county attorney to proceed with the collection of such claims as a part of the duties of [his] *that* office. The county shall be entitled to keep the total amount of all such claims collected. The county attorney, with the consent of the board of supervisors, may execute an agreement providing for the acceptance of a lesser amount owed by an alcoholic, his *or her* spouse, or estate to the

county. The execution of such agreement may provide that the same is in satisfaction of all moneys owed the county."

6. Page 1, line 17, by inserting after the word "[treatment]" the words *"and whom the board has previously found, under section one (1) of this Act, is able to pay"*.

7. Page 1, by striking lines 21 and 22 and inserting in lieu thereof the words *"and treatment which exceeds the total amount of all claims of the first through the"*.

8. Page 1, line 25, by striking the word *"; and"* and inserting in lieu thereof a period.

9. Page 1, by striking lines 26 and 27.

10. Page 1, line 35, by inserting after the word "his" the words "or her".

11. Page 1a, line 5, by striking the words "are unable" and inserting in lieu thereof the words "or her are presently unable".

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

"The board may review its finding at any subsequent time while the person remains at the hospital-school, or is otherwise receiving care or treatment for which this chapter obligates the county to pay. If the board finds upon review that that person or those legally responsible for him or her are presently able to pay such expenses, that finding shall apply only to the charges so incurred during the period beginning on the date of the review and continuing thereafter, unless and until the board again changes its finding."

13. Page 2, line 14, by inserting after the word "his" the words "or her".

14. Page 2, line 15, by inserting after the word

Page 3

"are" the word "presently".

15. Page 2, line 16, by striking the word "his" and inserting in lieu thereof the words "the person's".

16. Page 2, line 17, by striking the word "he".

17. Page 2, line 19, by striking the words "If the report shows" and inserting in lieu thereof the words "The court may, upon request of the board of supervisors, review its finding at any subsequent time while the person remains at the hospital-school, or is otherwise receiving care or treatment for which this chapter obligates the county to pay. If the court finds upon review that the person or those legally responsible for him or her are presently able to pay such expenses, that finding shall apply only to the charges incurred during the period beginning on the date of the board's request for the review and continuing thereafter, unless and until the court again changes its finding. When the court finds".

18. Page 2, line 20, by inserting after the word "his" the words "or her".

19. Page 2, by striking lines 33 and 34 and inserting in lieu thereof the words "of the liability so incurred which exceeds the total amount of all claims of the first through the".

20. Page 2a, by striking lines 3 through 6, inclusive, and inserting in lieu thereof the word "estate."

21. Page 3, by striking lines 14, 15 and 16 and inserting in lieu thereof the words "of that person's hospitalization. If the board finds that neither the".

22. Page 3, line 17, by inserting after the word "his" the words "or her".

23. Page 3, line 19, by striking the words "make any charges against" and inserting in lieu thereof the words "index the names of".

24. Page 3, line 20, by striking the words "pursuant to" and inserting in lieu thereof the words "as would otherwise be required by".

25. Page 3, line 21, by inserting after the period the following:

"However the board may review its finding with respect to any person at any subsequent time at which another list is furnished by the auditor upon which that person's name appears. If the board finds upon review that that person or those legally liable for his or her support are presently able to pay the expenses of that person's hospitalization, that finding shall apply only to charges stated upon the certificate from which the list was drawn up and any subsequent

Page 4

charges similarily certified, unless and until the board again changes its finding."

26. Page 4, line 7, by inserting after the word "[care]" the words "*and whom the board has previously found, under section eight (8) of this Act, is able to pay*".

27. Page 4, by striking lines 10 and 11 and inserting in lieu thereof the words "*person's care which exceeds the total amount of all claims of the first through the*".

28. Page 4, line 14, by striking the semicolon and inserting in lieu thereof a period.

29. Page 4, by striking lines 15 through 18, inclusive.

30. Page 4, by striking lines 32 and 33 and inserting in lieu thereof the words "*county which exceeds the total amount of all claims of the first through the*".

31. Page 5, line 1, by striking the word "; *and*" and inserting in lieu thereof a period.

32. Page 5, by striking lines 2 through 8, inclusive, and inserting in lieu thereof the following new section:

"Sec. ..... All liens created under section two

hundred thirty point twenty-five (230.25), as that section appeared in the Code of 1973 and prior editions of the Code, are abolished effective January 1, 1976, except as otherwise provided by this Act. The board of supervisors of each county shall, as soon as practicable after July 1, 1975, review all liens resulting from the operation of said section two hundred thirty point twenty-five (230.25) and make a determination as to the ability of the person against whom the lien exists to pay the charges represented by the lien, and if they find that the person is able to pay those charges they shall direct the county attorney of that county to take immediate action to enforce the lien. If action is commenced under this section on any lien prior to the effective date of the abolition thereof, that lien shall not be abolished but shall continue until the action is completed."

33. By renumbering sections and internal references in this Act and this amendment as necessary.

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3534

Amend Senate File 240 as follows:

1. Page 1, line 5, by striking the words "artificial light" and inserting in lieu thereof the words "[artificial light]".

2. Page 1, line 14 by striking the words "*by spear*" and inserting in lieu thereof the words "*snagging, spearing or*".

3. Page 1, lines 14 and 15 by striking the words "*and with artificial light*".

JAMES M. REDMOND

S—3541

Amend Senate File 296 as follows:

1. Page 1, line 13, by striking the word "cleansing" and inserting in lieu thereof the word "shampooing".

2. Page 2, line 17, by striking the words "in the home".

3. Page 2, by inserting after line 17 the following subsection:

"5. Employees and residents of hospitals, health care facilities, orphans' homes, juvenile homes, and other similar facilities who shampoo, arrange, dress, or curl the hair of any resident without receiving direct compensation from the person receiving the service."

4. Page 4, line 9, by inserting after the period the following: "Any person employed as an instructor in a licensed school of cosmetology shall be a licensed cosmetologist."

5. Page 6, line 16, by striking the words "licensed cosmetologist" and inserting in lieu thereof the word "applicant".

6. Page 7, lines 15 and 16, by striking the words "with or without compensation".

7. Page 7, line 17, by inserting after the word "cosmetology" the words ", except that a licensed cosmetologist may practice cosmetology in a licensed barber shop".

8. Page 10, by striking line 3 and inserting in lieu thereof a period.

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

"5. Employees and residents of hospitals, health care facilities, orphans' homes, juvenile homes, and other similar facilities who shampoo, arrange, dress, or curl the hair of any resident, or who shave or trim the beard of any resident, without receiving direct compensation from the person receiving the service."

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

11. Page 11, lines 1 and 2, by striking the words "more than five years" and inserting in lieu thereof the words "at least twelve months in the twenty-four month period preceding the submission of the application".

12. Page 13, line 7, by inserting after the period the words "Instructors in a licensed barber school shall be licensed barbers."

13. Page 14, line 5, by striking the words "licensed barber" and inserting in lieu thereof the word "applicant".

Page 2

14. Page 15, lines 31 and 32, by striking the words "with or without compensation".

15. Page 16, line 1, by inserting after the word "customer" the words "and except that a licensed barber may practice barbering in a licensed beauty salon".

16. Page 18, line 10, by inserting after the word "barbering," the words "*temporary permit to practice as a barber trainee,*".

MINNETTE F. DODERER

S—3543

Amend Senate File 296, page 4, by striking lines 13 through 15 and inserting in lieu thereof the following: "ten (10) of this Act. An annual inspection of each school of cosmetology shall be conducted prior to renewal of the license."

MINNETTE DODERER

S—3542

Amend Senate File 296 as follows:

1. Page 6, line 9, by inserting after the word

"cosmetologist" the words "or applicant".
2. Page 13, line 33, by inserting after the word "barber" the words "or applicant".

MINNETTE DODERER

S—3540
Amend Senate File 296, page 8, line 3, by inserting after the word "will" the word "not".

C. JOSEPH COLEMAN

S—3535
Amend Senate File 374, page 4, line 9, by inserting after the comma the words *"or a special charter city governed, on the effective date of this section, by the mayor-council form composed of a mayor and a council consisting of two councilmen elected at large and one councilman elected from each of eight wards,"*.

ELIZABETH SHAW

Note: **For explanation of brackets and italics, see page 202 of the Senate Journal.**

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Wednesday, April 16, 1975.

JOURNAL OF THE SENATE

NINETY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, APRIL 16, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend John Kissling of the University of Northern Iowa Catholic Student Center, Cedar Falls, Iowa.

The Journal of Tuesday, April 15, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Gary LeValley, Fort Dodge, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five students from Benton Community High School, Benton, Iowa, accompanied by Dow Logan. Senator Orr.

Forty-five students from Clive Elementary School, Des Moines, Iowa, accompanied by Mrs. Fariday and Mrs. Daubenberger. Senator Plymat.

Fifty-five students from J. C. Hoglan Elementary School, Marshalltown, Iowa, accompanied by Mrs. Avon Burt and Randy Blum. Senator Miller of Marshall.

Fifty-five students from Milford Elementary School, Milford, Iowa, accompanied by Mrs. Anderson and Mrs. Hagedorn. Senator Bergman.

Ten 4-H Club members from Clinton County, accompanied by Mrs. Farrell and Mr. Goodwin. Senators Lamborn and Shaff.

PETITIONS

The following petitions were presented and placed on file:

By Senator Heying from thirty-seven residents of Winneshiek

County opposing pari-mutuel betting, a state lottery, and the sale of wine in grocery stores.

By Senator Plymat from twenty-eight residents of Polk County opposing capital punishment.

By Senator Redmond from forty-two residents of Linn County opposing legislation that requires persons on motorcycles to wear protective headgear.

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 on April 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 313, a bill for an act correcting the amount of the farm equipment tax exemption.

Also: That the House has on April 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 351, a bill for an act relating to the time for publishing the Iowa Administrative Code.

Also: That the House has on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 422, a bill for an act relating to the levy of a tax for buildings and sites in merged areas.

Also: That the House has on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 679, a bill for an act relating to the final return, payment and refund, and appeal procedures for the state inheritance tax.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 422, a bill for an act relating to the levy of a tax for buildings and sites in merged areas.

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

House File 679, a bill for an act relating to the final return, payment and refund, and appeal procedures of the state inheritance tax.

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

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

AFTERNOON SESSION

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

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 on April 10, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 614, a bill for an act relating to termination of parental rights and adoption and providing penalties.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 614, a bill for an act relating to termination of parental rights and adoption and providing penalties.

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

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

Senator Andersen took the chair at 3:55 p.m.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 461, by Senator Murray, a bill for an act relating to the return of accumulated contributions to certain employers under the Iowa public employees' retirement system.

Read first time and **passed on file.**

Senate File 462, by Senator Miller of Des Moines, a bill for an act relating to motor vehicle reciprocal agreements relating to motor vehicle inspections and a study of motor vehicle inspection requirements by the director of the state department of transportation.

Read first time and **passed on file.**

Senate File 463, by committee on appropriations, a bill for an act to appropriate for programs under the jurisdiction of the

higher education facilities commission and to make certain changes within programs under its jurisdiction.

Read first time and **placed on calendar.**

Senate File 464, by committee on appropriations, a bill for an act making an appropriation to the Iowa development commission and energy policy council.

Read first time and **placed on calendar.**

Senate File 465, by Senator Willits, a bill for an act relating to the establishment and construction of large energy facilities.

Read first time and **passed on file.**

Senate File 466, by Senator Orr, a bill for an act providing an income tax credit for voting, an increase in cigarette taxes to fund the credit, and making an appropriation.

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 members of the conference committee on the part of the House on House File 99, a bill for an act relating to temporary closing of highways, are: The Representative from Dubuque, Mr. Gilloon, chairman; the Representative from Warren, Mr. Middleswart; the Representative from Buena Vista, Mr. Baker; the Representative from Hancock, Mr. Stromer; the Representative from Henry, Mr. Lindeen.

Also: That the House has on March 24, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 424, a bill for an act to appropriate and authorize expenditures for centralized printing, centralized purchasing and the vehicle dispatcher.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 424, a bill for an act to appropriate and authorize expenditures for centralized printing, centralized purchasing and the vehicle dispatcher.

Read first time and **passed on file.**

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which division S—3508G

of the Hill of Polk amendment to Senate File 296 was adopted by the Senate on April 15, 1975.

C. JOSEPH COLEMAN

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 457 Agriculture

S. F. 458 Natural resources

S. F. 459 County government

S. F. 460 Judiciary

H. F. 243 Labor and industrial relations

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 16, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 165—Relating to the report commonly known as the state salary book.

S. F. 283—Making an appropriation from the general fund of the state to the Spanish-American war veterans and the committee on the employment of the handicapped.

H. F. 131—Relating to a committee supervising steel trade practice.

H. F. 182—Relating to the period in which claims for the military service tax exemption and the homestead tax credit may be audited.

H. F. 286—Relating to duties, responsibilities and powers of the state department of transportation and the counties regarding secondary roads.

REPORTS OF COMMITTEE

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 136,** a bill for an act relating to the number of judgeships in judicial election districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Oreder passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 486,** 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 and recommends the same **be amended as follows; and when so amended the bill do pass:**

S—3547

Amend House File 486 as amended and passed by the House as follows:

1. Page 1, by striking lines 9 through 15.

2. By striking from lines 2 and 3 of the title the words "and to limit such expenses in the future".

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 521**, a bill for an act relating to the time of incurring obligations for and reversion of funds contained in legislation appropriating funds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3544

Amend Senate File 296 as follows:

1. Page 6, line 2, by inserting after the word "shop" the words ", except that a license for a beauty salon and a license for a barber shop may be issued for the same space if cosmetology and barbering are not practiced at the same time".

2. Page 13, line 26, by inserting after the word "salon" the words ", except that a license for a barber shop and a license for a beauty salon may be issued for the same space if barbering and cosmetology are not practiced at the same time".

DALE L. TIEDEN

S—3546

Amend the Doderer amendment S—3541 to Senate File 296, as follows:

1. Page 1, line 16, by striking the word "an" and inserting in lieu thereof the words "a cosmetology".

2. Page 1, line 27, after the word "shop" by inserting the word "and".

3. Page 1, by striking lines 40 through 44 and inserting in lieu thereof the following:

11. Page 11, line 2, by striking the word "five" and inserting in lieu thereof the word "two".

4. Page 1, line 46, by striking the word "Instructors" the words "Barbering instructors".

MINNETTE DODERER

S—3545

Amend House File 450 as amended and passed by the House and reprinted as follows:

1. Page 10, line 13 by striking the words "[thirty] *one hundred*" and inserting in lieu thereof the word "thirty".

2. Page 10, by striking all of lines 14 and 15.

CALVIN O. HULTMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Priebe, the Senate adjourned at 5:10 p.m., until 9:30 a.m., Thursday, April 17, 1975.

JOURNAL OF THE SENATE

NINETY-FIFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, APRIL 17, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Milton R. Houts, pastor of the Galva-Silver Creek Methodist Church, Galva, Iowa.

The Journal of Wednesday, April 16, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Dagle, Fort Dodge, Iowa.

DISTINGUISHED GUEST

President Neu presented to the Senate the Honorable Stewart Udall, former Secretary of the Interior and United States Congressman from Arizona, now serving as Environmental Consultant in Washington, D. C.

Mr. Udall addressed the Senate briefly, complimenting Iowa on being one of the more innovative states in the field of environmental quality.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventeen senior high school students, members of the First Baptist Church, Boone, Iowa, accompanied by the Reverend Roy Paslay. Senator Nystrom.

Fifty students from St. Matthew School, Clare, Iowa, accompanied by Sister Mary Michael and the Reverend John Cullen. Senator Coleman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Hill of Jasper from thirty-three residents of Cerro Gordo County urging rescission of the Equal Rights Amendment.

By Senator Willits from twenty-eight residents of Polk County opposing capital punishment.

By Senator Priebe from sixteen residents of Pocahontas County opposing pari-mutuel betting and a state lottery.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Miller of Marshall from twenty-six residents of Hardin County.

Senator Van Gilst from seventy-two residents of Mahaska County.

INTRODUCTION OF BILLS

Senate File 467, by Senator Hill of Polk, a bill for an act relating to local authority regulation of noise levels of motor vehicles.

Read first time and **passed on file.**

Senate File 468, by Senator Nolting, 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 CONCURRENT RESOLUTION 28

By Hultman, Burroughs, Tieden, Griffin, Rabedeaux, Schwengels, Coleman, Lamborn, Rodgers, Shaff, Andersen, Hansen, Ramsey, Briles, Priebe, Heying, Nolin, Junkins, Bergman, Nystrom, Winkelman, Miller of Marshall, Taylor, Nolting, Scott, Gallagher and Curtis

Be It Resolved by the Senate, the House Concurring, That the General Assembly of the State of Iowa hereby makes application to the United States Congress to submit to the states for ratification a proposed amendment to the United States Constitution providing as follows:

ARTICLE .....

SECTION 1. The president shall submit, at the beginning of each new Congress, an annual budget for the ensuing fiscal year setting forth in detail the total proposed expenditures and the total estimated revenue of the Federal Government for sources other than borrowing. The president may set new revenue estimates from time to time. Expenditures for each two-year period shall not exceed the estimated revenue except in time of war or a national emergency declared by the Congress. The provisions of this Article shall not apply to the refinancing

of the national debt; and
Be It Further Resolved, That copies of this resolution shall be forwarded to each member of the Iowa Congressional Delegation.

Read first time and passed on file.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Miller of Des Moines called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Joan Jacob of Cedar Rapids, Linn County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
LEONARD C. ANDERSEN
WILLIAM E. GLUBA
CALVIN O. HULTMAN
CLOYD E. ROBINSON

The motion prevailed and the report was adopted.

Senator Miller of Des Moines moved the appointment of Joan Jacob as a member of the Iowa State Board of Psychology Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kinley	Priebe	Taylor
DeKoster	Lamborn	Rabedeaux	Tieden
Doderer	Merritt	Ramsey	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 3:

Kelly	Norpel	Plymat

President Neu declared the appointment of Joan Jacob as a member of the Iowa State Board of Psychology Examiners confirmed for an initial term ending June 30, 1976.

CONSIDERATION OF BILLS

House File 202

On motion of Senator Gallagher, House File 202, a bill for an act relating to maintenance of law enforcement communications with local law enforcement agencies and duties and powers of officers in district headquarters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gallagher moved that the bill 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. 202) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Kelly	Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gallagher asked and received unanimous consent that **Senate File 156** be withdrawn from further consideration of the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the following conference committee on **Senate File 5**, on the part of the Senate: Senators Van Gilst, chairman; Curtis, Miller of Des Moines, Murray and Redmond.

CONSIDERATION OF BILLS

Senate File 189

On motion of Senator Winkelman, Senate File 189, a bill for an act relating to investment reports submitted to the auditor of state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Winkelman moved that the bill 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. 189) the vote was:

Ayes, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Gluba Kelly

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that Senate File 189 be immediately messaged to the House, which request was complied with.

Senate File 240

On motion of Senator Redmond, Senate File 240, a bill for an act relating to undesirable fish, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond withdrew amendment S—3534 filed by him on April 15, 1975, and found on page 951 of the Senate Journal.

Senator Redmond moved that the bill 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. 240) the vote was:

Ayes, 42:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaw
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Tieden
Curtis	Kinley	Plymat	Van Gilst
DeKoster	Lamborn	Priebe	Willits
Doderer	Miller of Des Moines	Rabedeaux	Winkelman
Glenn			
Gluba			

Nays, 7:

Gallagher	Merritt	Rodgers	Taylor
Hill of Jasper	Ramsey	Shaff	

Absent or not voting, 1:

Nolin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 240** be **immediately messaged** to the House, which request was complied with.

On motion of Senator Kinley, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

CONSIDERATION OF BILLS

Senate File 422

On motion of Senator Heying, Senate File 422, a bill for an act to include caves and caverns in the limitation of liability for allowing public use of private land, was taken up for consideration.

Senator Heying moved that the bill 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. 422) the vote was:

Ayes, 49:

Andersen	Burroughs	Culver	Gallagher
Bergman	Carr	Curtis	Glenn
Briles	Coleman	Doderer	Gluba

Griffin	Merritt	Orr	Scott
Hansen	Miller of	Palmer	Shaff
Heying	Des Moines	Plymat	Shaw
Hill of Jasper	Miller of	Priebe	Sovern
Hill of Polk	Marshall	Rabedeaux	Taylor
Hultman	Murray	Ramsey	Tieden
Junkins	Nolin	Redmond	Van Gilst
Kelly	Nolting	Robinson	Willits
Kinley	Norpel	Rodgers	Winkelman
Lamborn	Nystrom	Schwengels	

Nays, 1:
DeKoster

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 422** be **immediately messaged** to the House, which request was complied with.

House File 262

On the motion of Senator Bergman, House File 262, a bill for an act relating to the sale of game by a game breeder for food purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bergman moved that the bill 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, 49:

Andersen	Griffin	Miller of	Redmond
Bergman	Hansen	Marshall	Robinson
Briles	Heying	Murray	Rodgers
Burroughs	Hill of Polk	Nolin	Schwengels
Carr	Hultman	Nolting	Scott
Coleman	Junkins	Norpel	Shaff
Culver	Kelly	Nystrom	Shaw
Curtis	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of	Priebe	Van Gilst
Glenn	Des Moines	Rabedeaux	Willits
Gluba		Ramsey	Winkelman

Nays, 1:
Hill of Jasper

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 303

On motion of Senator Lamborn, Senate File 303, a bill for an act relating to the composition and appointment of members of the Iowa crime commission, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Doderer offered amendment S—3551 by Senators Doderer and Lamborn and moved its adoption:

S—3551

Amend Senate File 303, page 1, by striking lines 3 through 11 and inserting in lieu thereof the following:

"80C.6 COMMISSION MEMBERSHIP. The commission shall consist of [thirty-two] *nine* members *who are concerned with and knowledgable about the problems of criminal justice and who are appointed by the governor* as follows:

1. [Ten] *Two* members shall be officials of cities or counties[, appointed by the governor].

2. [Eleven] *Five* members [concerned with and knowledgeable about the problems of criminal justice, appointed by the governor] *representative of law enforcement and criminal justice agencies maintaining programs to reduce and control crime and of citizen and professional organizations directly related to delinquency prevention. One of the five members shall be a representative of a juvenile justice agency.*

3. [Ten] *Two* officials of the state[, as follows:]."

Amendment S—3551 was adopted.

Senator Hill of Jasper offered amendment S—3497 by the committee on state government:

S—3497

Amend Senate File 303, page 1, line 28, by inserting after the word "pleasure." the following sentence: "No member of the General Assembly shall be appointed as a member of the commission."

Senator Gallagher moved that further action on Senate File 303 be deferred and that the bill be placed on the calendar under unfinished business.

The motion lost.

Senator Hill of Jasper moved the adoption of amendment S—3497.

The ayes were 42, nays 5.

Amendment S—3497 was adopted.

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 bill pass?" (S.F. 303) the vote was:

Ayes, 49:

Andersen	Hansen	Miller of	Redmond
Bergman	Heying	Marshall	Robinson
Briles	Hill of Jasper	Murray	Rodgers
Burroughs	Hill of Polk	Nolin	Schwengels
Carr	Hultman	Nolting	Scott
Coleman	Junkins	Norpel	Shaff
Culver	Kelly	Nystrom	Shaw
Curtis	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Merritt	Plymat	Tieden
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Rabedeaux	Willits
Griffin		Ramsey	Winkelman

Nays, 1:

Gallagher

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that Senate File 303 be immediately messaged to the House, which request was complied with.

Senate File 390

On motion of Senator Willits, Senate File 390, a bill for an act relating to trust companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 390) the vote was:

Ayes, 45:

Andersen	Hansen	Murray	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Briles	Hill of Polk	Nolting	Scott
Burroughs	Hultman	Nystrom	Shaff
Carr	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of	Rabedeaux	Van Gilst
Gallagher	Des Moines	Ramsey	Willits
Glenn	Miller of	Redmond	Winkelman
Gluba	Marshall	Robinson	

Nays, 1:
Griffin

Voting present, 3:
Coleman Heying Kelly

Absent or not voting, 1:
Norpel

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 390** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 421.

House File 421

On motion of Senator Doderer, House File 421, a bill for an act relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman offered amendment S—3499 by the committee on transportation:

S—3499
Amend House File 421 as amended, passed and reprinted by the House, page 1, line 12, by inserting after the word "riding" the following:
"within an area with a speed limit of thirty-five miles per hour or less and".

Senator Taylor offered amendment S—3559 to amendment S—3499 and moved its adoption:

S—3559
Amend the transportation committee amendment S—3499 to House File 421, as amended, passed and reprinted by the House, in line 5 by striking the word "and" and inserting in lieu thereof the word "or".

Amendment S—3559 to amendment S—3499 lost.

Senator Coleman moved the adoption of amendment S—3499 and requested a record roll call.

On the question "Shall amendment S—3499 be adopted?" (H.F. 421) the vote was:

Ayes, 22:

Briles	Griffin	Nolin	Scott
Coleman	Heying	Norpel	Sovern
DeKoster	Hultman	Priebe	Taylor
Gallagher	Junkins	Rabedeaux	Tieden
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba		Schwengels	

Nays, 28:

Andersen	Hill of Jasper	Murray	Robinson
Bergman	Hill of Polk	Nolting	Rodgers
Burroughs	Kelly	Nystrom	Shaff
Carr	Kinley	Orr	Shaw
Culver	Lamborn	Palmer	Van Gilst
Curtis	Merritt	Plymat	Willits
Doderer	Miller of Marshall	Redmond	
Hansen			

Amendment S—3499 lost.

Senator Gluba offered amendment S—3555, moved its adoption and requested a record roll call:

S—3555

1 Amend House File 421 as amended, passed and reprinted
2 by the House, page 1, line 4, by inserting after the
3 word "person" the words "under eighteen years of age".

On the question "Shall amendment S—3555 be adopted?" (H.F. 421) the vote was:

Ayes, 14:

Briles	Heying	Miller of Des Moines	Scott
Gluba	Hultman	Norpel	Sovern
Griffin	Merritt	Rabedeaux	Tieden
Hansen			Winkelman

Nays, 35:

Andersen	Gallagher	Murray	Redmond
Bergman	Glenn	Nolin	Robinson
Burroughs	Hill of Jasper	Nolting	Rodgers
Carr	Hill of Polk	Nystrom	Schwengels
Coleman	Junkins	Orr	Shaff
Culver	Kinley	Palmer	Shaw
Curtis	Lamborn	Plymat	Taylor
DeKoster	Miller of Marshall	Priebe	Van Gilst
Doderer		Ramsey	Willits

Absent or not voting, 1:

Kelly

Amendment S—3555 lost.

Senator Junkins offered amendment S—3558 by Senators Junkins, Palmer and Willits, and moved its adoption:

S—3558

1 Amend House File 421 as amended, passed and reprinted

2 by the House, page 1, by inserting after line 11 the
3 following:
4 "c. The head lamps of the vehicle are lighted."

A record roll call was requested.

On the question "Shall amendment S—3558 be adopted?" (H.F. 421) the vote was:

Ayes, 29:

Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Orr	Shaw
Curtis	Junkins	Palmer	Sovern
DeKoster	Kelly	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Gluba	Miller of Des Moines	Robinson	Willits
Hansen			

Nays, 20:

Andersen	Hultman	Murray	Redmond
Burroughs	Kinley	Nolting	Rodgers
Coleman	Lamborn	Nystrom	Shaff
Culver	Miller of Marshall	Rabedeaux	Van Gilst
Doderer		Ramsey	Winkelman
Glenn			

Absent or not voting, 1:
Griffin

Amendment S—3558 was adopted.

Senator Taylor offered amendment S—3563 by Senators Taylor and Hill of Jasper and moved its adoption:

S—3563
1 Amend House File 421 as amended, passed and reprinted
2 by the House, page 1, by inserting the following after
3 line 11:
4 "c. The person is wearing an irridescent jacket."

A record roll call was requested.

On the question "Shall amendment S—3563 be adopted?" (H.F. 421) the vote was:

Ayes, 10:

Heying	Nolin	Rabedeaux	Taylor
Hill of Jasper	Plymat	Schwengels	Tieden
Merritt	Priebe		

Nays, 37:

Bergman	DeKoster	Junkins	Miller of Marshall
Briles	Doderer	Kelly	Murray
Burroughs	Gallagher	Kinley	Nolting
Carr	Glenn	Lamborn	Norpel
Coleman	Gluba	Miller of Des Moines	Nystrom
Culver	Hansen		Orr
Curtis	Hill of Polk		

Palmer	Robinson	Shaff	Van Gilst
Ramsey	Rodgers	Shaw	Willits
Redmond	Scott	Sovern	Winkelman

Absent or not voting, 3:

Andersen	Griffin	Hultman

Amendment S—3563 lost.

Senator Gallagher offered amendment S—3504 filed by him and moved its adoption:

S—3504
1 Amend House File 421 as amended, passed and reprinted
2 by the House, page 2, by striking lines 22 through 25
3 and inserting in lieu thereof the following:
4 "Sec. 4. This Act shall become effective upon the
5 receipt of federal highway safety funds."

A record roll call was requested.

On the question "Shall amendment S—3504 be adopted?" (H.F. 421) the vote was:

Ayes, 18:

Briles	Hansen	Nolin	Scott
Coleman	Heying	Norpel	Taylor
Culver	Hultman	Priebe	Tieden
Gallagher	Miller of	Rabedeaux	Winkelman
Gluba	Des Moines	Schwengels	

Nays, 31:

Andersen	Hill of Polk	Murray	Robinson
Bergman	Junkins	Nolting	Rodgers
Burroughs	Kelly	Nystrom	Shaff
Carr	Kinley	Orr	Shaw
Curtis	Lamborn	Palmer	Sovern
DeKoster	Merritt	Plymat	Van Gilst
Doderer	Miller of	Ramsey	Willits
Glenn	Marshall	Redmond	
Hill of Jasper			

Absent or not voting, 1:

Griffin

Amendment S—3504 lost.

Senator Shaff took the chair at 6:04 p.m.

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?" (H.F. 421) the vote was:

Ayes, 30:

Andersen	Curtis	Hill of Jasper	Lamborn
Bergman	DeKoster	Hill of Polk	Miller of
Burroughs	Doderer	Junkins	Marshall
Carr	Glenn	Kelly	Murray
Culver	Heying	Kinley	Nolting

Norpel	Plymat	Shaff	Van Gilst
Orr	Redmond	Shaw	Willits
Palmer	Rodgers	Taylor	

Nays, 19:

Briles	Hultman	Nystrom	Schwengels
Coleman	Merritt	Priebe	Scott
Gallagher	Miller of Des Moines	Rabedeaux	Sovern
Gluba	Nolin	Ramsey	Tieden
Hansen		Robinson	Winkelman

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.

WITHDRAWN

Senator Shaw asked and received unanimous consent that **Senate File 4** be **withdrawn** from further consideration of the Senate.

INTRODUCTION OF BILLS

Senate File 469, by Senator Gluba, a bill for an act relating to the abolishment of the Iowa development commission.

Read first time and **passed on file.**

Senate File 470, by Senators Murray, Shaw, DeKoster, Griffin, Hultman, Curtis, Andersen, Kelly, Bergman, Briles, Gluba, Priebe, Doderer, Hansen, Nystrom, Carr, Tieden and Schwengels (Crawford, Stromer, Brockett, Egenes, Schroeder, Tauke, Clark, Harvey, Wulff, Nealson of Muscatine, Halvorson, West, Fullerton, Junker, Daggett and Tofte), a bill for an act relating to tuition reciprocity agreements entered into by the state board of regents and the state board of public instruction.

Read first time and **passed on file.**

Senate File 471, by Senator Winkelman, a bill for an act relating to state and county liens for support of the medically ill.

Read first time and **passed on file.**

Senate File 472, by committee on transportation, a bill for an act providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions of the state which regulate the operation of railroad trains within the political subdivisions of the state.

Read first time and placed on calendar.

Senate File 473, by committee on state government, a **bill for an act relating to improvement of certain benefits for members of the peace officers' retirement, accident and disability system.**

Read first time and referred to committee on **appropriations (under Senate Rule 38).**

SENATE CONCURRENT RESOLUTION 29
By Miller of Des Moines, Junkins and Ramsey

Whereas, the Fraternal Order of Eagles in each community in Iowa seek observance of the month of April as "OUR TOWN: We Like It Here" Month; and

Whereas, this program seeks citizen cooperation with local fire fighters and law officers, teachers and city services, judges and elected officials, all in the public sector of community life; and

Whereas, this undertaking stresses citizen support for local merchants and businesses, news media and skilled trades, industry and labor, helping and healing professions, and all in the private sector of community affairs; and

Whereas, this observance urges citizen participation in churches and charities, women's clubs and veterans posts, fraternal and service organizations, all in the independent sector of community living; and

Whereas, this project seeks citizen involvement of friends and neighbors, young folks and old folks, and those who are somewhere in between, in boosting and building our community; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the General Assembly urges all citizens and citizen groups in Iowa to join in boosting Iowa home communities and working together to build communities better, as communities of good neighbors.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 30
By Nolin, Doderer, Andersen, Curtis, Heying, Schwengels, Junkins, Rodgers, Willits, Coleman, Van Gilst, Griffin, Miller of Des Moines, Redmond, Shaff, Tieden, Hansen, Hill of Jasper, Merritt, Briles, Lamborn, Kinley, Palmer, Orr, Culver, Priebe, Scott and Nolting

Whereas, there are many public boards, councils, and commissions composed of varying numbers of persons representing the public, professional groups, occupations, state and local government agencies, and the three branches of state government; and

Whereas, the membership of these boards and commissions may be subject to partisan appointments; and

Whereas, the governor must devote considerable time to evaluate the qualifications of candidates for positions on these boards and commissions; and

Whereas, the senate devotes many hours to the investigation of candidates and confirmation of appointments to these boards and commissions; and

Whereas, the need for these boards, councils, and commissions has not been reviewed by the general assembly for many years; and

Whereas, the purposes for which these boards, councils, and commissions may no longer exist or be valid; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee as provided by law, composed of members of the senate and the house of representatives representing both political parties, to conduct a study during the 1975 interim relating to the membership and qualifications of the members of the boards, councils, and commissions, their purposes, and to determine the need for retaining the boards, councils, and commissions; and

Be It Further Resolved, That the study committee shall prepare a report of its findings and recommendations and submit it to the legislative council and the members of the Sixty-sixth General Assembly, 1976 Session, accompanied by legislative bill drafts designed to carry out the recommendations of the study committee.

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 on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 38, a bill for an act exempting the sale of medically prescribed oxygen from the sales and use tax.

Also: That the House has on April 14, 1975, amended Senate amendment to, concurred in Senate amendment as amended, and repassed the following bill in which the concurrence of the Senate is asked:

House File 69, a bill for an act to change the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto.

Also: That the House has on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 386, a bill for an act relating to the issuance of high school equivalency diplomas, including changes in fees.

Also: That the House has on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 464, a bill for an act relating to contracts among public agencies under section 28E.12 of the Code.

Also: That the House has on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 465, a bill for an act relating to the transportation of nonpublic school pupils outside the boundary lines of the school district of residence.

Also: That the House has on April 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 467, a bill for an act relating to approval of plans for constructing school buildings.

Also: That the House has on April 15, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 479, a bill for an act relating to the movement of mobile homes and factory-built structures of excessive size subject to penalties provided by law.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 488, a bill for an act to allow the state conservation commission to gather or remove certain plant life from parks.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 720, a bill for an act relating to the days school is in session during the school year.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 69

S—3550

Amend the Senate amendment H—3536, to House File 69, as follows:

By striking lines 9 through 11 and inserting in lieu thereof the following:

3. Page 1, line 70, by striking the words "The Iowa Annie Wittenmyer Home," and inserting in lieu thereof the words "[The Iowa Annie Wittenmyer Home,]".

HOUSE MESSAGES CONSIDERED

House File 38, a bill for an act exempting the sale of medically prescribed oxygen from the sales and use tax.

Read first time and **passed on file.**

House File 386, a bill for an act relating to the issuance of high school equivalency diplomas, including changes in fees.

Read first time and **passed on file.**

House File 464, a bill for an act relating to contracts among public agencies under section 28E.12 of the Code.

Read first time and **passed on file.**

House File 465, a bill for an act relating to the transportation of nonpublic school pupils outside the boundary lines of the school district of residence.

Read first time and **passed on file.**

House File 467, a bill for an act relating to approval of plans for constructing school buildings.

Read first time and **passed on file.**

House File 479, a bill for an act relating to the movement of mobile homes and factory-built structures of excessive size subject to penalties provided by law.

Read first time and **passed on file.**

House File 488, a bill for an act to allow the state conservation commission to gather or remove certain plant life from parks.

Read first time and **passed on file.**

House File 720, a bill for an act relating to the days school is in session during the school year.

Read first time and **passed on file.**

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **House File 558** be made a **special order** of business for Tuesday, April 22, 1975, at 1:00 p.m.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 461 State government

S. F. 462 Transportation

S. F. 465 Energy

S. F. 466 Ways and means

H. F. 422 Ways and means

H. F. 424 Appropriations

H. F. 614 Human resources

H. F. 679 Ways and means

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of George R. Duvall of Ames, Story County, Iowa, for reappointment as a member of IPERS Advisory Investment Board under the provisions of Section 97B.8, Code 1975, for the regular six-year term

beginning July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EARL M. WILLITS, Chairman
HILARIUS L. HEYING
CHARLES P. MILLER
JOHN S. MURRAY
RAY TAYLOR

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate from:

DEPARTMENT OF GENERAL SERVICES

A report of the study of state aircraft in accordance with Chapter 1006, Acts of the Sixty-fifth General Assembly, 1974 Regular Session.

REPORTS OF COMMITTEES

Senator Willits submitted the following report:

MR. PRESIDENT: Your committee on cities to which was referred **House File 395**, a bill for an act relating to the civil service systems of cities, 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**:

S—3556
Amend House File 395 as amended and passed by the House, page 2, line 5, by inserting after the period the following:
"The commission shall consider the notice and may in the next regular scheduled meeting grant the person the appeal rights provided in this chapter."

EARL M. WILLITS, Chairman

Ordered passed on file.

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **House File 558**, a bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance, clarifying the provision of auxiliary services, clarifying duties of the area education agency board and administrator, the director of special education, the department of public instruction and the state comptroller, limiting reorganization under certain conditions, modifying reimbursement provisions for driver education, modifying the two hundred dollar minimum state foundation aid, providing new methods for defining enrollment and augmenting declining enrollment, clarifying authorized expenditures, providing a state percent of growth for the

1975-76 school year, new methods for determining state percent of growth and allowable growth, correcting methods of computing state cost and district cost per pupil, modifying the authority of the school budget review committee to reduce allowable growth, authorizing an enrichment program funded by property tax, state aid, and an income surtax to replace the former income surtax provisions, providing new methods for determining and funding cost of media services and other services provided through the area education agencies, providing an advance to compensate for increasing enrollment, modifying reimbursement for special education services formerly offered by local districts and county or joint county school systems, correcting references, making an appropriation, and providing a retroactive effective date, 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:

S—3564

Amend House File 558 as amended, passed, and reprinted by the House as follows:

1. Page 4A, by striking lines 14 through 24 and inserting in lieu thereof the words "provided".

2. Page 5A, line 7, by striking the words "school districts" and inserting in lieu thereof the words "public school corporations".

3. Page 5A, by inserting after line 8 the following:

"Sec. ..... Section two hundred seventy-three point three (273.3), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Be authorized, subject to the approval of the department of public instruction, to acquire by retransfer from the county board of education of a county school system, within one year from the effective date of this Act, at a cost not to exceed one thousand dollars, any land formerly held by the United States department of health, education, and welfare."

4. Page 5A, by inserting after line 24 the following:

4. Page 5A, by inserting after line 24 the following following:

"For the school years subsequent to the school year beginning July 1, 1975, the director shall include in the program plans submitted to the department for support services the costs necessary to fund the newly identified nonpublic school pupils served by the area with support services not previously counted in the program plans for support services."

5. Page 5A, by inserting before line 25 the following section:

"Sec. ..... Section two hundred seventy-three point eight (273.8), subsection two (2), unnumbered paragraph five (5), Code 1975, is amended to read as follows:

Vacancies, as defined in section 277.29, in the membership of the area education agency board shall be filled for the unexpired portion of the term [by the board of the school district in which the member

resided] *at a special director district convention called and conducted in the manner provided in this subsection for regular director district conventions.*"

6. Page 7A, line 14, by striking the words "twenty-one (21)" and inserting in lieu thereof the words "twenty-two (22)".

7. Page 7A, line 17, by striking the words "twenty-one (21)" and inserting in lieu thereof the words "twenty-two (22)".

8. Page 7A, by striking lines 23 through 33 and

Page 2

inserting in lieu thereof the following:

"*NEW SECTION.* PROHIBITED DUPLICATION OF SERVICES. The area education agency shall not provide programs and services which duplicate the services provided by the state educational radio and television facility board as provided in sections eighteen point one hundred thirty-two (18.132) through eighteen point one hundred fifty-three (18.153) of the Code."

9. Page 7A, line 35, by striking the word "section" and inserting in lieu thereof the word "sections".

10. Page 7A, by inserting after line 35 the following:

"*NEW SECTION.* COMMISSION TO STUDY ORGANIZATION OF SCHOOL DISTRICTS. A commission is established to study the organization of school districts in the state of Iowa. The membership on the commission shall be as follows:

1. The superintendent of public instruction.

2. A member of the school budget review committee other than the superintendent of public instruction elected by the members of the committee.

3. Ten members appointed by the governor with the approval of two-thirds of the members of the senate. The ten members shall include:

a. Six lay persons not otherwise in the field of education no more than three of whom may be appointed from one political party.

b. Two members appointed from a list of nine names, of which three names each shall be submitted by the Iowa association of school administrators, the Iowa association of secondary school principals, and the Iowa association of elementary school principals.

c. Two members appointed from a list of six names, of which four names shall be submitted by the Iowa state education association and two named shall be submitted by the Iowa federation of teachers.

NEW SECTION. PURPOSE, POWERS AND AUTHORITIES. The commission shall:

1. Develop criteria and guidelines for combinations of school districts and realignments of school district boundaries in Iowa which will provide the optimum in education opportunity for students in the affected areas.

2. Conduct a study of specific school districts which fail to satisfy these criteria and prepare and submit a final report to the Sixty-seventh General Assembly, 1977 Session, which contains specific recommendations for the organization and restructuring of the school districts to insure for each student

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in Iowa attending the public elementary and secondary school system in the state, the opportunity for a quality education through an efficiently administered public school system.

NEW SECTION. The commission shall begin its study as soon as possible, and shall be staffed, to meet its needs, by the department of public instruction. An opportunity shall be provided for local districts under review to express their preference for combination with other districts in order to effectuate the goal established for the commission. The commission shall have access to all official records, may subpoena witnesses and compel production of books, papers or other documents pertaining to its investigation and study.

NEW SECTION. Members of the commission shall be reimbursed for their actual and necessary expenses incurred by them in the discharge of their duties from funds appropriated to the department of public instruction."

11. Page 7B, line 42, by inserting after the word "Code" the following:

"for the purpose of reducing the area served or changing the boundaries to exclude areas encompassed by the enlargement, reorganization or boundary changes".

12. Page 7B, line 44, by striking the words "further reorganization" and inserting in lieu thereof the words "such action".

13. Page 8, by inserting after line 20 the following:

"or Iowa students attending a nonpublic school in the district".

14. Page 9 by striking lines 20 through 23 and inserting in lieu thereof the following:

"whichever is less. [However, if the amount so determined for any district is less than two hundred dollars per pupil, the district is entitled to receive not less than two hundred dollars per pupil except when a district's total general fund]".

15. Page 9 by striking lines 34 and 35 and inserting in lieu thereof the following:

"[pupil necessary to retain that ten percent reduction.]"

16. Page 10A by striking lines 1 through 5 and line 6, by striking the words "*district cost for the budget year.*"

17. Page 10A, by inserting after line 12 the

following:

"Sec. ..... Section four hundred forty-two point two (442.2), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Each school district shall cause to be levied each year, for the school general fund, a foundation property tax of five dollars and forty cents per thousand dollars of assessed valuation on all taxable property in the district. *If the money raised by the foundation property tax alone exceeds the maximum allowed district cost for the budget year, the district shall pay the excess amount to the state general fund.* For the purpose of this chapter, a school district is defined as a school corporation organized under chapter 274. Each county auditor shall certify to each school district within the county and to the state comptroller, not later than October 1 each year, the assessed valuation of taxable property for the current year in each school district within the county.

18. Page 11A and 11B by striking lines 23 through 36 and inserting in lieu thereof the following:

"2. An adjusted enrollment for each district shall be computed as follows:

a. For the school year beginning July 1, 1975, if a district has a decrease from the sum of the basic enrollment in the base year plus adjustments for decreasing enrollment made in the base year, to the basic enrollment in the budget year, the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of this decrease, to the extent that the decrease does not exceed five percent of the sum of the basic enrollment in the base year plus adjustments made for decreasing enrollment in the base year, and twenty-five percent of the remaining decrease. If the district does not experience this decrease, the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year.

b. For the school years subsequent to the school year beginning July 1, 1975, if a district has a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of the basic enrollment decrease to the extent that it does not exceed five percent of the base years basic enrollment, and twenty-five percent of the remaining basic enrollment decrease. If the school district does not experience a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year."

19. Page 13, by striking lines 19 through 25 and inserting in lieu thereof the following:

"c. The difference in the Iowa consumer price index which shall be computed by the state comptroller prior to January 1, 1976, and recomputed each month subsequent to January 1, 1976, based upon a comprehensive sampling of the cost of goods and services within Iowa, and until an Iowa consumer price index is available, the consumer price index published by the bureau of labor statistics, United States department of labor computed or estimated as a percentage of change for the following periods:".

20. Page 15, line 22, by striking the word "to" and inserting in lieu thereof the word "the".

21. Page 16, line 20, by striking the words "five (442.5)" and inserting in lieu thereof the words "four (442.4)".

22. Page 17, line 5, by striking the words "five (442.5)" and inserting in lieu thereof the words "four (442.4)".

23. Page 18A, line 16, by striking the words "twenty-one (21)" and inserting in lieu thereof the words "twenty-two (22)".

24. Page 18A by striking lines 23 through 25 and inserting in lieu thereof the following:

"Sec. ..... Section four hundred forty-two point thirteen (442.13), subsection four (4), Code 1975, is amended to read as follows:

4. If the district cost per pupil exceeds one hundred ten percent of the state cost per pupil, the committee shall establish a modified allowable growth by reducing the allowable growth, subject to the minimum for the school years beginning July 1, 1974, and July 1, 1975, as provided in section 442.7. In making decisions under this subsection, the committee shall permit allowable growth to the extent necessary to prevent severe hardship to a district whose district cost per pupil [would not have exceeded] *exceeds* one hundred ten percent of the state cost per pupil [if miscellaneous income were included in computations under this chapter to the same extent that it was included for the school year beginning July 1, 1972]."

25. Page 18A and 18B by striking lines 26 through 38.

26. Page 19A and 19B by striking lines 1 through 38 and page 19B by striking line 30.

27. Page 20 by striking lines 1 through 35.

28. Page 21A by striking lines 1 through 35.

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29. Page 24A, by striking lines 4 through 6 and inserting in lieu thereof the following:

"receives services. For the school year beginning July 1, 1975, the number of nonpublic school pupils served for the purposes of computation under this section for media and other services is equal to the

difference between the weighted enrollment for the budget year in the district and the basic enrollment for the budget year in the district. For school years subsequent to the school year beginning July 1, 1975, each school district shall include in the second Friday in January enrollment report the number of nonpublic school pupils within each district for media and other services served by the area."

30. Page 24A, line 8, by striking the word "basic" and inserting in lieu thereof the word "weighted".

31. Page 24A, line 10, by striking the word "basic" and inserting in lieu thereof the word "weighted".

32. Page 24A, line 12, by striking the word "basic" and inserting in lieu thereof the word "weighted".

33. Page 24A, line 15, by inserting after the word "pupil" the words "less the amount per pupil for special education support services, media services and other services computed as a part of district cost under the provisions of section four hundred forty-two point seven (442.7) of the Code and section twenty-two (22) of this Act".

34. Page 24A, line 16, by striking the word "basic" and inserting in lieu thereof the word "weighted".

35. Page 24A, line 21, by striking the words "basic enrollment" and inserting in lieu thereof the words "weighted enrollment".

36. Page 24A, line 22, by inserting after the word "year" the following:

", less the amount of the adjustment to the district cost for increases in the weighted enrollment made in the first unnumbered paragraph in this section".

37. Page 24A, lines 31 and 32, by striking the words "basic September enrollment" and inserting in lieu thereof the words "September weighted enrollment".

38. Page 24A, line 33, by inserting after the word "levy" the following:

"less the amount of the adjustment to the district cost for increases in the weighted enrollment made in the first unnumbered paragraph in this section".

39. Page 24B, by inserting after line 52 the following:

"Sec. ..... SUPPORT COSTS FOR SPECIAL EDUCATION SERVICES FOR NONPUBLIC SCHOOL PUPILS SERVED. For the school year beginning July 1, 1975, only, if an

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area education agency has not incorporated within the program plans for special education support services submitted for approval to the department of public instruction under the provisions of sections two hundred seventy-three point five (273.5), two hundred seventy-three point nine (273.9) and four hundred forty-two point seven (442.7) of the Code, the total number of nonpublic school pupils it will serve it may raise an amount to meet the costs for these pupils as follows:

1. Determine the total number of nonpublic school

pupils in the area that were not included in the original program plans for special education support services submitted to the department of public instruction that the agency will serve.

2. The total amount to be raised is equal to the number determined in subsection one (1) of this section times the amount obtained for the area to be added to allowable growth per weighted pupil under the provisions of section four hundred forty-two point seven (442.7), subsection seven (7), paragraph c of the Code.

3. The state comptroller shall calculate the amounts due from each district to its area education agency by multiplying the total amount determined in subsection two (2) of this section by the fraction that the total number of weighted pupils in the district for the budget year is of the total number of weighted pupils in the area for the budget year.

4. The district, to raise the additional amount, shall add to its district cost for the school year beginning July 1, 1975, the amount determined under subsection three (3) of this section, which amount shall be deducted from its district cost for the budget year beginning July 1, 1976. The state comptroller shall deduct the amounts calculated under this subsection for each school district from the state aid due to the district pursuant to chapter four hundred forty-two (442) of the Code, and shall pay the amounts to the area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school district of the amount of state aid deducted for this purpose and the balance of state aid will be paid to the district. If a district does not qualify for state aid under chapter four hundred forty-two (442) of the Code in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller under this section, the school district shall pay the deficiency to the area education agency

Page 8

from funds received by the district, on a quarterly basis during each school year."

40. Page 24B by inserting before line 53 the following:

"Sec. ..... Sections four hundred forty-two point fourteen (442.14) through four hundred forty-two point twenty (442.20), Code 1975, are repealed."

41. Page 24B, by striking line 53 and inserting in lieu thereof the following:

"Sec. ..... Sections one (1) through eleven (11) and thirteen (13) through twenty-three (23) of this".

42. Renumber sections and correct internal references in conformance with this amendment.

43. Amend the title, line 8, by inserting after the word "conditions" the words "and requiring a study of the organization of school districts".

44. Amend the title, line 9, by striking the word "modifying" and inserting in thereof the word "eliminating".

45. Amend the title, line 10, by inserting after the word "aid" the words ", providing for payment of the excess foundation property tax to the state general fund".

46. Amend the title, by striking lines 17 through 19 and inserting in lieu thereof the words "allowable growth, providing new methods for deter-".

47. Amend the title, line 25, by inserting after the word "systems" the words ", providing certain special education support funds in addition to the programed and approved costs".

48. Amend the title, line 25, by inserting after the word "references" the words ", repealing the present school district income surtax".

JOAN ORR, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following reports:

MR. PRESIDENT: Your committee on state government to which was **referred House File 177,** a bill for an act relating to the membership of the state historical board, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government to which was **referred House File 332,** a bill for an act to establish a service program for the deaf within the department of health, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 295,** a bill for an act relating to safety standards and equipment on motor vehicles used by railroad companies, to the authority of the state department of transportation, and to provide penalties for violations, 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:**

S—3554

Amend Senate File 295, as follows:

1. Page 3, line 27, by striking the words "and, upon conviction thereof, the" and inserting in lieu thereof a period.

2. Page 3, by striking lines 28 through 30.

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 432,** a bill for an act relating to the requirement that motor vehicles be inspected upon transfer and providing a penalty, begs leave to report it has had the same under consideration and recommends the **same do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 450,** a bill for an act relating to persons engaged in the buying and selling of certain motor vehicles and relating to vehicle registration by revising the registration application form and the registration filing system, requiring a bond to be posted in situations where vehicle ownership is not established, providing for publication of notice regarding vehicle registration renewals, increasing motorcycle and hearse registration fees, providing for receipt of new registration for all vehicles transferred in December, relating to braking and hitching requirements for certain travel trailers and semitrailers operated on the highways, and relating to the base price of a vehicle for registration purposes, subject to penalties provided by law, 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:**

S—3553

Amend House File 450 as amended, passed and reprinted by the House, as follows:

1. Page 10, line 13, by striking the words "*one hundred*" and inserting in lieu thereof the word "*fifty*".

2. Page 10, by striking lines 14 and 15.

3. Page 12, by inserting the following after line 6:

"Sec. ..... Section three hundred twenty-one point four hundred fifty-four (321.454) is amended to read as follows:

321.454 WIDTH OF VEHICLES. The total outside width of any vehicle or the load thereon[, except loose hay or straw,] shall not exceed eight feet. *However, if hay, straw, or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry shall not be subject to the permit requirements of chapter three hundred twenty-one E (321E) of the Code. If hay, straw, or stover is moved on any other vehicle subject to registration, such moves shall be subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter three hundred twenty-one E (321E) of the Code.*"

4. By renumbering the remaining sections in accordance with this amendment.

5. Amend the title, line 12, by inserting after the comma the words "relating to the width of vehicles carrying hay, straw or stover,".

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3557

Amend Senate File 175 as follows:

1. Page 1, line 9 strike the words "does understand" and insert in lieu thereof the words "is informed".

1. Page 1, line 10 insert after the word "including" the words "but not limited to".

RAY TAYLOR

S—3548

Amend Senate File 296 as follows:

1. Page 2, by inserting after line 17 the following:

"..... Persons who perform any of the practices listed in section one (1) of this Act on themselves or on a member of the person's immediate family."

2. Page 10, by inserting after line 3 the following:

"..... Persons who perform any of the practices listed in section seventeen (17) of this Act on themselves or on a member of the person's immediate family."

3. By renumbering subsections as necessary.

PHILIP B. HILL

S—3560

Amend Senate File 473 as follows:

1. Page 4, line 7, by inserting after the word "full-time" the word "public".

2. Page 4, line 9, by inserting after the word "full-time" the word "public".

3. Page 4, line 10, by inserting after the word "However," the word "public".

4. Page 4, line 17, by inserting after the word "full-time" the word "public".

COMMITTEE ON STATE GOVERNMENT
EUGENE M. HILL, Chairman

S—3549

Amend House File 395, as amended and passed by the House, as follows:

1. Page 2, by striking everything in lines 1 through 5, inclusive, and inserting in lieu thereof the words "body without the right of appeal to the commission."

2. Page 3, by striking everything in lines 3 through 7, inclusive, and inserting in lieu thereof the words "civil service rights therein. If, however, no current employee passes a promotional examination and otherwise qualifies for the position, an entrance examination for such position may be used to fill such vacancy within one year after such promotional examination."

3. Page 3, line 14, by inserting before the word "two" the words "*until everyone on the list has been*

promoted or has declined promotion. When everyone on the list has been promoted or has declined promotion, a new examination may be called. However, such preference shall not continue for longer than".

LEONARD C. ANDERSEN

S—3562

Amend House File 450 as follows:

1. Page 8, by striking lines 33 through 35.

2. Page 9, by striking lines 1 through 10.

WARREN E. CURTIS

S—3552

Amend House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 10A, by inserting after line 12 the following new section:

"Sec. ..... Section four hundred forty-two point three (442.3), Code 1975, is amended to read as follows:

442.3 STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. For each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. *However, for the school years beginning July 1, 1975 and July 1, 1976, the state foundation base is equal to seventy-five percent of the state cost per pupil and shall remain at seventy-five percent for the school year beginning July 1, 1977.* The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid."

2. By renumbering the remaining sections in accordance with this amendment.

ROGER J. SHAFF

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:40 p.m., until 9:30 a.m., Friday, April 18, 1975.

JOURNAL OF THE SENATE

NINETY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, APRIL 18, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Carroll Robinson, pastor of the United Methodist Church, Rockford, Iowa.

The Journal of Thursday, April 17, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. D. N. Crabb, Denison, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kelly for the day, Senator Shaw for the day, and Senator Shaff for the day on request of Senator Lamborn; Senator Culver for the day, Senator Junkins for the day, and Senator Palmer for the day on request of Senator Kinley; Senator Rabedeaux for the day on request of Senator Hultman; Senator Burroughs for the day on request of Senator Miller of Marshall.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-three students from Zion Lutheran School, Paullina, Iowa, accompanied by Don Pipho and Jim Duitsman. Senator Curtis.

Forty-six students from the Norwalk Community School, Norwalk, Iowa, accompanied by Jerry McNeley. Senator Rodgers.

PETITIONS

The following petitions were presented and placed on file:

By Senator Miller of Marshall from twenty-six residents of Hardin County opposing pari-mutuel betting.

By Senator Kinley from twenty-eight residents of Polk and Dallas Counties opposing capital punishment.

By Senator Kinley from thirteen residents of Woodbury County favoring pari-mutuel betting.

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 on April 16, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 335, a bill for an act relating to exemptions from the state merit system.

Also: That the House has on April 11, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 505, a bill for an act to provide for a state land use policy, and to create a department of soil conservation and land use, a state land use policy commission, county land use policy commissions, and to specify the powers and duties of such agencies.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 335, a bill for an act relating to exemptions from the state merit system.

Read first time and **passed on file.**

House File 505, a bill for an act to provide for a state land use policy, and to create a department of soil conservation and land use, a state land use policy commission, county land use policy commissions, and to specify the powers and duties of such agencies.

Read first time and **passed on file.**

UNFINISHED BUSINESS

Senate File 18

The Senate resumed consideration of Senate File 18, a bill for an act relating to the reporting of vehicle accidents, and the Redmond motion to defer.

Senator Redmond withdrew his motion to defer.

Senator Redmond offered amendment S—3503 filed by Senators Redmond and Willits and moved its adoption:

S—3503

1 Amend Senate File 18 as follows:

1. Page 1, line 9, by inserting after the period the sentence: "However, the driver of a vehicle involved in an accident resulting in total property damage to an apparent extent of one hundred dollars or more may, within seventy-two hours after such accident forward a written report of such accident to the department."
2. Page 1, by striking lines 10 through 31.

Amendment S—3503 lost.

President pro tempore Doderer took the chair at 10:37 a.m.

Senator Priebe moved that the bill 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. 18) the vote was:

Ayes, 35:

Andersen	Gluba	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Carr	Hultman	Nolting	Scott
Coleman	Kinley	Norpel	Sovern
Curtis	Lamborn	Nystrom	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher			Winkelman
Glenn			

Nays, 5:

Hill of Jasper	Orr	Ramsey	Willits
Hill of Polk			

Absent or not voting, 10:

Burroughs	Junkins	Rabedeaux	Shaff
Culver	Kelly	Robinson	Shaw
Griffin	Palmer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that Senate File 18 be immediately messaged to the House, which request was complied with.

WITHDRAWN

Senator Norpel asked and received unanimous consent that Senate File 6 be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS

House File 459

On motion of Senator Sovern, House File 459, a bill for an act permitting the issuance of a special license by the board of

medical examiners to authorize the licensee to practice medicine and surgery, was taken up for further consideration.

The Senate resumed consideration of amendment S—3478 by Senators Hill of Polk and Ramsey, offered, divided and pending on April 9, 1975:

S—3478

Amend House File 459, as passed by the House, as follows:

Division S—3478A

1. Page 1, line 3, by inserting after the word "exists" the words "and whenever the provisions of subsection two (2) of this section have been complied with".

Division S—3478B

2. Page 2, by inserting after the line 2 the following:

"5. A special license issued under this section shall automatically expire upon the special licensee discontinuing service on the academic staff of a medical school in this state. An expired special license shall not be renewed. However, a former special licensee may reapply for a special license."

Senator Hill of Polk withdrew division S—3478A of the amendment.

On motion of Senator Hill of Polk, division S—3478B of the amendment was adopted.

Senator Sovern moved that the bill 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. 459) the vote was:

Ayes, 40:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Curtis	Kinley	Nystrom	Sovern
DeKoster	Lamborn	Orr	Taylor
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of Des Moines	Priebe	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 10:

Burroughs	Junkins	Rabedeaux	Shaw
Culver	Kelly	Shaff	Tieden
Griffin	Palmer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 90

On motion of Senator Gallagher, House File 90, a bill for an act relating to emergency vehicles, was taken up for further consideration.

Senator Hultman offered amendment S—3286 filed by him and moved its adoption:

S—3286

Amend House File 90, as amended and passed by the House, as follows:

1. Page 1, line 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point two hundred thirty-one (321.231), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

321.231 AUTHORIZED EMERGENCY VEHICLES.

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.

2. The driver of any authorized emergency vehicle may:

a. Park or stand an authorized emergency vehicle, irrespective of the provisions of this chapter.

b. Disregard laws or regulations governing direction of movement or turning in specified directions.

3. The driver of a fire department vehicle, police vehicle or ambulance may:

a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

b. Exceed the maximum speed limits so long as the driver does not endanger life or property.

4. The exemptions granted to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of section three hundred twenty-one point four hundred thirty-three (321.433) of the Code, or a visual signaling device approved by the department except that use of an audible or visual signaling device shall not be required under the following circumstances:

a. The vehicle is not equipped with such device, and is not required to be so equipped.

b. The vehicle is operated by a peace officer, pursuing a suspected violator of the speed restrictions imposed by or pursuant to this chapter, for the purpose of determining the speed of travel of such suspected violator.

c. The vehicle is stopped, standing, or parked.

5. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of

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all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

Sec. 2. Sections three hundred twenty-one point two hundred thirty-two (321.232) and three hundred twenty-one point two hundred ninety-six (321.296), Code 1975, are repealed."

A non-record roll call was requested.

The ayes were 40, nays none.

Amendment S—3286 was adopted.

The following amendments were ruled out of order with the adoption of amendment S—3286:

Amendment S—3275 filed by the committee on transportation on March 5, 1975.

Amendment S—3274 filed by Senator Palmer on March 5, 1975.

Amendment S—3288 filed by Senators Norpel and Tieden on March 10, 1975.

Amendment S—3306 filed by Senators Tieden and Norpel on March 11, 1975.

Senator Gallagher moved that the bill 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. 90) the vote was:

Ayes, 39:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Heying	Murray	Redmond
Briles	Hill of Jasper	Nolin	Robinson
Carr	Hill of Polk	Nolting	Rodgers
Coleman	Hultman	Norpel	Schwengels
Curtis	Kinley	Nystrom	Scott
DeKoster	Lamborn	Orr	Taylor
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of Des Moines	Priebe	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 11:

Burroughs	Junkins	Rabedeaux	Sovern
Culver	Kelly	Shaff	Tieden
Griffin	Palmer	Shaw	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Redmond asked and received unanimous consent that **Senate File 45** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

House Concurrent Resolution 18

Senator Coleman called up for consideration House Concurrent Resolution 18, a resolution urging the United States Railway Association to reconsider its decision to deny loan funds to the Rock Island Railroad, 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:

S—3507

Amend the Senate amendment H—3340, to House Concurrent Resolution 18, as follows:

1. Line 1, by inserting after the numeral 18 the following: ", appearing on page 480 of the House Journal,".

2. Line 2, by inserting after the numeral 18 the following: "on page 1".

3. By inserting after line 2 the following:

"Page 2, lines 6 and 7, by striking the words 'Railway Association reconsider its decision to deny loan funds' and inserting in lieu thereof the words 'Congress pass legislation providing for a one hundred million dollar loan'."

The motion prevailed and the Senate concurred in House amendment S—3507 to the Senate amendment.

Senator Coleman moved that the resolution as amended by the Senate, further amended by the House and concurred in by the Senate be adopted.

The motion prevailed and the resolution was adopted.

House File 69

Senator Miller of Marshall called up for consideration House

File 69, a bill for an act to change the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto, 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:

S—3550
Amend the Senate amendment H—3536, to House File 69, as follows:
By striking lines 9 through 11 and inserting in lieu thereof the following:
3. Page 1, line 70, by striking the words "The Iowa Annie Wittenmyer Home," and inserting in lieu thereof the words "[The Iowa Annie Wittenmyer Home,]".

The motion prevailed and the Senate concurred in House amendment S—3550 to the Senate amendment.

Senator Miller of Marshall 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. 69) the vote was:

Ayes, 41:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Curtis	Kinley	Nystrom	Sovern
DeKoster	Lamborn	Orr	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of Des Moines	Priebe	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 9:

Burroughs	Junkins	Palmer	Shaff
Culver	Kelly	Rabedeaux	Shaw
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 Kinley asked and received unanimous consent to take up for consideration Senate File 371.

Senate File 371

On motion of Senator Miller of Des Moines, Senate File 371,

a bill for an act to eliminate the application form for the state migratory waterfowl stamp, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Miller of Des Moines offered amendment S—3468 by the committee on natural resources and moved its adoption:

S—3468

Amend Senate File 371 as follows:

1. Page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one hundred ten B point one (110B.1), Code 1975, is amended to read as follows:

110B.1 DEFINITIONS. As used in this chapter, unless the context otherwise requires:

1. "Migratory waterfowl" means any wild goose, brant, or wild duck.

[2. "Department" means department of conservation.

3]*2.* "Commission" means state conservation commission.

[4]*3.* "Stamp" means the state migratory waterfowl stamp furnished by the [department] *commission.*

Sec. 2. Section one hundred ten B point two (110B.2), Code 1975, is amended to read as follows:

110B.2 STAMP REQUIRED. No person shall hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl stamp and having such stamp in his possession while hunting or taking any migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across the face of such stamp. The [department] *commission* shall determine the form of the stamp and shall furnish the stamps to the county recorders and their designated depositaries for issuance or sale in the same manner as hunting licenses are issued or sold under chapter 110.

Sec. 3. Section one hundred ten B point three (110B.3), Code 1975, is amended to read as follows:

110B.3 FEE. [A stamp shall be issued to each hunting license applicant upon written request on forms furnished by the department and the payment of a fee of] *The fee for each stamp issued under this chapter shall be* one dollar. Each stamp shall expire on December 31 following its issuance.

Sec. 4. Chapter one hundred ten B (110B), Code 1975, is amended by adding the following new section:

NEW SECTION. PENALTY. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or imprisoned in the county jail for not more than thirty days.

2. Amend the title, lines 1 and 2, by striking the words "to eliminate the application form for the state migratory waterfowl stamp" and inserting in lieu thereof the words "relating to the issuance of migratory waterfowl stamps and providing a penalty".

Senator Van Gilst took the chair at 11:05 a.m.

Amendment S—3468 was adopted.

Senator Miller of Des Moines moved that the bill 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. 371) the vote was:

Ayes, 41:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Curtis	Kinley	Nystrom	Sovern
DeKoster	Lamborn	Orr	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of Des Moines	Priebe	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 9:

Burroughs	Junkins	Palmer	Shaff
Culver	Kelly	Rabedeaux	Shaw
Griffin			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Kinley asked and received unanimous consent that Senate File 371 be immediately messaged to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 456.

Senate File 456

On motion of Senator Doderer, Senate File 456, a bill for an act relating to furnishing discharged inmates of the women's reformatory, men's reformatory, and state penitentiary with clothing, money and transportation, was taken up for consideration.

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. 456) the vote was:

Ayes, 39:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Briles	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Sovern
Coleman	Kinley	Nystrom	Taylor
Curtis	Lamborn	Orr	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Ramsey	Willits
Gallagher		Redmond	Winkelman
Glenn	Miller of Marshall	Robinson	
Hansen			

Nays, none.

Absent or not voting, 11:

Burroughs	Griffin	Palmer	Shaff
Culver	Junkins	Plymat	Shaw
Gluba	Kelly	Rabedeaux	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 456** be **immediately messaged** to the House, which request was complied with.

WITHDRAWN

Senator Doderer asked and received unanimous consent that **Senate File 169** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 432.

House File 432

On motion of Senator Doderer, House File 432, a bill for an act relating to the requirement that motor vehicles be inspected upon transfer and providing a penalty, with report of committee recommending passage, was taken up, considered, and the report of the committee 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?" (H.F. 432) the vote was:

Ayes, 35:

Andersen	Briles	Coleman	Doderer
Bergman	Carr	Curtis	Gallagher

Glenn	Miller of	Orr	Scott
Gluba	Des Moines	Plymat	Sovern
Heying	Miller of	Priebe	Taylor
Hill of Jasper	Marshall	Ramsey	Tieden
Hill of Polk	Murray	Redmond	Van Gilst
Kinley	Nolin	Robinson	Willits
Merritt	Nolting	Rodgers	Winkelman
	Norpel		

Nays, 4:

DeKoster	Hansen	Nystrom	Schwengels

Absent or not voting, 11:

Burroughs	Hultman	Lamborn	Shaff
Culver	Junkins	Palmer	Shaw
Griffin	Kelly	Rabedeaux	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Heying asked and received unanimous consent that **Senate File 287** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 309.

Senate File 309

On motion of Senator Willits, Senate File 309, a bill for an act relating to the reproduction and duplication of sound recordings and providing a penalty, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Willits offered amendment S—3486 by the committee on judiciary and moved its adoption:

S—3486
Amend Senate File 309, page 1, line 30, by inserting after the word "uses" the words ", synchronized sound tracts of motion pictures or sound tracks recorded for synchronizing with motion pictures".

Amendment S—3486 was adopted.

Senator Willits moved that the bill 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. 309) the vote was:

Ayes, 41:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Curtis	Kinley	Nystrom	Sovern
DeKoster	Lamborn	Orr	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of Des Moines	Priebe	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 9:

Burroughs	Junkins	Palmer	Shaff
Culver	Kelly	Rabedeaux	Shaw
Griffin			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 309** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 275.

House File 275

On motion of Senator Norpel, House File 275, a bill for an act relating to the date of organization of the state board of public instruction, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

President pro tempore Doderer took the chair at 11:30 a.m.

On the question "Shall the bill pass?" (H.F. 275) the vote was:

Ayes, 41:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Curtis	Kinley	Nystrom	Sovern
DeKoster	Lamborn	Orr	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of Des Moines	Priebe	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 9:

Burroughs	Junkins	Palmer	Shaff
Culver	Kelly	Rabedeaux	Shaw
Griffin			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 287.

House File 287

On motion of Senator Norpel, House File 287, a bill for an act relating to the date of the meeting of boards of school corporations for settlement of business, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel moved that the bill 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. 287) the vote was:

Ayes, 38:

Andersen	Hansen	Murray	Rodgers
Bergman	Heving	Nolting	Schwengels
Briles	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Sovern
Coleman	Kinley	Orr	Taylor
Curtis	Merritt	Plymat	Tieden
DeKoster	Miller of	Priebe	Van Gilst
Doderer	Des Moines	Ramsey	Willits
Gallagher	Miller of	Redmond	Winkelman
Glenn	Marshall	Robinson	
Gluba			

Nays, none.

Absent or not voting, 12:

Burroughs	Hultman	Lamborn	Rabedeaux
Culver	Junkins	Nolin	Shaff
Griffin	Kelly	Palmer	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 43.

House File 43

On motion of Senator Norpel, House File 43, a bill for an act permitting the advertisement of beer by brand name on the inside

of fences surrounding ballparks, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Jasper offered amendment S—3471 by the committee on state government and moved its adoption:

S—3471
Amend House File 43, as amended and passed by the House, page 1, line 8, by striking the words *"on or"*.

Amendment S—3471 was adopted.

Senator Gluba offered amendment S—3506 filed by him:

S—3506
Amend House File 43, as amended and passed by the House, as follows:
1. Page 1, line 4, by adding after the word "beer", the words *"or alcoholic liquor, subject to the restriction provided in subsection one (1) of section one hundred twenty-three point fifty-one (123.51) of the Code,"*.
2. Page 1, line 6, by inserting after the word "beer", the words *"or alcoholic liquor"*.
3. Amend the title, by striking line 2 and inserting in lieu thereof the words "on the inside of fences surrounding ballparks or other outside recreational areas."

Senator Hill of Jasper raised the point of order that amendment S—3506 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3506 out of order.

Senator Norpel asked and received unanimous consent to withdraw amendment S—3088 filed by him on February 12, 1975, and found on page 296 of the Senate Journal.

Senator Gallagher offered amendment S—3566 and moved its adoption:

S—3566
Amend House File 43 as amended and passed by the House, page 1, by striking lines 10 through 14.

A record roll call was requested.

On the question "Shall amendment S—3566 be adopted?" (H.F. 43) the vote was:

Ayes, 15:

Bergman	Hill of Polk	Orr	Taylor
Doderer	Hultman	Plymat	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Winkelman
Heying		Redmond	
Hill of Jasper			

Nays, 22:

Carr	Hansen	Nolin	Schwengels
Coleman	Kinley	Nolting	Scott
Curtis	Merritt	Norpel	Sovern
DeKoster	Miller of Des Moines	Priebe	Tieden
Glenn	Murray	Robinson	Willits
Gluba		Rodgers	

Absent or not voting, 13:

Andersen	Griffin	Lamborn	Rabedeaux
Briles	Junkins	Nystrom	Shaff
Burroughs	Kelly	Palmer	Shaw
Culver			

Amendment S—3566 lost.

Senator Norpel moved that the bill 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. 43) the vote was:

Rule 25 was invoked.

Ayes, 26:

Andersen	Gluba	Miller of Des Moines	Priebe
Carr	Hansen	Murray	Redmond
Coleman	Heying	Nolin	Robinson
Curtis	Hill of Polk	Nolting	Rodgers
Doderer	Hultman	Norpel	Scott
Gallagher	Kinley	Orr	Tieden
Glenn			Willits

Nays, 11:

Bergman	Merritt	Plymat	Taylor
DeKoster	Miller of Marshall	Ramsey	Van Gilst
Hill of Jasper		Schwengels	Winkelman

Voting present, 1:

Sovern

Absent or not voting, 12:

Briles	Griffin	Lamborn	Rabedeaux
Burroughs	Junkins	Nystrom	Shaff
Culver	Kelly	Palmer	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Norpel asked and received unanimous consent that Senate File 48 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 on April 18, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 348, a bill for an act relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 348, a bill for an act relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties.

Read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 474, by Senator Gluba, a bill for an act relating to deposit of public funds in credit unions.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 31

By Schwengels, Lamborn, Rodgers, Kinley, Coleman, Taylor and Murray

Whereas, the Congress of the United States has authorized the establishment of the American Revolutionary Bicentennial Commission to celebrate the two hundredth anniversary of the establishment of this great nation and has consistently provided funds to several states to promote Heritage, Horizon and Festival projects focusing on the year 1976; and

Whereas, the general assembly of the state of Iowa has authorized the establishment of the Iowa American Revolutionary Bicentennial Commission; and

Whereas, the Sixty-sixth General Assembly coincides with the bicentennial year; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the general assembly of Iowa continue to support the Iowa bicentennial effort with legislation authorizing funds to promote local and state bicentennial celebrations and projects; and

Be It Further Resolved, That the president of the senate be authorized to appoint three members from the senate and the speaker of the house be authorized to appoint three members from the house to an Iowa Legislative American Revolutionary Bicentennial Committee to promote special observances

commemorating the actions of the early legislatures of the state of Iowa and that an appropriation be made to support those efforts; and

Be It Further Resolved, That the Sixty-sixth General Assembly be named the Iowa American Revolutionary Bicentennial General Assembly.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 32
By Committee on Energy

Whereas, the Rock Island Railroad has filed for bankruptcy; and

Whereas, the collapse of the Rock Island line could cause abandonment of hundreds of miles of Iowa rail trackage; and

Whereas, loss of essential rail services to numerous communities would be harmful to the economy of the state; and

Whereas, a number of varying proposals have been presented before the Iowa general assembly to maintain essential rail services; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee, as provided by law, which shall include members of the appropriate standing committees of the House of Representatives and the Senate, to conduct during the 1975 legislative interim, a comprehensive study of Iowa's rail problems with special emphasis placed on the proposal to allow state ownership and maintenance of roadbeds and trackage; and

Be It Further Resolved, That the study committee be authorized, if necessary, to retain consultants or assistants and that a report of the study be prepared and submitted to the legislative council and the members of the Sixty-sixth General Assembly meeting in 1976, which report shall be accompanied by necessary legislative bill drafts designed to carry out the recommendations of the study committee.

Read first time and **placed on calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 467 Natural resources

S. F. 468 Appropriations

S. F. 469 State government

S. F. 470 Education

S. F. 471 Judiciary

S.C.R. 28 Rules and administration

S.C.R. 29 Rules and administration

S.C.R. 30 Rules and administration

H. F. 38 Ways and means

H. F. 386 Education

H. F. 464 State government

H. F. 465 Education

H. F. 467 Education

H. F. 479 Transportation

H. F. 488 Natural resources

H. F. 720 Education

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 18th day of April, 1975: Senate Files 318 and 351.

CLARK R. RASMUSSEN
Secretary of the Senate

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from the:

STATE OF TENNESSEE

A copy of House Joint Resolution 37, adopted by the Eighty-ninth General Assembly of the State of Tennessee, urging the United States Congress to consider the use of voting precincts as basic enumeration districts for the 1980 census and any subsequent census.

EXPLANATION OF VOTE

MR. PRESIDENT: Due to the fact that I had to leave the Senate chamber before adjournment to attend a meeting in Atlantic, Iowa, I was unable to vote on House File 421. Had I been present, I would have voted "nay".

JAMES W. GRIFFIN, SR.

SUBCOMMITTEE ASSIGNMENTS

Senate File 393
Transportation
Rabedeaux, Chairman
Miller of Marshall
Murray

Senate File 410
Cities
Palmer, Chairman
Nolting
Griffin

Senate File 438
Appropriations
Hill of Jasper, Chairman
Nolin
Bergman

Senate File 440
Ways and Means
Rodgers, Chairman
Curtis
Gluba
Nolting
Schwengels

Senate File 441
Judiciary
Willits, Chairman
Doderer
Kelly

Senate File 446
Appropriations
Willits, Chairman
Nolting
Plymat

Senate File 448
County Government
Gallagher, Chairman
Taylor
Merritt

Senate File 450
Judiciary
Carr, Chairman
Kelly
Doderer

Senate File 451
State Government
Redmond, Chairman
Schwengels
Gluba

Senate File 452
County Government
Briles, Chairman
Robinson
Merritt

Senate File 453
Ways and Means
Hill of Jasper, Chairman
Nolting
Schwengels

Senate File 459
County Government
Robinson, Chairman
Taylor
Heying

Senate File 460
Judiciary
Ramsey, Chairman
Coleman
Shaw

Senate File 465
Energy
Rodgers, Chairman
Gallagher
Tieden

Senate File 472
Transportation
Gallagher, Chairman
Rabedeaux
Nolin

Senate Concurrent Resolution 25
Rules and Administration
Van Gilst, Chairman
Kinley
Rabedeaux

Senate Concurrent Resolution 26
Rules and Administration
Van Gilst, Chairman
Kinley
Rabedeaux

Senate Concurrent Resolution 27
Rules and Administration
Van Gilst, Chairman
Kinley
Rabedeaux

Senate Resolution 8
Rules and Administration
Van Gilst, Chairman
Junkins
Rabedeaux

Senate Resolution 9
Rules and Administration
Van Gilst, Chairman
Kinley
Rabedeaux

House File 450
Transportation
Nolin, Chairman
Norpel
Murray

House File 614
Human Resources
Ramsey, Chairman
Gluba
Palmer

House Concurrent Resolution 23
Rules and Administration
Junkins, Chairman
Van Gilst
Lamborn

REPORT OF COMMITTEE

Senator Willits submitted the following report:

MR. PRESIDENT: Your committee on cities to which was referred **Senate File 397**, a bill for an act relating to benefited street lighting districts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL M. WILLITS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3565

Amend Senate File 175 as follows:

1. Page 1, line 9, by striking the words *"does understand"* and insert in lieu thereof the words *"is informed"*.

2. Page 1, line 10, by inserting after the word *"including"* the words *"but not limited to"*.

RAY TAYLOR

S—3567

Amend House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 11B, by inserting after line 1 the following and renumbering the remaining subsection:

"3. However, for the school years beginning July 1, 1975, and July 1, 1976, the state comptroller shall compute for each district an adjusted enrollment equal to one of the following:

a. If a district has a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, the state comptroller shall determine an adjusted enrollment for the district by adding an amount equal to one hundred percent of the decrease to the extent that the decrease is not more than two percent of the base year's basic enrollment, and fifty percent of the remaining decrease, to the sum of the basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year.

b. If a district does not have a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, its adjusted enrollment for the budget year is the greater of its basic enrollment for the budget year or its basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year."

WILLIAM P. WINKELMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 12:15 p.m., until 10:00 a.m., Monday, April 21, 1975.

JOURNAL OF THE SENATE

NINETY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, APRIL 21, 1975

The Senate met in regular session, Senator Glenn presiding.

Prayer was offered by the Reverend Monsignor J. E. Tolan, pastor of the St. Joseph Catholic Church, Wall Lake, Iowa.

The Journal of Friday, April 18, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Waste, Manchester, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Heying for the day on request of Senator Kinley.

DISTINGUISHED VISITOR

Senator Kinley rose on a point of personal privilege to present James Harris of Des Moines, Iowa, president of the National Education Association.

Mr. Harris is the son of the Senate Cloakroom Attendant, Gertrude Harris.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six students from Immanuel Lutheran School, Waterloo, Iowa, accompanied by Calvin Reinke and Mr. Prepenbrink. Senator Nolting.

Forty students from Midland High School, Wyoming, Iowa, accompanied by Gary Heiar. Senator Lamborn.

PETITIONS

The following petitions were presented and placed on file:

By Senator Glenn, from one hundred eighty-eight residents

of Wapello County favoring Senate File 387, prohibiting discrimination or liability for refusal to perform abortions.

By Senator Andersen, from sixty-six residents of Woodbury County favoring legislation to define acts of obscenity, to make certain acts in regard to obscenity crimes and to require a masseur or a masseuse to be fully clothed when giving a massage.

The following petitions opposing pari-mutuel betting are presented and placed on file by:

Senator Hultman, from thirty-two residents of Montgomery County.

Senator Priebe, from twenty-one residents of Palo Alto County.

Senator Van Gilst, from forty-seven residents of Mahaska County.

Senator DeKoster from twenty-eight residents of Plymouth County.

INTRODUCTION OF BILLS

Senate File 475, by committee on natural resources (committee on natural resources), a bill for an act relating to the maximum deposit required for bids to construct levee or drainage district improvements.

Read first time and **placed on calendar.**

Senate File 476, by committee on state government, a bill for an act to provide for the licensing of speech pathologists and audiologists and to establish an examining board.

Read first time and **placed on calendar.**

Senate File 477, by committee on state government, a bill for an act relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties.

Read first time and **placed on calendar.**

CONSIDERATION OF BILLS

Senate File 136

On motion of Senator DeKoster, Senate File 136, a bill for an act relating to the number of judgeships in judicial election districts, with report of the committee on appropriations recom-

mending 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. 136) the vote was:

Ayes, 39:

Andersen	Gallagher	Merritt	Rabedeaux
Bergman	Glenn	Miller of Des Moines	Ramsey
Briles	Griffin	Murray	Redmond
Burroughs	Hansen	Nolin	Robinson
Carr	Hill of Polk	Nolting	Rodgers
Coleman	Hultman	Norpel	Schwengels
Culver	Junkins	Nystrom	Scott
Curtis	Kelly	Palmer	Shaff
DeKoster	Kinley	Priebe	Van Gilst
Doderer	Lamborn		Winkelman

Nays, 8:

Gluba	Miller of Marshall Plymat	Sovern	Tieden
Hill of Jasper		Taylor	Willits

Absent or not voting, 3:

Heying	Orr	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 463** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 464

On motion of Senator Robinson, Senate File 464, a bill for an act making an appropriation to the Iowa development commission and energy policy council, was taken up for consideration.

Senator Robinson offered amendment S—3569 and moved its adoption:

S—3569

Amend Senate File 464 as follows, page 1, line 23, by striking the words "forty-four" and inserting in lieu thereof the words "forty-seven".

Amendment S—3569 was adopted.

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?" (S.F. 464) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of	Robinson
Bergman	Hansen	Marshall	Rodgers
Briles	Hill of Jasper	Murray	Schwengels
Burroughs	Hill of Polk	Nolin	Scott
Carr	Hultman	Nolting	Shaff
Coleman	Junkins	Norpel	Shaw
Culver	Kelly	Nystrom	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of	Rabedeaux	Willits
Glenn	Des Moines	Ramsey	Winkelman
Gluba		Redmond	

Nays, none.

Absent or not voting, 2:

Heying	Orr

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 486

On motion of Senator Willits, House File 486, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies and to limit such expenses in the future, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Willits offered amendment S—3547 filed by the committee on appropriations and moved its adoption:

S—3547

Amend House File 486 as amended and passed by the House as follows:

1. Page 1, by striking lines 9 through 15.

2. By striking from lines 2 and 3 of the title the words "and to limit such expenses in the future".

A record roll call was requested.

On the question "Shall amendment S—3547 be adopted?" (H.F. 486) the vote was:

Rule 25 was invoked.

Ayes, 28:

Andersen	Griffin	Murray	Shaw
Bergman	Hansen	Nolin	Sovern
Briles	Hill of Jasper	Nystrom	Taylor
Burroughs	Hill of Polk	Palmer	Tieden
Coleman	Kinley	Plymat	Van Gilst
Curtis	Lamborn	Rabedeaux	Willits
DeKoster	Miller of	Ramsey	
Glenn	Marshall		

Nays, 14:

Carr	Junkins	Priebe	Schwengels
Culver	Merritt	Redmond	Scott
Gallagher	Nolting	Rodgers	Winkelman
Gluba	Norpel		

Voting present, 8:

Doderer	Kelly	Miller of Des Moines

Absent or not voting, 5:

Heying	Orr	Robinson	Shaff
Hultman			

Amendment S—3547 was adopted.

Senator Willits moved that the bill 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. 486) the vote was:

Ayes, 39:

Andersen	Hansen	Murray	Schwengels
Bergman	Hill of Jasper	Nolin	Shaff
Briles	Hill of Polk	Nolting	Shaw
Burroughs	Hultman	Nystrom	Sovern
Coleman	Kelly	Palmer	Taylor
Culver	Kinley	Plymat	Tieden
Curtis	Lamborn	Priebe	Van Gilst
DeKoster	Miller of Des Moines	Rabedeaux	Willits
Doderer		Ramsey	Winkelman
Glenn	Miller of Marshall	Rodgers	
Griffin			

Nays, 8:

Carr	Gluba	Merritt	Redmond
Gallagher	Junkins	Norpel	Scott

Absent or not voting, 3:

Heying	Orr	Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 521

On motion of Senator Willits, House File 521, a bill for an act relating to the time of incurring obligations for and reversion of funds contained in legislation appropriating funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits 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. 521) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Burroughs	Hill of Jasper	Nolin	Schwengels
Carr	Hill of Polk	Nolting	Scott
Coleman	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 4:

Briles	Heying	Orr	Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Willits called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of George R. Duvall of Ames, Story County, Iowa, for reappointment as a member of IPERS Advisory Investment Board under the provisions of Section 97B.8, Code 1975, for the regular six-year term beginning July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EARL M. WILLITS, Chairman
HILARIUS L. HEYING
CHARLES P. MILLER
JOHN S. MURRAY
RAY TAYLOR

The motion prevailed and the report was adopted.

Senator Willits moved the appointment of George R. Duvall as a member of the Iowa Public Employees' Retirement System Advisory Investment Board be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Coleman	Gallagher	Hill of Jasper
Bergman	Culver	Glenn	Hill of Polk
Briles	Curtis	Gluba	Hultman
Burroughs	DeKoster	Griffin	Junkins
Carr	Doderer	Hansen	Kelly

Kinley	Murray	Priebe	Shaff
Lamborn	Nolin	Rabedeaux	Sovern
Merritt	Nolting	Ramsey	Taylor
Miller of Des Moines	Norpel	Redmond	Tieden
	Nystrom	Rodgers	Van Gilst
Miller of Marshall	Palmer	Schwengels	Willits
	Plymat	Scott	Winkelman

Nays, none.

Absent or not voting, 4:

Heying	Orr	Robinson	Shaw

The Chair declared the appointment of George R. Duvall as a member of the Iowa Public Employees' Retirement System Advisory Investment Board confirmed for the regular six-year term ending June 30, 1981.

INTRODUCTION OF BILL

Senate File 478, by Senators Sovern, Nystrom, Shaw and Gluba, a bill for an act to eliminate the ad damnum clause in certain cases involving liability of health care practitioners and hospitals.

Read first time and **passed on file.**

On motion of Senator Kinley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

INTRODUCTION OF BILLS

Senate File 479, by committee on agriculture, a bill for an act regarding the labeling of containers in which baby chicks are held when sold or delivered.

Read first time and **placed on calendar.**

Senate File 480, by Senators Taylor, Priebe, Tieden, Scott, Rabedeaux, Hultman, Nolin, Merritt, Burroughs, Schwengels, Miller of Marshall, Miller of Des Moines, Rodgers, Bergman, Nystrom, Griffin, Culver, Heying, Curtis and Andersen, a bill for an act relating to the movement of vehicles of excessive weight subject to penalties provided by law.

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 on April 17, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 132, a bill for an act to prohibit hunting within one hundred yards of buildings.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 230, a bill for an act relating to bonding requirements for contracts with commercial fishermen.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 418, a bill for an act relating to payment and final returns of inheritance tax.

Also: That the House has on April 18, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 390, a bill for an act authorizing the expenditure of federal funds or grants for the support of mental health centers, programs for mentally retarded, and capital improvements by counties.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 501, a bill for an act relating to the requirement for admission to the school for the deaf.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 503, a bill for an act relating to transfer of prisoners of institutions administered by the department of social services.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 725, a bill for an act relating to the issuance of permits for the sale of cigarettes.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 742, a bill for an act to legalize and validate proceedings of the city council of the city of Missouri Valley, Harrison County, Iowa.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 390, a bill for an act authorizing the expenditure of federal funds or grants for the support of mental health centers, programs for the mentally retarded and capital improvements by counties.

Read first time and **passed on file.**

House File 501, a bill for an act relating to the requirement for admission to the school for the deaf.

Read first time and **passed on file.**

House File 503, a bill for an act relating to transfer of prisoners of institutions administered by the department of social services.

Read first time and **passed on file.**

House File 725, a bill for an act relating to the issuance of permits for the sale of cigarettes.

Read first time and **passed on file.**

House File 742, a bill for an act to legalize and validate proceedings of the city council of the city of Missouri Valley, Harrison County, Iowa, vacating and disposing of certain streets and alleys.

Read first time and **passed on file.**

COMMUNICATIONS

The following communications from the Governor were presented:

April 21, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Margaret Baehr, Spencer, Clay county, Iowa, for reappointment to the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1975 Code of Iowa, for a regular three-year term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the

name of Mr. Jack L. Jennings, Sioux City, Woodbury County, Iowa, for reappointment to the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1975 Code of Iowa, for a regular three-year term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 44

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 44, a bill for an act relating to the registration of farm trailers, respectfully make the following recommendations:

1. That the Senate recede from its amendment, H—3216, to the House amendment to Senate File 44.

2. That the House amendment S—3187, to Senate File 44 be amended as follows:

1. Page 1, by striking lines 5 through 27 and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point one hundred twenty-three (321.123), Code 1975, is amended by striking subsection five (5) and inserting in lieu thereof the following:

5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractor and trailer or semitrailer, except that:

a. Motor trucks registered for six tons or less not used for hire, pulling trailers or semitrailers used by a person engaged in farming to transport commodities produced by the owner, or to transport commodities or livestock purchased by the owner for use in his own farming operation or used by any person to transport horses shall not be subject to registration for the gross weight of such trailer or semitrailer provided the combined gross weight does not exceed twelve tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code.

b. Motor trucks registered for six tons or less not used for hire, pulling trailers or semitrailers used by a person in his own operations shall not be subject to registration for the gross weight of such trailer or semitrailer provided the combined gross weight does not exceed eight tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code."

2. Page 2, line 8, by striking the words "farm or horse trailers" and inserting in lieu thereof the words "certain trailers and semitrailers".

On the Part of the Senate:	On the Part of the House:
BERL E. PRIEBE, Chairman	C. W. HUTCHINS, Chairman
ROBERT M. CARR	RICHARD F. DRAKE
HILARIUS L. HEYING	EMIL J. HUSAK
PHILIP B. HILL	FRED L. KOOGLER
CLIFTON C. LAMBORN	WENDELL C. PELLETT

COMMUNICATION FROM THE SECRETARY OF STATE

April 18, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 14 was published in the Allamakee Journal, Lansing, Iowa, March 26, 1975, and in The Bellevue Herald-Leader, Bellevue, Iowa, March 27, 1975.

Respectfully submitted
MELVIN D. SYNHORST
Secretary of State

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate from:

DIVISION ON ALCOHOLISM

A copy of a report covering the Iowa Division on Alcoholism for the period July 1974 to January 1975.

REPORTS OF COMMITTEES

Senator Miller of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on county government to which was referred **House File 195**, a bill for an act relating to statewide fire protection, 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:**

S—3574

Amend House File 195, as amended and passed by the House, and reprinted, as follows:

1. Page 3, line 23, by inserting after the word "township" the words ", exclusive of any part of the township within a benefited fire district".

2. Page 4, line 11, by inserting after the word "property" the words "within a benefited fire district or".

3. Page 5, line 32, by inserting after the word "*township*" the words "*as an employer of volunteer firemen only*".

CHARLES P. MILLER, Chairman

Ordered passed on file.

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **Senate File 383,** a bill for an act to authorize name changes for school districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOAN ORR, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3568

Amend Senate File 296, page 7, by striking lines 14 and 15, and inserting in lieu thereof the following:

"or has obtained a temporary permit. It is unlawful for a licensed cosmetologist to practice cosmetology for".

PHILIP B. HILL

S—3572

Amend the Doderer amendment S—3541 to Senate File 296, as follows:

1. Page 1, line 16, by striking the word "an" and inserting in lieu thereof the words "a cosmetology".

2. Page 1, by striking lines 24 through 27 and inserting in lieu thereof the following:

"7. Page 7, line 17, by inserting after the period the following: 'A licensed cosmetologist also may practice cosmetology in a licensed barber shop.' "

3. Page 1, by striking lines 40 through 44 and inserting in lieu thereof the following:

"11. Page 11, line 2, by striking the word 'five' and inserting in lieu thereof the word 'two'."

4. Page 1, line 46, by striking the word "Instructors" and inserting in lieu thereof the words "Barbering instructors".

MINNETTE F. DODERER

S—3571

Amend Senate File 367 as follows:

1. Page 2, line 28, by inserting after the word "proceeding", the words "against a feedlot".

2. Page 4, by striking lines 15 through 21.

ROGER J. SHAFF

S—3577

Amend Senate File 367 as follows:

1. Page 3, by striking line 26.

2. Page 3, line 27, by striking the words "of the city".

3. Page 3, by striking lines 31 through 33, and inserting in lieu thereof the following:

"c. A zoning requirement which is in effect on the effective date of this".

4. Page 4, by striking lines 1 through 14, and inserting in lieu thereof the following:

"d. A zoning requirement adopted by a city shall apply to a feedlot located within an incorporated or unincorporated area which is subject to regulation by that city as of the effective date of this Act, regardless of the established date of operation of the feedlot.

e. A zoning requirement adopted by a city shall not apply to a feedlot which becomes located within an incorporated or unincorporated area subject to regulation by that city by virtue of an incorporation or annexation which takes effect after the effective date of this Act for a period of ten years from the effective date of the incorporation or annexation."

ROGER J. SHAFF

S—3578

Amend Senate File 463 as follows:

1. Page 3, after line 10, by inserting the following sections:

"Sec. 6. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975, and ending June 30, 1976, to the higher education facilities commission the sum of one hundred thousand (100,000) dollars, or so much thereof as may be necessary, for the state-supported scholarships necessary to carry out the provisions of sections seven (7) through nine (9) of this Act.

Sec. 7. *NEW SECTION.* ESTABLISHMENT. There is established a rural physicians associate program within the college of medicine of the state university of Iowa. A medical student who has completed his second academic year may obtain, at any time during the third or fourth year of medical school, one academic year of experience and training as a physician's associate in a rural community of the student's choice. The first semester of the student's associate year shall be devoted to basic learning, for which the student shall receive up to one semester of academic credit and a stipend provided in the form of a scholarship through funds appropriated pursuant to section six (6) of this Act. This scholarship shall provide two thousand five hundred dollars per student and shall be paid in monthly installments during the first semester. Rural communities may provide assistance in an amount not to exceed two thousand five hundred dollars. During the second semester of the associate year, for which the student shall receive up to one semester of academic credit, the stipend to the

student associate shall be paid by the physician with whom the student is associated in an amount not to exceed seven thousand five hundred dollars.

Sec. 8. *NEW SECTION.* IMPLEMENTATION. The faculty required to implement the program shall be recruited from among physicians who are general practitioners and specialists throughout the state and who are selected by the college of medicine for their medical skills and interest in medical education.

Sec. 9. *NEW SECTION.* APPROVED PROGRAMS. The college of medicine shall make arrangements with the governing body of the community and the participating physician for the purpose of providing for the receipt of the stipend necessary for the student to complete the year as an associate

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and for the purpose of gaining the approval of the community regarding services to be rendered by the physician's associate. Medical students may contact physicians residing in rural communities for the purpose of making application for the scholarship. The college of medicine shall determine policies to be followed in regard to malpractice insurance for student associates.

Sec. 10. Section two hundred sixty-two point nine (262.9), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Receive, administer, and grant funds for scholarships to medical students who have completed their second academic year and who become physicians' associates for one year in rural communities."

2. By renumbering the remaining sections in accordance with this amendment.

WILLIAM P. WINKELMAN

S—3570

Amend House File 450 as amended and passed by the House and reprinted as follows:

1. Page 10, line 13 by striking the words *"one hundred"* and inserting in lieu thereof the word *"forty"*.

2. Page 10, by striking all of lines 14 and 15.

CALVIN O. HULTMAN

S—3575

Amend House File 558 as amended, passed, and reprinted by the House as follows:

1. Page 4A, by striking lines 14 through 24 and inserting in lieu thereof the word "provided."

2. Page 5A, line 7, by striking the words "school districts" and inserting in lieu thereof the words "public school corporations".

3. Page 5A, by inserting after line 8 the following:

"Sec. ..... Section two hundred seventy-three point three (273.3), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Be authorized, subject to the approval of the department of public instruction, to acquire by retransfer from the county board of education of a county school system, within one year from the effective date of this Act, at a cost not to exceed one thousand dollars, any land formerly held by the United States department of health, education, and welfare."

4. Page 5A, by inserting after line 24 the following:

"For the school years subsequent to the school year beginning July 1, 1975, the director shall include in the program plans submitted to the department for support services the costs necessary to fund the newly identified nonpublic school pupils served by the area with support services not previously counted in the program plans for support services."

5. Page 5A, by inserting before line 25 the following section:

"Sec. ..... Section two hundred seventy-three point eight (273.8), subsection two (2), unnumbered paragraph five (5), Code 1975, is amended to read as follows:

Vacancies, as defined in section 277.29, in the membership of the area education agency board shall be filled for the unexpired portion of the term [by the board of the school district in which the member resided] *at a special director district convention called and conducted in the manner provided in this subsection for regular director district conventions."*

6. Page 7A, line 14, by striking the words "twenty-one (21)" and inserting in lieu thereof the words "twenty-two (22)".

7. Page 7A, line 17, by striking the words "twenty-one (21)" and inserting in lieu thereof the words "twenty-two (22)".

8. Page 7A, by striking lines 23 through 33 and inserting in lieu thereof the following:

"NEW SECTION. PROHIBITED DUPLICATION OF SERVICES.

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The area education agency shall not provide programs and services which duplicate the services provided by the state educational radio and television facility board as provided in sections eighteen point one hundred thirty-two (18.132) through eighteen point one hundred fifty-three (18.153) of the Code."

9. Page 7A, line 35, by striking the word "section" and inserting in lieu thereof the word "sections".

10. Page 7A, by inserting after line 35 the following:

"*NEW SECTION.* COMMISSION TO STUDY ORGANIZATION OF SCHOOL DISTRICTS. A commission is established to study the organization of school districts in the state of Iowa. The membership on the commission shall be as follows:

1. The superintendent of public instruction.

2. A member of the school budget review committee other than the superintendent of public instruction elected by the members of the committee.

3. Ten members appointed by the governor with the approval of two-thirds of the members of the senate. The ten members shall include:

a. Six lay persons not otherwise in the field of education no more than three of whom may be appointed from one political party.

b. Two members appointed from a list of nine names, of which three names each shall be submitted by the Iowa association of school administrators, the Iowa association of secondary school principals, and the Iowa association of elementary school principals.

c. Two members appointed from a list of six names, of which four names shall be submitted by the Iowa state education association and two named shall be submitted by the Iowa federation of teachers.

NEW SECTION. PURPOSE, POWERS AND AUTHORITIES. The commission shall:

1. Develop criteria and guidelines for combinations of school districts and realignments of school district boundaries in Iowa which will provide the optimun in educational opportunity for students in the affected areas.

2. Conduct a study of specific school districts which fail to satisfy these criteria and prepare and submit a final report to the Sixty-seventh General Assembly, 1977 Session, which contains specific recommendations for the organization and restructuring of the school districts to insure for each student in Iowa attending the public elementary and secondary school system in the state, the opportunity for a

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quality education through an efficiently administered public school system.

NEW SECTION. The commission shall begin its study as soon as possible, and shall be staffed, to meet its needs, by the department of public instruction. An opportunity shall be provided for local districts under review to express their preference for combination with other districts in order to effectuate the goal established for the commission. The commission shall have access to all official records, may subpoena witnesses and compel production of books, papers or other documents pertaining to its investigation and study.

NEW SECTION. Members of the commission shall be

reimbursed for their actual and necessary expenses incurred by them in the discharge of their duties from funds appropriated to the department of public instruction."

11. Page 7B, line 42, by inserting after the word "Code" the following:

"for the purpose of reducing the area served or changing the boundaries to exclude areas encompassed by the enlargement, reorganization or boundary changes".

12. Page 7B, line 44, by striking the words "further reorganization" and inserting in lieu thereof the words "such action".

13. Page 8, by inserting after line 20 the following:

"or Iowa students attending a nonpublic school in the district".

14. Page 9 by striking lines 20 through 23 and inserting in lieu thereof the following:

"whichever is less. [However, if the amount so determined for any district is less than two hundred dollars per pupil, the district is entitled to receive not less than two hundred dollars per pupil except when a district's total general fund]".

15. Page 9 by striking lines 34 and 35 and inserting in lieu thereof the following:

"[pupil necessary to retain that ten percent reduction.]"

16. Page 10A by striking lines 1 through 5 and line 6, by striking the words "*district cost for the budget year.*"

17. Page 10A, by inserting after line 12 the following:

"Sec. ..... Section four hundred forty-two point two (442.2), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

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Each school district shall cause to be levied each year, for the school general fund, a foundation property tax of five dollars and forty cents per thousand dollars of assessed valuation on all taxable property in the district. *If the money raised by the foundation property tax alone exceeds the maximum allowed district cost for the budget year, the district shall pay the excess amount to the state general fund.* For the purpose of this chapter, a school district is defined as a school corporation organized under chapter 274. Each county auditor shall certify to each school district within the county and to the state comptroller, not later than October 1 each year, the assessed valuation of taxable property for the current year in each school district within the county.

18. Page 11A and 11B by striking lines 23 through 36 and inserting in lieu thereof the following:

"2. An adjusted enrollment for each district shall

be computed as follows:

a. For the school year beginning July 1, 1975, if a district has a decrease from the sum of the basic enrollment in the base year plus adjustments for decreasing enrollment made in the base year, to the basic enrollment in the budget year, the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of this decrease, to the extent that the decrease does not exceed five percent of the sum of the basic enrollment in the base year plus adjustments made for decreasing enrollment in the base year, and twenty-five percent of the remaining decrease. If the district does not experience this decrease, the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year.

b. For the school years subsequent to the school year beginning July 1, 1975, if a district has a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of the basic enrollment decrease to the extent that it does not exceed five percent of the base years basic enrollment, and twenty-five percent of the remaining basic enrollment decrease. If the school district does not experience a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year."

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19. Page 13, by striking lines 19 through 25 and inserting in lieu thereof the following:

"c. The difference in the Iowa consumer price index which shall be computed by the state comptroller prior to January 1, 1976, and recomputed each month subsequent to January 1, 1976, based upon a comprehensive sampling of the costs of goods and services within Iowa, and until an Iowa consumer price index is available, the consumer price index published by the bureau of labor statistics, United States department of labor computed or estimated as a percentage of change for the following period:".

20. Page 15, line 22, by striking the word "to" and inserting in lieu thereof the word "the".

21. Page 16, line 20, by striking the words "*five (442.5)*" and inserting in lieu thereof the words "*four (442.4)*".

22. Page 17, line 25, by striking the words "*five (442.5)*" and inserting in lieu thereof the words "*four (442.4)*".

23. Page 18A, line 16, by striking the words "*twenty-one (21)*" and inserting in lieu thereof the

words *"twenty-two (22)"*.

24. Page 18A by striking lines 23 through 25 and inserting in lieu thereof the following:

"Sec. ..... Section four hundred forty-two point thirteen (442.13), subsection four (4), Code 1975, is amended to read as follows:

4. If the district cost per pupil exceeds one hundred ten percent of the state cost per pupil, the committee shall establish a modified allowable growth by reducing the allowable growth, subject to the minimum for the school years beginning July 1, 1974, and July 1, 1975, as provided in section 442.7. In making decisions under this subsection, the committee shall permit allowable growth to the extent necessary to prevent severe hardship to a district whose district cost per pupil [would not have exceeded] *exceeds* one hundred ten percent of the state cost per pupil [if miscellaneous income were included in computations under this chapter to the same extent that it was included for the school year beginning July 1, 1972]."

25. Page 18A and 18B by striking lines 26 through 38.

26. Page 19A and 19B by striking lines 1 through 38 and page 19B by striking line 30.

27. Page 20 by striking lines 1 through 35.

28. Page 21A by striking lines 1 through 35.

29. Page 24A, **by striking lines 4 through 6 and** inserting in lieu thereof the following:

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"receives services. For the school year beginning July 1, 1975, the number of nonpublic school pupils served for the purposes of computation under this section for media and other services is equal to the difference between the weighted enrollment for the budget year in the district and the basic enrollment for the budget year in the district. For school years subsequent to the school year beginning July 1, 1975, each school district shall include in the second Friday in January enrollment report the number of nonpublic school pupils within each district for media and other services served by the area."

30. Page 24A, line 8, by striking the word "basic" and inserting in lieu thereof the word "weighted".

31. Page 24A, line 10, by striking the word "basic" and inserting in lieu thereof the word "weighted".

32. Page 24A, line 12, by striking the word "basic" and inserting in lieu thereof the word "weighted".

33. Page 24A, line 15, by inserting after the word "pupil" the words "less the amount per pupil for special education support services, media services and other services computed as a part of district cost under the provisions of section four hundred forty-two point seven (442.7) of the Code and section twenty-two (22) of this Act".

34. Page 24A, line 16, by striking the word "basic"

and inserting in lieu thereof the word "weighted".

35. Page 24A, line 21, by striking the words "basic enrollment" and inserting in lieu thereof the words "weighted enrollment".

36. Page 24A, line 22, by inserting after the word "year" the following:

", less the amount of the adjustment to the district cost for increases in the weighted enrollment made in the first unnumbered paragraph in this section".

37. Page 24A, lines 31 and 32, by striking the words "basic September enrollment" and inserting in lieu thereof the words "September weighted enrollment".

38. Page 24A, line 33, by inserting after the word "levy" the following:

"less the amount of the adjustment to the district cost for increases in the weighted enrollment made in the first unnumbered paragraph in this section".

39. Page 24B, by inserting after line 52 the following:

"Sec. ..... SUPPORT COSTS FOR SPECIAL EDUCATION SERVICES FOR NONPUBLIC SCHOOL PUPILS SERVED. For the school year beginning July 1, 1975, only, if an area education agency has not incorporated within the program plans for special education support

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services submitted for approval to the department of public instruction under the provisions of sections two hundred seventy-three point five (273.5), two hundred seventy-three point nine (273.9) and four hundred forty-two point seven (442.7) of the Code, the total number of nonpublic school pupils it will serve it may raise an amount to meet the costs for these pupils as follows:

1. Determine the total number of nonpublic school pupils in the area that were not included in the original program plans for special education support services submitted to the department of public instruction that the agency will serve.

2. The total amount to be raised is equal to the number determined in subsection one (1) of this section times the amount obtained for the area to be added to allowable growth per weighted pupil under the provisions of section four hundred forty-two point seven (442.7), subsection seven (7), paragraph c of the Code.

3. The state comptroller shall calculate the amounts due from each district to its area education agency by multiplying the total amount determined in subsection two (2) of this section by the fraction that the total number of weighted pupils in the district for the budget year is of the total number of weighted pupils in the area for the budget year.

4. The district, to raise the additional amount, shall add to its district cost for the school year

beginning July 1, 1975, the amount determined under subsection three (3) of this section, which amount shall be deducted from its district cost for the budget year begining July 1, 1976. The state comptroller shall deduct the amounts calculated under this subsection for each school district from the state aid due to the district pursuant to chapter four hundred forty-two (442) of the Code, and shall pay the amounts to the area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school district of the amount of state aid deducted for this purpose and the balance of state aid will be paid to the district. If a district does not qualify for state aid under chapter four hundred forty-two (442) of the Code in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller under this section, the school district shall pay the deficiency to the area education agency from funds received by the district, on a quarterly basis during each school year."

Page 8

40. Page 24B by inserting before line 53 the following:

"Sec. ..... Sections four hundred forty-two point fourteen (442.14) through four hundred forty-two point twenty (442.20), Code 1975, are repealed."

41. Page 24B, by striking lines 53 and 54 and inserting in lieu thereof the following:

"Sec. ..... All sections of this Act except the section amending section three hundred twenty-one point one hundred seventy-eight (321.178) of the Code, shall be retroactive to January 1, 1975, and take effect".

42. Renumber sections and correct internal references in conformance with this amendment.

43. Amend the title, line 8, by inserting after the word "conditions" the words "and requiring a study of the organization of school districts".

44. Amend the title, line 9, by striking the word "modifying" and inserting in lieu thereof the word "eliminating".

45. Amend the title, line 10, by inserting after the word "aid" the words ", providing for payment of the excess foundation property tax to the state general fund".

46. Amend the title, by striking lines 17 through 19 and inserting in lieu thereof the words "allowable growth, providing new methods for deter-".

47. Amend the title, line 25, by inserting after the word "systems" the words ", providing certain special education support funds in addition to the programed and approved costs".

48. Amend the title, line 25, by inserting after

the word "references" the words ", repealing the present school district income surtax".

COMMITTEE ON EDUCATION
JOAN ORR, Chairman

S—3576

Amend the Senate committee on education amendment, S—3575, to House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 1, by inserting after line 41 the following:

"..... Page 7A, line 7, by striking the words 'one (21)' and inserting lieu thereof the words 'two (22)'."

2. Page 3, by inserting after line 31 the following:

"..... Page 9, line 4, by striking the word 'abaility' and inserting in lieu thereof the word 'ability'."

3. By renumbering the remaining items of the amendment in accordance with this amendment.

JOAN ORR

S—3579

Amend House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 12A, line 5, by inserting after the word "obtained" the words "*from school transportation aid,*".

2. Page 16, line 28, by inserting after the period the following:

"*However, for the budget year beginning July 1, 1975, the state cost per pupil as otherwise computed under this section shall be reduced by the average cost per pupil in weighted enrollment in the state for school transportation in the base year, based upon authorized transportation costs approved by the department of public instruction.*"

3. Page 24B, by inserting after line 39 the following:

"*NEW SECTION.* 1. A 'school transportation aid fund' is established. There is appropriated to the school transportation aid fund for each budget year an amount to be determined by the state comptroller as follows:

a. Multiply the average cost per pupil in weighted enrollment in the state for school transportation in the base year, based upon authorized transportation costs approved by the department of public instruction, by the percentage of the state cost per pupil which determines the state foundation base for the budget year, as provided in section four hundred forty-two point three (442.3) of the Code.

b. Multiply the product by the weighted enrollment in the state for the budget year.

c. The final product is the amount appropriated.

2. The state comptroller shall allocate the amount appropriated to the school transportation aid fund for each budget year to each school district in the state as follows:

a. Multiply each school district's cost per pupil in weighted enrollment for school transportation in the base year, based upon authorized transportation costs approved by the department of public instruction, by the percentage of the state cost per pupil which determines the state foundation base for the budget year, as provided in section four hundred forty-two point three (442.3) of the Code.

b. Multiply the product by the weighted enrollment in the district for the budget year.

c. The final product is the amount allocated to each district for school transportation aid.

Page 2

3. A school district required by chapter two hundred eighty-five (285) of the Code to provide transportation to pupils is entitled to school transportation aid as provided in this section. However, no transportation aid shall be paid to school districts to cover costs incurred in transporting pupils from home to a bus route, or in transporting pupils not entitled to free transportation but who are transported at the expense of the home district or the parents. The secretary of each district shall, on or before the first day of July of each year, report to the state department of public instruction on blanks furnished by the department, the information it requires for determining the amount of the district's transportation cost per pupil in the base year. The department may require further supporting data and information, and shall certify the proper amount for each district to the state comptroller. The state comptroller shall draw warrants and deliver them to the districts, as provided in section four hundred forty-two point twenty-six (442.26) of the Code."

4. Amend the title, line 22, by inserting after the comma the words "and a new method for funding transportation costs,".

WILLIAM P. WINKELMAN
RAY TAYLOR
DALE L. TIEDEN
C. JOSEPH COLEMAN
BERL E. PRIEBE

S—3578

Amend House File 558, as amended, passed, and reprinted by the House, as follows:

1. Page 12B, by striking line 41 and inserting in lieu thereof the words "shall be established by the general assembly."

2. Page 13, by striking lines 1 through 35.

3. Page 14, by striking lines 1 through 8 and inserting in lieu thereof the words "If the general assembly does not act to establish the state percent of growth for a budget year, the state percent of growth for the budget year is the state percent of growth established by the general assembly for the base year."

4. Page 14, by renumbering subsections as necessary.

EUGENE M. HILL

S—3580

Amend the committee on education amendment S—3564, to pages 11A and 11B of House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 4, by striking lines 22 through 37 and inserting in lieu thereof the following:

"a. For the school years beginning July 1, 1975, and July 1, 1976, the state comptroller shall compute for each district an adjusted enrollment equal to one of the following:

(1) If a district has a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, the state comptroller shall determine an adjusted enrollment for the district by adding an amount equal to one hundred percent of the decrease to the extent that the decrease is not more than two percent of the base year's basic enrollment, and fifty percent of the remaining decrease, to either the basic enrollment for the budget year or to the sum of the basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year, whichever is greater.

(2) If a district does not have a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, its adjusted enrollment for the budget year is the greater of its basic enrollment for the budget year or its basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year."

2. Page 4, line 39, by striking the figure "1975" and inserting in lieu thereof the figure "1976".

WILLIAM P. WINKELMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Priebe, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Tuesday, April 22, 1975.

JOURNAL OF THE SENATE

ONE HUNDREDTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, APRIL 22, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Marvin Armpriester, pastor of the United Methodist Church, Lime Springs, Iowa.

The Journal of Monday, April 21, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Manderschied, Boone, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-five students from Johnston High School, Johnston, Iowa, accompanied by David Pitz and Betty Doolittle. Senator Plymat.

Sixty students from Woodbine High School, Woodbine, Iowa, accompanied by Phil Hummel. Senator Culver.

Ninety-six students from Forest City High School, Forest City, Iowa, accompanied by Larry Reed and Ron Sanderson. Senator Priebe.

PETITIONS

The following petitions were presented and placed on file:

By Senator Briles from sixteen residents of Page County favoring legislation that would increase benefits in the Iowa Public Employees Retirement System.

By Senator Briles from thirty-seven residents of Taylor County opposing pari-mutuel betting.

REPORT OF CONFERENCE COMMITTEE DEFERRED

Senate File 44

Senator Priebe called up the report of the conference committee

on Senate File 44, a bill for an act relating to the registration of motor trucks and trailers or semitrailers and making the Act retroactive, filed on April 21, 1975, and found on pages 1021 and 1022 of the Senate Journal.

Senator Doderer asked and received unanimous consent that further action on the report of the conference committee on **Senate File 44** be deferred and that the bill **retain its place on the calendar.**

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Glenn 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 on April 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 119, a bill for an act relating to hearing procedures by the insurance commissioner.

Also: That the House has on April 17, 1975, passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 9 proposing an amendment to the Constitution of the State of Iowa to provide that the governor and lieutenant governor stand for election together on the ballot and to change the duties of the lieutenant governor.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 206, a bill for an act relating to deduction of debts and expenses for inheritance tax.

Also: That the House has on April 18, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 374, a bill for an act relating to the filing date for library referendum.

Also: That the House has on April 18, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 414, a bill for an act to require certain financial agencies to notify holders of certificates of deposit or similar instruments at least ten days prior to the maturity date of the deposit.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 497, a bill for an act relating to the conservation management and protection of fish, plant life, and wildlife species endangered or threatened with extinction and prescribing penalties.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 498, a bill for an act to provide that the making or delivering of a false odometer statement is an offense subject to a penalty provided by law.

Also: That the House has on April 16, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 34 creating an environmental education advisory council within the department of public instruction.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 34

By Pellett, Husak, Danker, Miller of Calhoun, Mennenga and Crawford

Whereas, the General Assembly has directed the school districts of this state to include instruction on the conservation of natural resources and environmental awareness in their respective educational programs for students in grades one through eight; and

Whereas, it is desirable that the education program relating to the conservation of natural resources and environmental awareness be developed and coordinated among the various disciplines and educational levels that are concerned with environmental education in areas of land, water, air and resource management; and

Whereas, it is desirable to develop programs for in-service teacher training in environmental education in cooperation with institutions of higher education or other public or private agencies or organizations; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That an environmental education advisory council be created within the department of public instruction consisting of the administrator of the department of soil conservation, the state conservation director, the executive director of the department of environmental quality, or their respective designees, and not more than seven additional members selected from the state at large who have demonstrated competence and interest in conservation education, who shall be appointed by the superintendent of public instruction. The superintendent of public instruction or his designee shall act as executive secretary to the advisory council which shall initially meet at the call of the executive secretary; and

Be It Further Resolved, That it shall be the responsibility

Page 2

of the environmental education advisory council to advise and assist the department of public instruction in the planning and development of an environmental education program giving emphasis to coordinating the efforts of the various disciplines and education levels that are concerned with environmental education in the areas of land, water, air and resources management, developing programs for in-

service teacher training in environmental education in cooperation with institutions of higher education or other public or private agencies, and developing an environmental education program which will provide for the education of all segments of society; and

Be It Further Resolved, That the environmental education advisory council shall assume its duties of office effective July 1, 1975 or at such subsequent date as sufficient funds are appropriated or available to the department of public instruction for the purpose of planning and developing an environmental education program and to pay the actual and necessary expenses of the members of the advisory council who are not employees of the state. The advisory council members who are employees of the state shall be reimbursed for necessary expenses from funds appropriated to the state agencies by which they are employed; and

Be It Further Resolved, That the environmental education advisory council shall be dissolved upon completion of the planning and development of an environmental education program for the state or effective July 1, 1978, whichever date is earlier.

Read first time and **passed on file.**

HOUSE MESSAGES CONSIDERED

House Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide that the governor and lieutenant governor stand for election together on the ballot and to change the duties of the lieutenant governor.

Read first time and **passed on file.**

House File 206, a bill for an act relating to deduction of debts and expenses for inheritance tax purposes.

Read first time and **passed on file.**

House File 374, a bill for an act relating to the filing date for library referendum.

Read first time and **passed on file.**

House File 414, a bill for an act to require certain financial agencies to notify holders of certificates of deposit or similar instruments at least ten days prior to the maturity date of the deposit.

Read first time and **passed on file.**

House File 497, a bill for an act relating to the conservation management and protection of fish, plant life, and wildlife species

endangered or threatened with extinction and prescribing penalties.

Read first time and **passed on file.**

House File 498, a bill for an act to provide that the making or delivering of a false odometer statement is an offense subject to a penalty provided by law.

Read first time and **passed on file.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of House File 558.

House File 558

On motion of Senator Hansen, House File 558, a bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance, clarifying the provision of auxiliary services, clarifying duties of the area education agency board and administrator, the director of special education, the department of public instruction, and the state comptroller, limiting reorganization under certain conditions, modifying reimbursement provisions for driver education, modifying the two hundred dollar minimum state foundation aid, providing new methods for defining enrollment and augmenting declining enrollment, clarifying authorized expenditures, providing a state percent of growth for the 1975-76 school year, new methods for determining state percent of growth and allowable growth, correcting methods of computing state cost and district cost per pupil, modifying the authority of the school budget review committee to reduce allowable growth, authorizing an enrichment program funded by property tax, state aid, and an income surtax to replace the former income surtax provisions, providing new methods for determining and funding costs of

media services and other services provided through the area education agencies, providing an advance to compensate for increasing enrollment, modifying reimbursement for special education services formerly offered by local districts and county or joint county school systems, correcting references, making an appropriation, and providing a retroactive effective date, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hansen asked and received unanimous consent to withdraw amendment S—3564 filed by the committee on education on April 17, 1975, and found on pages 980-987, inclusive, of the Senate Journal.

Senator Winkelman asked and received unanimous consent to withdraw amendment S—3580 to amendment S—3564 filed by him on April 21, 1975, and found on page 1035 of the Senate Journal.

Senator Hansen offered amendment S—3575 by the committee on education and called for a division of the amendment as follows:

S—3575

Amend House File 558 as amended, passed, and reprinted by the House as follows:

Division S—3575B

1. Page 4A, by striking lines 14 through 24 and inserting in lieu thereof the word "provided."

Division S—3575A

2. Page 5A, line 7, by striking the words "school districts" and inserting in lieu thereof the words "public school corporations".

Division S—3575C

3. Page 5A, by inserting after line 8 the following:

"Sec. ..... Section two hundred seventy-three point three (273.3), Code 1975, is amended by adding the following new subsection:

***NEW SUBSECTION.* Be authorized, subject to the approval of the department of public instruction to acquire by retransfer from the county board of education of a county school system, within one year from the effective date of this Act, at a cost not to exceed one thousand dollars, any land formerly held by the United States department of health, education, and welfare."**

Division S—3575E

4. Page 5A, by inserting after line 24 the following:

"For the school years subsequent to the school year beginning July 1, 1975, the director shall include in the program plans submitted to the department for support services the cost necessary to fund the newly identified nonpublic school pupils served by the area with support services not previously counted in the program plans for support services."

Division S—3575F

5. Page 5A, by inserting before line 25 the following section:

"Sec. ..... Section two hundred seventy-three point eight (273.8), subsection two (2), unnumbered paragraph five (5), Code 1975, is amended to read as follows:

Vacancies, as defined in section 277.29, in the membership of the area education agency board shall be filled for the unexpired portion of the term [by the board of the school district in which the member resided] *at a special director district convention called and conducted in the manner provided in this subsection for regular director district conventions.*"

Division S—3575A (cont'd)

6. Page 7A, line 14, by striking the words "twenty-one (21)" and inserting in lieu thereof the words "twenty-two (22)".

7. Page 7A, line 17, by striking the words "twenty-one (21)" and inserting in lieu thereof the words "twenty-two (22)".

Division S—3575H

8. Page 7A, by striking lines 23 through 33 and inserting in lieu thereof the following:

"*NEW SECTION.* PROHIBITED DUPLICATION OF SERVICES.

Page 2

The area education agency shall not provide programs and services which duplicate the services provided by the state educational radio and television facility board as provided in sections eighteen point one hundred thirty-two (18.132) through eighteen point one hundred fifty-three (18.153) of the Code."

Division S—3575I

9. Page 7A, line 35, by striking the word "section" and inserting in lieu thereof the word "sections".

10. Page 7A, by inserting after line 35 the following:

"*NEW SECTION.* COMMISSION TO STUDY ORGANIZATION OF SCHOOL DISTRICTS. A commission is established to study the organization of school districts in the state of Iowa. The membership on the commission shall be as follows:

1. The superintendent of public instruction.

2. A member of the school budget review committee other than the superintendent of public instruction elected by the members of the committee.

3. Ten members appointed by the governor with

the approval of two-thirds of the members of the senate. The ten members shall include:

a. Six lay persons not otherwise in the field of education no more than three of whom may be appointed from one political party.

b. Two members appointed from a list of nine names, of which three names each shall be submitted by the Iowa association of school administrators, the Iowa association of secondary school principals, and the Iowa association of elementary school principals.

c. Two members appointed from a list of six names, of which four names shall be submitted by the Iowa state education association and two named shall be submitted by the Iowa federation of teachers.

NEW SECTION. PURPOSE, POWERS AND AUTHORITIES. The commission shall:

1. Develop criteria and guidelines for combinations of school districts and realignments of school district boundaries in Iowa which will provide the optimun in educational opportunity for students in the affected areas.

2. Conduct a study of specific school districts which fail to satisfy these criteria and prepare and submit a final report to the Sixty-seventh General Assembly, 1977 Session, which contains specific recommendations for the organization and restructuring of the school districts to insure for each student in Iowa attending the public elementary and secondary school system in the state, the opportunity for a

Page 3

quality education through an efficiently administered public school system.

NEW SECTION. The commission shall begin its study as soon as possible, and shall be staffed, to meet its needs, by the department of public instruction. An opportunity shall be provided for local districts under review to express their preference for combination with other districts in order to effectuate the goal established for the commission. The commission shall have access to all official records, may subpoena witnesses and compel production of books, papers or other documents pertaining to its investigation and study.

NEW SECTION. Members of the commission shall be reimbursed for their actual and necessary expenses incurred by them in the discharge of their duties from funds appropriated to the department of public instruction."

Division S—3575J

11. Page 7B, line 42, by inserting after the word "Code" the following:

"for the purpose of reducing the area served or changing the boundaries to exclude areas encompassed by the enlargement, reorganization or boundary

changes".

12. Page 7B, line 44, by striking the words "further reorganization" and inserting in lieu thereof the words "such action".

Division S—3575K

13. Page 8, by inserting after line 20 the following:

"or Iowa students attending a nonpublic school in the district".

Division S—3575L

14. Page 9 by striking lines 20 through 23 and inserting in lieu thereof the following:

"whichever is less. [However, if the amount so determined for any district is less than two hundred dollars per pupil, the district is entitled to receive not less than two hundred dollars per pupil except when a district's total general fund]".

15. Page 9 by striking lines 34 and 35 and inserting in lieu thereof the following:

"[pupil necessary to retain that ten percent reduction.]"

16. Page 10A by striking lines 1 through 5 and line 6, by striking the words *"district cost for the budget year."*

Division S—3575M

17. Page 10A, by inserting after line 12 the following:

"Sec. ..... Section four hundred forty-two point two (442.2), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Page 4

Each school district shall cause to be levied each year, for the school general fund, a foundation property tax of five dollars and forty cents per thousand dollars of assessed valuation on all taxable property in the district. *If the money raised by the foundation property tax alone exceeds the maximum allowed district cost for the budget year, the district shall pay the excess amount to the state general fund.* For the purpose of this chapter, a school district is defined as a school corporation organized under chapter 274. Each county auditor shall certify to each school district within the county and to the state comptroller, not later than October 1 each year, the assessed valuation of taxable property for the current year in each school district within the county.

Division S—3575N

18. Page 11A and 11B by striking lines 23 through 36 and inserting in lieu thereof the following:

"2. An adjusted enrollment for each district shall be computed as follows:

a. For the school year beginning July 1, 1975, if a district has a decrease from the sum of the basic enrollment in the base year plus adjustments for

decreasing enrollment made in the base year, to the basic enrollment in the budget year, the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of this decrease, to the extent that the decrease does not exceed five percent of the sum of the basic enrollment in the base year plus adjustments made for decreasing enrollment in the base year, and twenty-five percent of the remaining decrease. If the district does not experience this decrease, the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year.

b. For the school years subsequent to the school year beginning July 1, 1975, if a district has a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the state comptroller shall compute an amount to be added to the basic enrollment for the budget year. The amount to be added is equal to fifty percent of the basic enrollment decrease to the extent that it does not exceed five percent of the base years basic enrollment, and twenty-five percent of the remaining basic enrollment decrease. If the school district does not experience a decrease from the basic enrollment in the base year to the basic enrollment in the budget year the adjusted enrollment for the budget year is equal to the basic enrollment for the budget year."

Division S—3575O

Page 5

19. Page 13, by striking lines 19 through 25 and inserting in lieu thereof the following:

"c. The difference in the Iowa consumer price index which shall be computed by the state comptroller prior to January 1, 1976, and recomputed each month subsequent to January 1, 1976, based upon a comprehensive sampling of the costs of goods and services within Iowa, and until an Iowa consumer price index is available, the consumer price index published by the bureau of labor statistics, United States department of labor computed or estimated as a percentage of change for the following period:".

Division S—3575A (cont'd)

20. Page 15, line 22, by striking the word "to" and inserting in lieu thereof the word "the".

21. Page 16, line 20, by striking the words "*five (442.5)*" and inserting in lieu thereof the words "*four (442.4)*".

22. Page 17, line 25, by striking the words "*five (442.5)*" and inserting in lieu thereof the words "*four (442.4)*".

23. Page 18A, line 16, by striking the words "*twenty-one (21)*" and inserting in lieu thereof the words "*twenty-two (22)*".

Division S—3575P

24. Page 18A by striking lines 23 through 25 and inserting in lieu thereof the following:

"Sec. ..... Section four hundred forty-two point thirteen (442.13), subsection four (4), Code 1975, is amended to read as follows:

4. If the district cost per pupil exceeds one hundred ten percent of the state cost per pupil, the committee shall establish a modified allowable growth by reducing the allowable growth, subject to the minimum for the school years beginning July 1, 1974, and July 1, 1975, as provided in section 442.7. In making decisions under this subsection, the committee shall permit allowable growth to the extent necessary to prevent severe hardship to a district whose district cost per pupil [would not have exceeded] *exceeds* one hundred ten percent of the state cost per pupil [if miscellaneous income were included in computations under this chapter to the same extent that it was included for the school year beginning July 1, 1972]."

Division S—3575Q

25. Page 18A and 18B by striking lines 26 through 38.

26. Page 19A and 19B by striking lines 1 through 38 and page 19B by striking line 30.

27. Page 20 by striking lines 1 through 35.

28. Page 21A by striking lines 1 through 35.

Division S—3575G

29. Page 24A, by striking lines 4 through 6 and inserting in lieu thereof the following:

Page 6

"receives services. For the school year beginning July 1, 1975, the number of nonpublic school pupils served for the purposes of computation under this section for media and other services is equal to the difference between the weighted enrollment for the budget year in the district and the basic enrollment for the budget year in the district. For school years subsequent to the school year beginning July 1, 1975, each school district shall include in the second Friday in January enrollment report the number of nonpublic school pupils within each district for media and other services served by the area."

Division S—3575A (cont'd)

30. Page 24A, line 8, by striking the word "basic" and inserting in lieu thereof the word "weighted".

31. Page 24A, line 10, by striking the word "basic" and inserting in lieu thereof the word "weighted".

32. Page 24A, line 12, by striking the word "basic" and inserting in lieu thereof the word "weighted".

33. Page 24A, line 15, by inserting after the word "pupil" the words "less the amount per pupil for special education support services, media services and other services computed as a part of district

cost under the provisions of section four hundred forty-two point seven (442.7) of the Code and section twenty-two (22) of this Act".

34. Page 24A, line 16, by striking the word "basic" and inserting in lieu thereof the word "weighted".

35. Page 24A, line 21, by striking the words "basic enrollment" and inserting in lieu thereof the words "weighted enrollment".

36. Page 24A, line 22, by inserting after the word "year" the following:

", less the amount of the adjustment to the district cost for increases in the weighted enrollment made in the first unnumbered paragraph in this section".

37. Page 24A, lines 31 and 32, by striking the words "basic September enrollment" and inserting in lieu thereof the words "September weighted enrollment".

38. Page 24A, line 33, by inserting after the word "levy" the following:

"less the amount of the adjustment to the district cost for increases in the weighted enrollment made in the first unnumbered paragraph in this section".

Division S—3575D

39. Page 24B, by inserting after line 52 the following:

"Sec. ..... SUPPORT COSTS FOR SPECIAL EDUCATION SERVICES FOR NONPUBLIC SCHOOL PUPILS SERVED. For the school year beginning July 1, 1975, only, if an area education agency has not incorporated within the program plans for special education support

Page 7

services submitted for approval to the department of public instruction under the provisions of sections two hundred seventy-three point five (273.5), two hundred seventy-three point nine (273.9) and four hundred forty-two point seven (442.7) of the Code, the total number of nonpublic school pupils it will serve it may raise an amount to meet the costs for these pupils as follows:

1. Determine the total number of nonpublic school pupils in the area that were not included in the original program plans for special education support services submitted to the department of public instruction that the agency will serve.

2. The total amount to be raised is equal to the number determined in subsection one (1) of this section times the amount obtained for the area to be added to allowable growth per weighted pupil under the provisions of section four hundred forty-two point seven (442.7), subsection seven (7), paragraph c of the Code.

3. The state comptroller shall calculate the amounts due from each district to its area education agency by multiplying the total amount determined in subsection two (2) of this section by the fraction

that the total number of weighted pupils in the district for the budget year is of the total number of weighted pupils in the area for the budget year.

4. The district, to raise the additional amount, shall add to its district cost for the school year beginning July 1, 1975, the amount determined under subsection three (3) of this section, which amount shall be deducted from its district cost for the budget year beginning July 1, 1976. The state comptroller shall deduct the amounts calculated under this subsection for each school district from the state aid due to the district pursuant to chapter four hundred forty-two (442) of the Code, and shall pay the amounts to the area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school district of the amount of state aid deducted for this purpose and the balance of state aid will be paid to the district. If a district does not qualify for state aid under chapter four hundred forty-two (442) of the Code in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller under this section, the school district shall pay the deficiency to the area education agency from funds received by the district, on a quarterly basis during each school year."

Division S—3575R
Page 8

40. Page 24B by inserting before line 53 the following:

"Sec. ..... Sections four hundred forty-two point fourteen (442.14) through four hundred forty-two point twenty (442.20), Code 1975, are repealed."

Division S—3575S

41. Page 24B, by striking lines 53 and 54 and inserting in lieu thereof the following:

"Sec. ..... All sections of this Act except the section amending section three hundred twenty-one point one hundred seventy-eight (321.178) of the Code, shall be retroactive to January 1, 1975, and take effect".

Division S—3575A (cont'd)

42. Renumber sections and correct internal references in conformance with this amendment.

Division S—3575T

43. Amend the title, line 8, by inserting after the word "conditions" the words "and requiring a study of the organization of school districts".

44. Amend the title, line 9, by striking the word "modifying" and inserting in lieu thereof the word "eliminating".

45. Amend the title, line 10, by inserting after the word "aid" the words ", providing for payment

of the excess foundation property tax to the state general fund".

46. Amend the title, by striking lines 17 through 19 and inserting in lieu thereof the words "allowable growth, providing new methods for deter-".

47. Amend the title, line 25, by inserting after the word "systems" the words ", providing certain special education support funds in addition to the programed and approved costs".

48. Amend the title, line 25, by inserting after the word "references" the words ", repealing the present school district income surtax".

On motion of Senator Hansen, division S—3575A of the amendment was adopted.

On motion of Senator Hansen, division S—3575B of the amendment was adopted.

Senator Orr offered amendment S—3576 to amendment S—3575 filed by her and moved its adoption:

S—3576

Amend the Senate committee on education amendment, S—3575, to House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 1, by inserting after line 41 the following:

"..... Page 7A, line 7, by striking the words 'one (21)' and inserting lieu thereof the words 'two (22)'."

2. Page 3, by inserting after line 31 the following:

"..... Page 9, line 4, by striking the word 'abaility' and inserting in lieu thereof the word 'ability'."

3. By renumbering the remaining items of the amendment in accordance with this amendment.

Amendment S—3576 to amendment S—3575 was adopted.

Senator Orr offered amendment S—3589 to amendment S—3575 and moved its adoption:

S—3589

Amend the Senate committee on education amendment, S—3575, to House File 558, as amended, passed and reprinted by the House as follows:

1. Page 2, line 34, by striking the word "named" and inserting in lieu thereof the word "names".

2. Page 2, line 40, by striking the word "optimun" and inserting in lieu thereof the word "optimum".

3. Page 4, line 44, by striking the word "years" and inserting in lieu thereof the word "year's".

Amendment S—3589 to amendment S—3575 was adopted.

On motion of Senator Hansen, division S—3575C of the amendment was adopted.

President pro tempore Doderer took the chair at 3:40 p.m.

Senator Hansen moved the adoption of division S—3575D of the amendment.

A record roll call was requested.

On the question "Shall division S—3575D of the amendment be adopted?" (H.F. 558) the vote was:

Ayes, 38:

Andersen	Gluba	Miller of Des Moines	Redmond
Bergman	Griffin	Nolin	Robinson
Briles	Hansen	Nolting	Rodgers
Carr	Heying	Norpel	Schwengels
Coleman	Hill of Polk	Nystrom	Sovern
Culver	Junkins	Palmer	Tieden
Curtis	Kelly	Plymat	Van Gilst
DeKoster	Kinley	Priebe	Willits
Gallagher	Lamborn	Rabedeaux	Winkelman
Glenn	Merritt		

Nays, 12:

Burroughs	Miller of Marshall	Orr	Shaff
Doderer	Murray	Ramsey	Shaw
Hill of Jasper		Scott	Taylor
Hultman			

Division S—3575D of the amendment was adopted.

Senator Hansen moved the adoption of division S—3575E of the amendment.

A record roll call was requested.

On the question "Shall division S—3575E of the amendment be adopted?" (H.F. 558) the vote was:

Ayes, 39:

Andersen	Gluba	Miller of Des Moines	Priebe
Bergman	Griffin	Miller of Marshall	Rabedeaux
Briles	Hansen	Nolin	Redmond
Carr	Heying	Nolting	Robinson
Coleman	Hill of Polk	Norpel	Schwengels
Culver	Junkins	Nystrom	Sovern
Curtis	Kelly	Palmer	Tieden
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Lamborn	Rodgers	Willits
Gallagher	Merritt	Scott	Winkelman
Glenn			

Nays, 11:

Burroughs	Murray	Shaff	Taylor
Hill of Jasper	Orr	Shaw	
Hultman	Ramsey		

Division S—3575E of the amendment was adopted.

Senator Hansen moved the adoption of division S—3575F of the amendment.

The Chair requested a non-record roll call.

The ayes were 40, nays 7.

Division S—3575F of the amendment was adopted.

On motion of Senator Hansen, division S—3575G of the amendment was adopted.

On motion of Senator Hansen, division S—3575H of the amendment was adopted.

Senator Rodgers offered amendment S—3595 to amendment S—3575 and moved its adoption:

S—3595

Amend the committee on education amendment S—3575 to House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 2, line 11 by striking the word "ORGANIZATION" and inserting in lieu thereof the word "RESTRUCTURING".

2. Page 2, line 13, by striking the word "organization" and inserting in lieu thereof the word "restructuring".

3. Page 2, line 47, by striking the words "organization and".

4. Page 8, line 17, by striking the word "organization" and inserting in lieu thereof the word "restructuring".

Amendment S—3595 to amendment S—3575 was adopted.

Senator Taylor raised the point of order that division S—3575I of the amendment as amended was not germane to the bill.

The Chair ruled the point not well taken and division S—3575I of the amendment as amended was in order.

President Neu took the chair at 5:15 p.m.

Senator Hansen moved the adoption of division S—3575I of the amendment as amended.

A record roll call was requested.

On the question "Shall division S—3575I of the amendment as amended be adopted?" (H.F. 558) the vote was:

Rule 25 was invoked.

Ayes, 22:

Andersen	Hill of Polk	Orr	Rodgers
Carr	Junkins	Palmer	Shaff
Doderer	Kelly	Plymat	Shaw
Glenn	Kinley	Redmond	Sovern
Gluba	Nolin	Robinson	Willits
Hansen	Nolting		

Nays, 27:

Bergman	Heying	Miller of	Ramsey
Briles	Hill of Jasper	Marshall	Schwengels
Burroughs	Hultman	Murray	Scott
Coleman	Lamborn	Norpel	Taylor
Culver	Merritt	Nystrom	Tieden
Curtis	Miller of	Priebe	Van Gilst
DeKoster	Des Moines	Rabedeaux	Winkelman
Gallagher			

Absent or not voting, 1:

Griffin

Division S—3575I of the amendment as amended lost.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 474 Commerce

S. F. 478 Judiciary

S. F. 480 Transportation

S.C.R. 31 Rules and administration

H. F. 335 State government

H. F. 390 Human resources

H. F. 501 Education

H. F. 503 Human resources

H. F. 505 Natural resources

H. F. 725 Ways and means

H. F. 742 Judiciary

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate on Friday, April 18, 1975, attending as a member the Midwest Interstate Compact Meeting in Chicago. Had I been present, I would have voted "aye" on final passage of Senate Files 18, 371, 456 and 309, and of House Files 459, 90, 69, 275,

287 and 43. I would have voted "nay" on final passage of House File 432 and amendment S—3566 to House File 43.

LOWELL JUNKINS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Jean Braley, of Shenandoah, Page County, Iowa, for appointment as a member of the State Judicial Nominating Commission under the provisions of Section 46.1, Code 1975, for the regular six-year term beginning July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
LOUIS P. CULVER
JAMES M. REDMOND
LUCAS J. DeKOSTER
CALVIN O. HULTMAN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Gretchen N. Schreffler, D.C., of Iowa City, Johnson County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of Sections 147.12 through 147.20, Code 1975, for the regular one year term beginning July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
CLIFF BURROUGHS
MINNETTE DODERER
WILLIAM E. GLUBA
WILLARD R. HANSEN

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As members of the Iowa Board of Examiners for Hearing Aid Dealers:

Margaret Baehr, Spencer, Clay County, Iowa, for a regular three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Robinson, Chairman
Senator Culver
Senator Gallagher
Senator Bergman
Senator Tieden

Jack L. Jennings, Sioux City, Woodbury County, Iowa, for a regular three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Nolin, Chairman
Senator Glenn

Senator Sovern
Senator Andersen
Senator Burroughs

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 22, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 313—Correcting the amount of the farm equipment tax exemption.
S. F. 351—Relating to the time for publishing the Iowa Administrative Code.
H. F. 106—Relating to assignment of Iowa highway safety patrol personnel by the director of transportation.
H. F. 146—Relating to provisions for suspension of the license and registration or nonresident's operating privilege.
H. F. 176—Relating to payment of small claims by the department of social services.
H. F. 230—Relating to uniformity of time limits in the inheritance and estate tax laws.

AMENDMENTS FILED

S—3598

Amend the Report of the Conference Committee on Senate File 44, as follows:

1. Page 2, line 7, by striking the word "certain".
2. Page 2, by inserting after line 8 the following new numbered paragraphs:

"3. Page 1, by striking lines 46 through 49.
4. Page 1, by striking line 50.
5. Page 2, by striking lines 1 through 5."

MINNETTE DODERER

S—3591

Amend Senate File 367 as follows:

1. Page 4, by inserting after line 26 the following:

"Sec. ..... *NEW SECTION.* APPLICABILITY. The provisions of this Act shall not apply within the jurisdiction of a city or a county which adopts a comprehensive plan and applicable ordinances or regulations for land use in compliance with a state land use policy or state land use policy guidelines enacted by the general assembly."

2. By renumbering sections to conform to this amendment.

JAMES V. GALLAGHER

S—3597

Amend Senate File 463, page 2, by striking lines 27 through 31 and inserting in lieu thereof the

words "of this Act, a student's residency status shall be determined by the registrar of the college of osteopathic medicine and surgery, subject to the approval of the higher education facilities commission, as follows:

a. A student shall be classified as a resident if the student's parents were residents of the state at the time the student reached majority and the student is not domiciled in another state, or who upon reaching majority has established a bona fide residence in the state of Iowa by residing in the state for at least twelve consecutive months immediately preceding the beginning of the academic year. Bona fide residence in Iowa means that the student is not in the state primarily to attend a college, and that the student is in state for purposes other than to attempt to qualify for resident status.

b. Any nonresident student who reaches nineteen years of age while a student at any school or college does not by virtue of such fact attain residence in this state.

c. The resident status of a married student shall usually be determined under these rules irrespective of the classification of the spouse.

d. Persons who are moved into the state as the result of military or civil orders from the government are entitled to resident status.

e. Dependents of persons whose legal residence is permanently established in Iowa may continue to be classified as residents so long as such residence is maintained, even though circumstances may require extended absence of said persons from the state. It is required that persons who claim an Iowa residence while living in another state or country will provide proof of the continual Iowa domicile such as evidence that they have not acquired a domicile in another state, they have maintained a continuous voting record in Iowa, and they have filed regular Iowa income tax returns during their absence from the state.

f. Ownership of property in Iowa, or the payment of Iowa taxes, does not in itself establish residence.

g. A student from another state who has enrolled for a full program or substantially a full program in any type of educational institution will be presumed to be in Iowa primarily for educational purposes, and will be considered not to have established residence in Iowa. Continued residence in Iowa during vacation

Page 2

periods or occasional periods of interruption to the course of study does not of itself overcome the presumption.

h. All students not classified as resident students shall be classified as nonresidents.

i. An alien who has entered the United States on an immigration visa and who has established a bona fide residence in Iowa by living in the state for at least twelve consecutive months immediately preceding the beginning of the academic year may be eligible for resident classification providing he is in the state for purposes other than to attempt to qualify for resident status as a student.

j. Persons in military service, except career service people, who listed Iowa as their residence prior to entering service and who, immediately upon release, return to Iowa to establish their residence or enter college, will be classified as residents unless their parents moved from the state while the individual was still a minor."

ELIZABETH SHAW

S—3586

Amend Senate File 475 as follows:

1. Page 1, line 8, by striking the words "equal to ten" and inserting in lieu thereof the words "[equal to ten] *not in excess of twenty-five*".

2. Page 1, line 9, by striking the line and inserting in lieu thereof the words "bid [but in any event not to exceed ten thousand dollars]."

3. Page 1, line 14, by striking the word "shall" and inserting in lieu thereof the word "may".

COMMITTEE ON NATURAL RESOURCES
H. L. HEYING, Chairman

S—3590

Amend House File 558 as amended and passed by the House, and reprinted as follows:

1. Page 7A, line 22, by striking the word "section" and inserting in lieu thereof the word "sections".

2. Page 7A, by inserting after line 33 the following:

"NEW SECTION. AVAILABILITY OF MEDIA SERVICES, OTHER SERVICES AND SPECIAL EDUCATION SUPPORT SERVICES. Media services, other services and special education support services shall be available to all resident pupils in the state. These services may be furnished to public schools in addition to public and nonpublic school pupils residing in the state. These services shall not be furnished to nonpublic schools."

EUGENE M. HILL

S—3581

Amend House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 8, by striking lines 5 through 35.

2. Page 9, by striking lines 1 through 10.

3. Page 12A, line 32, by striking the words "and seven-tenths percent" and inserting in lieu thereof the following:

"plus four-tenths of one percent to be used to fund improvements to the Iowa public employees' retirement system".

4. Pages 12A and 12B, by striking lines 33 through 38.

5. Renumber the sections and correct internal references in conformance with this amendment.

WILLIAM P. WINKELMAN
FORREST V. SCHWENGELS
BERL E. PRIEBE
DALE L. TIEDEN
LOUIS P. CULVER
RICHARD J. NORPEL, SR.
CLIFTON C. LAMBORN

S—3583

Amend House File 558, as amended, passed and reprinted by the House, page 11A, by striking lines 23 through 36 and inserting in lieu thereof the following:

"2. The state comptroller shall compute an adjusted enrollment for each district by adding to its basic enrollment for the budget year the sum of the following:

a. If the district has a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, an amount equal to one hundred percent of the decrease to the extent that the decrease is not more than two percent of the base year's basic enrollment, and fifty percent of the remaining decrease. The amount added under this paragraph in a base year is not used in computing the amount to be added under this paragraph for a budget year. If a district does not have a decreasing basic enrollment from the base year to the budget year, its amount to be added under this paragraph for the budget year is zero.

b. An amount equal to one-third of the number of resident pupils within the district attending nonpublic schools in grades kindergarten through twelve. However such amount shall not exceed the lesser of one thousand pupils or one-fifth of the basic enrollment in the district for the budget year."

BERL E. PRIEBE
DALE L. TIEDEN
H. L. HEYING

S—3582

Amend House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 12A, line 32, by striking the words "seven-tenths percent" and inserting in lieu thereof the following:

"three-tenths of one percent to be used to fund a portion of the cost of driver education instruction offered by the district and formerly funded by a state appropriation".

2. Pages 12A and 12B, by striking lines 33 through 38.

WILLIAM P. WINKELMAN
RICHARD R. RAMSEY
DALE L. TIEDEN
RICHARD J. NORREL, SR.
LOUIS P. CULVER
H. L. HEYING
CLIFTON C. LAMBORN

S—3592

Amend House File 558, as amended, passed and reprinted by the House, page 18A, line 18, by inserting after the period the words:

"However, for the budget year beginning July 1, 1975, each school district which provided special education services under sections two hundred eighty-one point nine (281.9) through two hundred eighty-one point eleven (281.11) of the Code, as those sections are in effect prior to July 1, 1975, for the school year beginning July 1, 1974, shall reduce its district cost by its unreimbursed excess cost for that year which is defined as reimbursable under said section two hundred eighty-one point nine (281.9) of the Code."

WILLIAM P. WINKELMAN
DALE L. TIEDEN
LOUIS P. CULVER
BASS VAN GILST

S—3588

Amend the Winkelman amendment S—3567 to page 11B of House File 558 as amended, passed and reprinted by the House, on line 3, by striking the number "1" and inserting in lieu thereof the number "36".

WILLIAM P. WINKELMAN

S—3584

Amend the education committee amendment S—3575 to House File 558 as amended, passed, and reprinted by the House, page 4, by striking from line 3 the words "and forty cents" and inserting in lieu thereof the following: "[and forty cents]".

ROGER J. SHAFF

S—3587

Amend the committee on education amendment

S—3575, to page 11A and 11B of House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 4, by striking lines 20 through 35 and inserting in lieu thereof the following:

"a. For the school years beginning July 1, 1975, and July 1, 1976, the state comptroller shall compute for each district an adjusted enrollment equal to one of the following:

(1) If a district has a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, the state comptroller shall determine an adjusted enrollment for the district by adding an amount equal to one hundred percent of the decrease to the extent that the decrease is not more than two percent of the base year's basic enrollment, and fifty percent of the remaining decrease, to the basic enrollment for the budget year, or add the sum of the basic enrollment for the budget year adjustments made for decreasing enrollment under the law in effect July first of the base year, whichever is greater.

(2) If a district does not have a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, its adjusted enrollment for the budget year is the greater of its basic enrollment for the budget year or its basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year."

2. Page 4, line 37, by striking the figure "1975" and inserting in lieu thereof the figure "1976".

WILLIAM P. WINKELMAN

S—3585

Amend the committee on education amendment S—3580, to pages 11A and 11B of House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 4, by striking lines 20 through 35 and inserting in lieu thereof the following:

"a. For the school years beginning July 1, 1975, and July 1, 1976, the state comptroller shall compute for each district an adjusted enrollment equal to one of the following:

(1) If a district has a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, the state comptroller shall determine an adjusted enrollment for the district by adding an amount equal to one hundred percent of the decrease to the extent that the decrease is not more than two percent of the base year's basic enrollment, and fifty percent of the remaining decrease, to either the basic enrollment for

the budget year or to the sum of the basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year, whichever is greater.

(2) If a district does not have a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, its adjusted enrollment for the budget year is the greater of its basic enrollment for the budget year or its basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year."

2. Page 4, line 37, by striking the figure "1975" and inserting in lieu thereof the figure "1976".

WILLIAM P. WINKELMAN

S—3594

Amend the committee on education amendment S—3575, to House File 558, as amended, passed and reprinted by the House, page 5, by inserting after the period on line 42 the following: *"For the purpose of this subsection the district cost shall not include the amount by which the district cost of transportation per pupil exceeds the state wide average cost of transportation per pupil times the basic enrollment in the district."*

LUCAS J. DeKOSTER
ROGER J. SHAFF
RICHARD R. RAMSEY

S—3593

Amend the committee on education amendment S—3575 to House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 5, by striking lines 1 through 12, and inserting in lieu thereof the following:

..... Page 12B, by striking line 41 and inserting in lieu thereof the words "shall be established by the general assembly."

..... Page 13, by striking lines 1 through 35.

..... Page 14, by striking lines 1 through 8 and inserting in lieu thereof the words "If the general assembly does not act to establish the state percent of growth for a budget year, the state percent of growth for the budget year is the state percent of growth established by the general assembly for the base year."

..... Page 14, by renumbering subsections as necessary.

2. By renumbering the remaining paragraphs.

EUGENE M. HILL

S—3596

Amend the Senate committee on education amendment

S—3575 to House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 5, by striking lines 43 through 48 and inserting in lieu thereof the following:

..... Page 19A, line 4, by inserting after the word "curriculum" the words "maintenance or".

..... Page 19A, lines 5 and 6, by striking the words "The department of public instruction shall further define these purposes by rule."

..... Page 19A, by striking lines 8 through 27 and inserting in lieu thereof the following:

"amount per pupil needed, within the limits of this section, and shall direct the county commissioner of elections to submit the question of whether to raise that amount under the provisions of this section and section four hundred forty-two point fifteen (442.15) of the Code, to the qualified electors of the school district at a regular or special school election held not later than February fifteenth of the base year. If a majority of those voting favors raising the enrichment amount, the board may include the approved amount in its certified budget."

..... Page 19A, by striking line 35 and by striking page 19B and lines 1 through 17 on page 20, and inserting in lieu thereof the following:

"4. The additional enrichment amount for a district is limited to the amount which may be raised by a combination tax in the prescribed proportion which does not exceed a property tax of fifty-four cents per thousand dollars of assessed valuation and an income surtax of five percent."

..... Page 20, by striking lines 21 through 24 and inserting in lieu thereof the following:

"442.15 COMPUTATION OF ENRICHMENT AMOUNT. If a majority".

..... Page 20, by striking lines 29 through 34 and inserting in lieu thereof the following:

"procedures have been carried out, and the state comptroller shall establish the amount of additional enrichment property tax to be levied and the amount of school district income surtax to be imposed.

..... Page 21A, by striking lines 8 and 9."

2. Page 8, by striking lines 1 through 5.

3. Page 8, by striking lines 25 through 27.

4. Page 8, by striking lines 32 through 34.

RAY TAYLOR
LOWELL L. JUNKINS
CLIFTON C. LAMBORN
RICHARD R. RAMSEY
WARREN E. CURTIS
C. JOSEPH COLEMAN
HILARIUS L. HEYING

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:40 p.m., until 9:30 a.m., Wednesday, April 23, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, APRIL 23, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Gerald Deere, pastor of the St. Mary Catholic Church, Shenandoah, Iowa.

The Journal of Tuesday, April 22, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hubiak, Odebolt, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bergman for the day on request of Senator Schwengels.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-five students from Fairfield High School, Fairfield, Iowa, accompanied by Mrs. Pettit and Mrs. Marker. Senator Schwengels.

Thirty-five students from Benton Community High School, Van Horne, Iowa, accompanied by their instructor, Don Logan. Senator Orr.

Nine students from Metro High School, Cedar Rapids, Iowa, accompanied by Ralph Plagman. Senator Sovern.

Nineteen 4-H Club officers from Des Moines and Henry Counties accompanied by Les Schoefleman and Allan Parrot. Senator Miller of Des Moines.

PETITIONS

The following petitions favoring increased benefits in the Iowa

Public Employees Retirement System were presented and placed on file by:

Senator Miller of Marshall from twenty-six residents of Hardin County.

Senator Taylor from twenty-six residents of Hardin County.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Rodgers from twenty-three residents of Dallas County.

Senator Taylor from thirty-seven residents of Hardin County.

GOVERNOR'S ITEM VETO MESSAGE

The following item veto message from the Governor to the Secretary of State was presented:

April 22, 1975

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit House File 455, an Act making appropriations to the Iowa state fair board, agricultural societies, the geological survey and the Iowa natural resources council.

House File 455 is approved April 22, 1975, with the following exception which I hereby disapprove.

I am unable to approve Item 2 designated in the Act as Section 2 which reads as follows:

> "Sec. 2. The funds appropriated to the geological survey general office under subparagraph one (1) of paragraph a of subsection three (3) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than twenty-eight permanent full-time positions. The funds appropriated to the geological survey, Iowa coal research project, for salaries under subparagraph one (1) of paragraph b of subsection three (3) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than four permanent full-time positions. The funds appropriated to the Iowa natural resources council for salaries under paragraph a of subsection four (4) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than thirty permanent full-time positions."

I must question this particular section as an unconstitutional infringement of the legislature into an executive function. This section violates the principle that staffing should be an executive prerogative within the budget limitations established by the General Assembly.

By imposing staff limitations on the geological survey and the natural resources council, the General Assembly removes needed administrative flexibility. It is essential that an administration be permitted to use its manpower with good judgment and some flexibility and not be tied to a rigid structure that is unable to respond to changes that might benefit our citizens.

This is not to say I favor increased staff levels. This Administration has constantly discouraged the addition of any staff not essential to departmental operation.

While general increases in staffing for the geological survey and the natural resources council are not anticipated, experience has shown the need for sufficient flexibility within budget limitations to effectively plan and react to changing conditions. The federal government has shown an amazing capacity to launch major new programs, such as the Comprehensive Employment and Training Act, which require new state personnel if Iowans are to benefit. State and local problems can arise suddenly that require staff additions or shifts.

The geological survey and the natural resources council may themselves face increased staff demands during the next fiscal year to respond to changing needs—demands that could not be met by the staffing limitations imposed by this Act.

Should Congress decide to fund phase II of the Dam Safety Act of 1972, the natural resources council will need additional staff to conduct the inspections of Iowa's dams. As more and more Iowa communities join the National Flood Insurance Program (a program which requires communities to adopt flood plan regulations consistent with federal and state guidelines), the natural resources council may require additional staff to fulfill its mandated responsibility of reviewing community guidelines and ordinances. The geological survey faces possible new responsibilities in the areas of remote sensing work for the Soil Conservation Service and the domestic water well survey requested by the General Assembly.

It may be argued that additional employees could be added to be paid exclusively out of non-state funds in spite of the provisions of this legislation. However, I believe this would be both an improper interpretation of this bill and poor procedure.

I believe these considerations indicate why staff limitations as imposed in House File 455 are unwise. One of the keys to successful administration is the best possible manpower utilization. Section 2 of House File 455 could prevent that.

In previous years I have also vetoed similar provisions. I would hope that the General Assembly sees fit not to place similar limitations in future bills.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 455 are hereby approved this date.

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 on April 21, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 82, a bill for an act relating to civil damages for unlawfully taking certain protected species of wildlife.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 150, a bill for an act relating to the interstate probation and parole compact.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 233, a bill for an act relating to claims against the estates of decedents arising from assistance granted under a previous categorical assistance program.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 231, a bill for an act relating to the inspection of fishing bait.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 36, a bill for an act relating to discrimination in the renewal of automobile insurance.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 698, a bill for an act to include the director of transportation as a member of the department of environmental quality executive committee.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 723, a bill for an act correcting and clarifying provisions in the city code of Iowa.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 728, a bill for an act to legalize proceedings taken by the county supervisors of Buchanan County relating to the purchase of certain land.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 736, a bill for an act relating to the reporting of accidents involving the transportation of hazardous materials.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 741, a bill for an act to legalize and validate the proceedings for the organization and operation of the Western Iowa Municipal Electric Cooperative Association and declaring said cooperative association to be legally established and its acts to have been legally taken.

Also: That the House has on April 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 744, a bill for an act relating to registration of travel trailers.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 36, a bill for an act relating to discrimination in the renewal of automobile insurance.

Read first time and **passed on file.**

House File 698, a bill for an act to include the director of transportation as a member of the department of environmental quality executive committee.

Read first time and **passed on file.**

House File 723, a bill for an act correcting and clarifying provisions in the city code of Iowa.

Read first time and **passed on file.**

House File 728, a bill for an act to legalize proceedings taken by the county supervisors of Buchanan County relating to the purchase of certain land.

Read first time and **passed on file.**

House File 736, a bill for an act relating to the reporting of accidents involving the transportation of hazardous materials.

Read first time and **passed on file.**

House File 741, a bill for an act to legalize and validate the proceedings for the organization and operation of the Western Iowa Municipal Electric Cooperative Association and declaring said cooperative association to be legally established and its acts to have been legally taken.

Read first time and **passed on file.**

House File 744, a bill for an act relating to registration of travel trailers.

Read first time and **passed on file.**

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Lamborn requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

House File 558

The Senate resumed consideration of House File 558, a bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance, clarifying the provision of auxiliary services, clarifying duties of the area education agency board and administrator, the director of special education, the department of public instruction, and the state comptroller, limiting reorganization under certain conditions, modifying reimbursement provisions for driver education, modifying the two hundred dollar minimum state foundation aid, providing new methods for defining enrollment and augmenting declining enrollment, clarifying authorized expenditures, providing a state percent of growth for the 1975-76 school year, new methods for determining state percent of growth and allowable growth, correcting methods of computing state cost and district cost per pupil, modifying the authority of the school budget review committee to reduce allowable growth, authorizing an enrichment program funded by property tax, state aid, and an income surtax to replace the former income surtax provisions, providing new methods for determining and funding costs of media services and other services provided through the area education agencies, providing an advance to compensate for increasing enrollment, modifying reimbursement for special education services formerly offered by local districts and county or joint county school systems, correcting references, making an appropriation, and providing a retroactive effective date, and divisions S—3575J through S—3575T of the committee on education amendment.

Senator Hansen asked and received unanimous consent that T. J. Braunschweig, Legal Counsel, Legislative Service Bureau, and James C. Rose, Budget Supervisor-Education, Comptroller's office, be permitted to remain in the Senate chamber as consultants during consideration of the bill.

On motion of Senator Hansen, division S—3575J of the amendment was adopted.

On motion of Senator Hansen, division S—3575K of the amendment was adopted.

Senator Hansen moved the adoption of division S—3575L of the amendment as amended.

A record roll call was requested.

On the question "Shall division S—3575L of the amendment as amended be adopted?" (H.F. 558) the vote was:

Ayes, 26:

Andersen	Griffin	Miller of Des Moines	Plymat
Carr	Hansen	Murray	Redmond
Curtis	Hill of Polk	Nolting	Robinson
Doderer	Junkins	Norpel	Rodgers
Gallagher	Kelly	Orr	Shaw
Glenn	Kinley	Palmer	Sovern
Gluba			Willits

Nays, 23:

Briles	Hill of Jasper	Nolin	Scott
Burroughs	Hultman	Nystrom	Shaff
Coleman	Lamborn	Priebe	Taylor
Culver	Merritt	Rabedeaux	Tieden
DeKoster	Miller of Marshall	Ramsey	Van Gilst
Heying		Schwengels	Winkelman

Absent or not voting, 1:

Bergman

Division S—3575L of the amendment as amended was adopted.

Senator Shaff withdrew amendment S—3584 to division S—3575M filed by him on April 22, 1975, and found on page 1059 of the Senate Journal.

Senator Shaff offered amendment S—3602 to division S—3575M, moved its adoption, and requested a record roll call:

S—3602

Amend the education committee amendment S—3575 to House File 558 as amended, passed, and reprinted by the House, page 4, line 5, by inserting after the word "district" the following:

"; however, for the fiscal years 1976-77 and 1977-78 the foundation property tax of five dollars

and forty cents per thousand dollars shall be decreased each year by a percentage amount equal to the percentage increase of the total property valuations in the state. The amount established in 1977-78 shall thereafter be the foundation property tax".

On the question "Shall amendment S—3602 to division S—3575M be adopted?" (H.F. 558) the vote was:

Ayes, 14:

Andersen	Heying	Ramsey	Taylor
Briles	Hultman	Schwengels	Tieden
Coleman	Lamborn	Shaff	Winkelman
Curtis	Nolin		

Nays, 31:

Carr	Hill of Jasper	Murray	Redmond
Culver	Hill of Polk	Nolting	Robinson
DeKoster	Junkins	Norpel	Rodgers
Doderer	Kelly	Orr	Scott
Glenn	Kinley	Palmer	Shaw
Gluba	Merritt	Plymat	Sovern
Griffin	Miller of	Priebe	Van Gilst
Hansen	Des Moines	Rabedeaux	Willits

Absent or not voting, 5:

Bergman	Gallagher	Miller of	Nystrom
Burroughs		Marshall	

Amendment S—3602 to division S—3575M lost.

Senator Hansen moved the adoption of division S—3575M of the amendment.

A record roll call was requested.

On the question "Shall division S—3575M of the amendment be adopted?" (H.F. 558) the vote was:

Ayes, 8:

Doderer	Hansen	Nolting	Ramsey
Griffin	Kelly	Orr	Shaw

Nays, 36:

Andersen	Heying	Miller of	Rodgers
Briles	Hill of Jasper	Marshall	Schwengels
Burroughs	Hill of Polk	Murray	Scott
Carr	Junkins	Nolin	Shaff
Coleman	Kinley	Norpel	Sovern
Culver	Lamborn	Plymat	Taylor
Curtis	Merritt	Priebe	Tieden
DeKoster	Miller of	Rabedeaux	Van Gilst
Gallagher	Des Moines	Redmond	Winkelman
Glenn		Robinson	

Absent or not voting, 6:

Bergman	Hultman	Palmer	Willits
Gluba	Nystrom		

Division S—3575M of the amendment lost.

Senator Winkelman withdrew amendment S—3585 to division S—3575N as amended, filed by him on April 22, 1975, and found on pages 1060 and 1061 of the Senate Journal.

Senator Winkelman offered amendment S—3587 to division S—3575N as amended and moved its adoption:

S—3587

Amend the committee on education amendment S—3575, to page 11A and 11B of House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 4, by striking lines 20 through 35 and inserting in lieu thereof the following:

"a. For the school years beginning July 1, 1975, and July 1, 1976, the state comptroller shall compute for each district an adjusted enrollment equal to one of the following:

(1) If a district has a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, the state comptroller shall determine an adjusted enrollment for the district by adding an amount equal to one hundred percent of the decrease to the extent that the decrease is not more than two percent of the base year's basic enrollment, and fifty percent of the remaining decrease, to the basic enrollment for the budget year, or add the sum of the basic enrollment for the budget year adjustments made for decreasing enrollment under the law in effect July first of the base year, whichever is greater.

(2) If a district does not have a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, its adjusted enrollment for the budget year is the greater of its basic enrollment for the budget year or its basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year."

2. Page 4, line 37, by striking the figure "1975" and inserting in lieu thereof the figure "1976".

President pro tempore Doderer took the chair at 5:10 p.m.

Amendment S—3587 to division S—3575N lost.

On motion of Senator Hansen, division S—3575N of the amendment as amended was adopted.

Senator Hill of Jasper offered amendment S—3593 to division S—3575O filed by him, moved its adoption and requested a nonrecord roll call:

S—3593

Amend the committee on education amendment S—3575 to House File 558 as amended, passed and reprinted by the House, as follows:

1. Page 5, by striking lines 1 through 12, and inserting in lieu thereof the following:

..... Page 12B, by striking line 41 and inserting in lieu thereof the words "shall be established by the general assembly."

..... Page 13, by striking lines 1 through 35.

..... Page 14, by striking lines 1 through 8 and inserting in lieu thereof the words "If the general assembly does not act to establish the state percent of growth for a budget year, the state percent of growth for the budget year is the state percent of growth established by the general assembly for the base year."

..... Page 14, by renumbering subsections as necessary.

2. By renumbering the remaining paragraphs.

Rule 25 was invoked.

The ayes were 23, nays 23.

Amendment S—3593 to division S—3575O lost.

On motion of Senator Hansen, division S—3575O of the amendment was adopted.

Senator DeKoster asked and received unanimous consent to withdraw amendment S—3594 to division S—3575P, filed by Senators DeKoster, Shaff and Ramsey on April 22, 1975, and found on page 1061 of the Senate Journal.

Senator DeKoster offered amendment S—3601 to division S—3575P by Senators DeKoster, Shaff and Ramsey and moved its adoption:

S—3601

Amend the committee on education amendment S—3575, to House File 558, as amended, passed and reprinted by the House, page 5, by inserting after the period in line 42 the following: *"For the purpose of this subsection the district cost per pupil shall not include the amount by which the district cost of transportation per pupil exceeds the statewide average cost of transportation per pupil."*

Amendment S—3601 to division S—3575P was adopted.

On motion of Senator Hansen, division S—3575P as amended was adopted.

Senator Taylor offered amendment S—3596 to amendment

S—3575 filed by Senators Taylor, et al., moved its adoption and requested a non-record roll call:

S—3596

Amend the Senate committee on education amendment S—3575 to House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 5, by striking lines 43 through 48 and inserting in lieu thereof the following:

..... Page 19A, line 4, by inserting after the word "curriculum" the words "maintenance or".

..... Page 19A, lines 5 and 6, by striking the words "The department of public instruction shall further define these purposes by rule."

..... Page 19A, by striking lines 8 through 27 and inserting in lieu thereof the following:

"amount per pupil needed, within the limits of this section, and shall direct the county commissioner of elections to submit the question of whether to raise that amount under the provisions of this section and section four hundred forty-two point fifteen (442.15) of the Code, to the qualified electors of the school district at a regular or special school election held not later than February fifteenth of the base year. If a majority of those voting favors raising the enrichment amount, the board may include the approved amount in its certified budget."

..... Page 19A, by striking line 35 and by striking page 19B and lines 1 through 17 on page 20, and inserting in lieu thereof the following:

"4. The additional enrichment amount for a district is limited to the amount which may be raised by a combination tax in the prescribed proportion which does not exceed a property tax of fifty-four cents per thousand dollars of assessed valuation and an income surtax of five percent".

..... Page 20, by striking lines 21 through 24 and inserting in lieu thereof the following:

"442.15 COMPUTATION OF ENRICHMENT AMOUNT. If a majority".

..... Page 20, by striking lines 29 through 34 and inserting in lieu thereof the following:

"procedures have been carried out, and the state comptroller shall establish the amount of additional enrichment property tax to be levied and the amount of school district income surtax to be imposed".

..... Page 21A, by striking lines 8 and 9.

2. Page 8, by striking lines 1 through 5.

3. Page 8, by striking lines 25 through 27.

4. Page 8, by striking lines 32 through 34.

The ayes were 28, nays 18.

Amendment S—3596 to amendment S—3575 was adopted.

Senator Hansen moved the adoption of division S—3575Q as amended.

A non-record roll call was requested.

The ayes were 28, nays 18.

Division S—3575Q of the amendment as amended was adopted.

On motion of Senator Hansen, division S—3575R of the amendment as amended was adopted.

On motion of Senator Hansen, division S—3575S of the amendment was adopted.

Action on division S—3575T of the committee amendment was temporarily deferred.

Senator Hill of Jasper offered amendment S—3590 filed by him and moved its adoption:

S—3590

Amend House 558 as amended and passed by the House, and reprinted as follows:

1. Page 7A, line 22, by striking the word "section" and inserting in lieu thereof the word "sections".

2. Page 7A, by inserting after line 33 the following:

"NEW SECTION. **AVAILABILITY OF MEDIA SERVICES, OTHER SERVICES AND SPECIAL EDUCATION SUPPORT SERVICES.** Media services, other services and special education support services shall be available to all resident pupils in the state. These services may be furnished to public schools in addition to public and nonpublic school pupils residing in the state. These services shall not be furnished to nonpublic schools."

A record roll call was requested.

On the question "Shall amendment S—3590 be adopted?" (H.F. 558) the vote was:

Ayes, 7:

Burroughs	Miller of	Murray	Shaw
Hill of Jasper	Marshall	Orr	Taylor

Nays, 39:

Andersen	Doderer	Hultman	Miller of
Briles	Gallagher	Junkins	Des Moines
Carr	Glenn	Kelly	Nolin
Coleman	Gluba	Kinley	Nolting
Culver	Hansen	Lamborn	Norpel
Curtis	Heying	Merritt	Nystrom
DeKoster	Hill of Polk		Palmer

Plymat	Robinson	Scott	Van Gilst
Priebe	Rodgers	Sovern	Willits
Ramsey	Schwengels	Tieden	Winkelman
Redmond			

Absent or not voting, 4:

Bergman	Griffin	Rabedeaux	Shaff

Amendment S—3590 lost.

Senator Winkelman offered amendment S—3581 filed by Senators Winkelman, et al., and moved its adoption:

S—3581

Amend House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 8, by striking lines 5 through 35.

2. Page 9, by striking lines 1 through 10.

3. Page 12A, line 32, by striking the words "and seven-tenths percent" and inserting in lieu thereof the following:

"plus four-tenths of one percent to be used to fund improvements to the Iowa public employees' retirement system".

4. Pages 12A and 12B, by striking lines 33 through 38.

5. Renumber the sections and correct internal references in conformance with this amendment.

A record roll call was requested.

On the question "Shall amendment S—3581 be adopted?" (H.F. 558) the vote was:

Ayes, 29:

Andersen	Heying	Murray	Schwengels
Briles	Hill of Polk	Nolin	Scott
Burroughs	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Taylor
Culver	Lamborn	Plymat	Tieden
Curtis	Merritt	Priebe	Van Gilst
DeKoster	Miller of Marshall	Ramsey	Winkelman
Hansen			

Nays, 18:

Carr	Hill of Jasper	Nolting	Rodgers
Doderer	Kelly	Orr	Shaw
Gallagher	Kinley	Palmer	Sovern
Glenn	Miller of Des Moines	Redmond	Willits
Gluba		Robinson	

Absent or not voting, 3:

Bergman	Griffin	Rabedeaux

Amendment S—3581 was adopted.

Senator Shaff withdrew amendment S—3552 filed by him on April 17, 1975, and found on page 990 of the Senate Journal.

Senator Priebe asked and received unanimous consent to withdraw amendment S—3583 filed by Senators Priebe, Tieden and Heying on April 22, 1975, and found on page 1058 of the Senate Journal.

Senator Priebe offered amendment S—3604 and moved its adoption:

S—3604

Amend House File 558 as amended, passed and reprinted by the House, page 11B, by inserting before line 37 the following:

"c. In addition to the amount determined under paragraph (a) or (b) of this subsection an amount shall be added equal to one-third of the number of resident pupils within the district attending nonpublic schools in grades kindergarten through twelve. However, such amount shall not exceed the lesser of one thousand pupils or one-fifth of the basic enrollment in the district for the budget year."

Amendment S—3604 lost.

Senator Winkelman offered amendment S—3567 filed by him:

S—3567

Amend House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 11B, by inserting after line 1 the following and renumbering the remaining subsection:

"3. However, for the school years beginning July 1, 1975, and July 1, 1976, the state comptroller shall compute for each district an adjusted enrollment equal to one of the following:

a. If a district has a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, the state comptroller shall determine an adjusted enrollment for the district by adding an amount equal to one hundred percent of the decrease to the extent that the decrease is not more than two percent of the base year's basic enrollment, and fifty percent of the remaining decrease, to the sum of the basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year.

b. If a district does not have a decrease from the basic enrollment of the base year to the basic enrollment of the budget year, its adjusted enrollment for the budget year is the greater of its basic enrollment for the budget year or its basic enrollment for the base year plus adjustments made for decreasing enrollment under the law in effect July first of the base year."

Senator Hansen raised the point of order that the subject mat-

ter contained in amendment S—3567 had already been considered and rejected by the Senate.

The Chair ruled the point well taken and amendment S—3567 and amendment S—3588 to amendment S—3567 out of order.

Senator Winkelman offered amendment S—3579 filed by Senators Winkelman, et al., moved its adoption and requested a record roll call:

S—3579

Amend House File 558, as amended, passed and reprinted by the House , as follows:

1. Page 12A, line 5, by inserting after the word "obtained" the words *"from school transportation aid,"*.

2. Page 16, line 28, by inserting after the period the following:

"However, for the budget year beginning July 1, 1975, the state cost per pupil as otherwise computed under this section shall be reduced by the average cost per pupil in weighted enrollment in the state for school transportation in the base year, based upon authorized transportation costs approved by the department of public instruction."

3. Page 24B, by inserting after line 39 the following:

"NEW SECTION. 1. A 'school transportation aid fund' is established. There is appropriated to the school transportation aid fund for each budget year an amount to be determined by the state comptroller as follows:

a. Multiply the average cost per pupil in weighted enrollment in the state for school transportation in the base year, based upon authorized transportation costs approved by the department of public instruction, by the percentage of the state cost per pupil which determines the state foundation base for the budget year, as provided in section four hundred forty-two point three (442.3) of the Code.

b. Multiply the product by the weighted enrollment in the state for the budget year.

c. The final product is the amount appropriated.

2. The state comptroller shall allocate the amount appropriated to the school transportation aid fund for each budget year to each school district in the state as follows:

a. Multiply each school district's cost per pupil in weighted enrollment for school transportation in the base year, based upon authorized transportation costs approved by the department of public instruction, by the percentage of the state cost per pupil which determines the state foundation base for the budget year, as provided in section

four hundred forty-two point three (442.3) of the Code.

b. Multiply the product by the weighted enrollment in the district for the budget year.

c. The final product is the amount allocated to each district for school transportation aid.

Page 2

3. A school district required by chapter two hundred eighty-five (285) of the Code to provide transportation to pupils is entitled to school transportation aid as provided in this section. However, no transportation aid shall be paid to school districts to cover costs incurred in transporting pupils from home to a bus route, or in transporting pupils not entitled to free transportation but who are transported at the expense of the home district or the parents. The secretary of each district shall, on or before the first day of July of each year, report to the state department of public instruction on blanks furnished by the department, the information it requires for determining the amount of the district's transportation cost per pupil in the base year. The department may require further supporting data and information, and shall certify the proper amount for each district to the state comptroller. The state comptroller shall draw warrants and deliver them to the districts, as provided in section four hundred forty-two point twenty-six (442.26) of the Code."

4. Amend the title, line 22, by inserting after the comma the words "and a new method for funding transportation costs,".

On the question "Shall amendment S—3579 be adopted?" (H.F. 558) the vote was:

Ayes, 23:

Briles	Hultman	Nolin	Scott
Burroughs	Junkins	Norpel	Taylor
Coleman	Lamborn	Nystrom	Tieden
Culver	Merritt	Priebe	Van Gilst
Curtis	Miller of	Ramsey	Winkelman
DeKoster	Marshall	Schwengels	
Heying			

Nays, 23:

Andersen	Hill of Jasper	Murray	Robinson
Carr	Hill of Polk	Nolting	Rodgers
Doderer	Kelly	Orr	Shaff
Glenn	Kinley	Palmer	Shaw
Gluba	Miller of	Plymat	Sovern
Hansen	Des Moines	Redmond	Willits

Absent or not voting, 4:

Bergman	Gallagher	Griffin	Rabedeaux

Amendment S—3579 lost.

Senator Lamborn offered amendment S—3603 by Senators Lamborn, Shaff and Shaw and moved its adoption:

S—3603

Amend House File 558 as amended, passed and reprinted by the House, page 12A, line 32, by striking the word "ten" and inserting in lieu thereof the word "eight".

A record roll call was requested.

On the question "Shall amendment S—3603 be adopted?" (H.F. 558) the vote was:

Ayes, 10:

Briles	Heying	Miller of Marshall	Shaff
Burroughs	Hultman	Schwengels	Shaw
DeKoster	Lamborn		

Nays, 38:

Andersen	Hansen	Nolin	Robinson
Bergman	Hill of Jasper	Nolting	Rodgers
Carr	Hill of Polk	Norpel	Scott
Coleman	Junkins	Nystrom	Sovern
Culver	Kelly	Orr	Taylor
Curtis	Kinley	Palmer	Tieden
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of Des Moines	Priebe	Willits
Glenn	Murray	Ramsey	Winkelman
Gluba		Redmond	

Absent or not voting, 2:

Griffin	Rabedeaux

Amendment S—3603 lost.

Senator Winkelman asked and received unanimous consent to withdraw amendment S—3582 filed by Senators Winkelman, et al., on April 22, 1975, and found on pages 1058 and 1059 of the Senate Journal.

Senator Winkelman offered amendment S—3605 by Senators Winkelman, et al., and called for a division of the amendment as follows:

S—3605

Amend House File 558, as amended, passed and reprinted by the House, as follows:

Division S—3605A

1. Page 12A, line 32, by striking everything after the word "ten" and inserting in lieu thereof a period.

Division S—3605B

2. Page 12A and 12B by striking lines 33 through 38.

Senator Winkelman withdrew division S—3605B of the amendment.

Senator Winkelman moved the adoption of amendment S—3605A.

A record roll call was requested.

On the question "Shall amendment S—3605A be adopted?" (H.F. 558) the vote was:

Rule 25 was invoked.

Ayes, 22:

Andersen	DeKoster	Miller of Marshall	Schwengels
Bergman	Gallagher	Murray	Scott
Briles	Heying	Norpel	Taylor
Burroughs	Hill of Polk	Nystrom	Tieden
Culver	Hultman	Ramsey	Winkelman
Curtis	Lamborn		

Nays, 25:

Carr	Junkins	Nolting	Robinson
Coleman	Kelly	Orr	Rodgers
Doderer	Kinley	Palmer	Shaw
Glenn	Merritt	Plymat	Sovern
Gluba	Miller of Des Moines	Priebe	Van Gilst
Hansen	Nolin	Redmond	Willits
Hill of Jasper			

Absent or not voting, 8:

Griffin	Rabedeaux	Shaff

Amendment S—3605A lost.

Senator Hill of Jasper withdrew amendment S—3578 filed by him on April 21, 1975, and found on page 1035 of the Senate Journal.

Senator Winkelman offered amendment S—3592 filed by Senators Winkelman, et al., and moved its adoption:

S—3592

Amend House File 558, as amended, passed and reprinted by the House, page 18A, line 18, by inserting after the period the words:

"However, for the budget year beginning July 1, 1975, each school district which provided special education services under sections two hundred eighty-one point nine (281.9) through two hundred eighty-one point eleven (281.11) of the Code, as those sections are in effect prior to July 1, 1975, for the school year beginning July 1, 1974, shall reduce its district cost by its unreimbursed excess cost for that year which is defined as reimbursable under said section two hundred eighty-one point nine (281.9) of the Code."

Amendment S—3592 was adopted.

Senator Schwengels offered amendment S—3494 filed by Senators Curtis and Schwengels and moved its adoption:

S—3494

Amend House File 558, as amended, passed and reprinted by the House, as follows:

1. Page 18A, by inserting after line 25 the following new section:

"Sec. ..... Section four hundred forty-two point thirteen (442.13), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The school budget review committee shall reimburse upon application each school district for actual costs incurred for prekindergarten programs during the period from the second Friday in January of 1975, to July 1, 1975, established by the district in compliance with the school standards provided by chapter two hundred fifty-seven (257) of the Code."

2. Renumber the sections and correct internal references in conformance with this amendment.

3. Amend the title, line 17, by inserting after the word "growth" the words "and reimburse school districts for prekindergarten programs".

A record roll call was requested.

On the question "Shall amendment S—3494 be adopted?" (H.F. 558) the vote was:

Ayes, 21:

Bergman	Lamborn	Ramsey	Sovern
Briles	Miller of Marshall	Redmond	Taylor
Burroughs	Nolting	Robinson	Tieden
Curtis	Nystrom	Schwengels	Van Gilst
Glenn	Priebe	Scott	Winkelman
Heying			

Nays, 26:

Andersen	Gluba	Kinley	Orr
Carr	Hansen	Merritt	Palmer
Coleman	Hill of Jasper	Miller of Des Moines	Plymat
Culver	Hill of Polk	Murray	Rodgers
DeKoster	Hultman	Nolin	Shaw
Doderer	Junkins	Norpel	Willits
Gallagher	Kelly		

Absent or not voting, 3:

Griffin	Rabedeaux	Shaff

Amendment S—3494 lost.

The Senate resumed consideration of division S—3575T of the committee amendment previously deferred.

Senator Hansen called for a further division of the amendment, sections 43 and 45 to be considered as division S—3575T,

and sections 44, 46, 47 and 48 to be considered as division S—3575U.

Senator Hansen withdrew division S—3575T of the amendment.

On motion of Senator Hansen, division S—3575U was adopted.

Senator Curtis moved to reconsider the vote by which division S—3575L of the committee amendment was adopted by the Senate.

On the question "Shall the motion to reconsider division S—3575L be adopted?" (H.F. 558) the vote was:

Ayes, 25:

Bergman	Hill of Jasper	Miller of	Schwengels
Briles	Hultman	Marshall	Scott
Burroughs	Junkins	Nolin	Taylor
Coleman	Lamborn	Norpel	Tieden
Culver	Merritt	Nystrom	Van Gilst
Curtis	Miller of	Priebe	Winkelman
Heying	Des Moines	Ramsey	

Nays, 21:

Andersen	Hansen	Nolting	Robinson
Carr	Hill of Polk	Orr	Rodgers
Doderer	Kelly	Palmer	Shaw
Gallagher	Kinley	Plymat	Sovern
Glenn	Murray	Redmond	Willits
Gluba			

Absent or not voting, 4:

DeKoster	Griffin	Rabedeaux	Shaff

The motion prevailed and division S—3575L of the amendment was taken up for reconsideration.

Senator Hansen moved the adoption of division S—3575L of the amendment.

A record roll call was requested.

On the question "Shall division S—3575L of the amendment as amended be adopted?" (H.F. 558) the vote was:

Ayes, 22:

Andersen	Hansen	Nolting	Robinson
Carr	Hill of Polk	Orr	Rodgers
Doderer	Junkins	Palmer	Shaw
Gallagher	Kelly	Plymat	Sovern
Glenn	Kinley	Redmond	Willits
Gluba	Murray		

Nays, 25:

Bergman	Heying	Miller of	Schwengels
Briles	Hill of Jasper	Marshall	Scott
Burroughs	Hultman	Nolin	Taylor
Coleman	Lamborn	Norpel	Tieden
Culver	Merritt	Nystrom	Van Gilst
Curtis	Miller of	Priebe	Winkelman
DeKoster	Des Moines	Ramsey	

Absent or not voting, 3:

Griffin	Rabedeaux	Shaff

Division S—3575L of the amendment, as amended, lost.

Senator Hansen moved to reconsider the vote by which division S—3575U of the amendment was adopted by the Senate.

The motion prevailed and division S—3575U of the amendment was taken up for reconsideration.

Senator Hansen called for a further division of the amendment, section 44 to be considered as division S—3575U, and sections 46, 47 and 48 to be considered as division S—3575V.

Senator Hansen withdrew division S—3575U of the amendment.

On motion of Senator Hansen, division S—3575V of the amendment was adopted.

Senator Hansen moved that the bill 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. 558) the vote was:

Ayes, 42:

Andersen	Hansen	Murray	Redmond
Bergman	Heying	Nolin	Robinson
Briles	Hill of Jasper	Nolting	Rodgers
Carr	Hill of Polk	Norpel	Schwengels
Coleman	Hultman	Nystrom	Scott
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			
Gluba			

Nays, 5:

Burroughs	Miller of Marshall	Shaw	Winkelman
Lamborn			

Absent or not voting, 3:

Griffin	Rabedeaux	Shaff

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 481, by committee on county government (committee on county government), a bill for an act to create a county

compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers.

Read first time and **placed on calendar.**

Senate File 482, by Senator Doderer, a bill for an act relating to the decree in a dissolution of marriage action.

Read first time and **passed on file.**

Senate File 483, by committee on ways and means, a bill for an act relating to bonding for income tax withholding agents.

Read first time and **placed on calendar.**

REPORTS OF COMMITTEES

Senator Nolin submitted the following **report:**

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 451**, a bill for an act relating to gasoline receptacles, repealing provisions relating to illuminating oil, and having the effect of imposing a penalty for violations, 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:**

S—3599
1 Amend House File 451 as amended and passed
2 by the House, page 1, by inserting in line 18 after
3 the word "bottles" the words "and plastic containers".

KARL NOLIN, Chairman

Ordered passed on file.

Senator Gluba submitted the following **reports:**

MR. PRESIDENT: Your committee on human resources to which was referred **Senate File 358**, a bill for an act relating to neglected, dependent, and delinquent children, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 463**, a bill for an act relating to remedial eye care, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Senator Heying submitted the following report:

MR. PRESIDENT: Your committee on natural resources to which was referred **House File 488,** a bill for an act to allow the state conservation commission to gather or remove certain plant life from parks, begs leave to report it has had the same under consideration and recommends the **same do pass.**

H. L. HEYING, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3600

Amend House File 177 as follows:

1. Page 1, by inserting after line 21 the following new section:

"Sec. 3. Section three hundred three point five (303.5), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Counties may levy up to one-quarter mill for the development and maintenance of historical artifacts, places and structures and the state shall provide research and development aid when possible for county historical societies."

2. In the title, line 2, by inserting after the word "board" the following: "and permitting counties to levy a tax for historical purposes".

JAMES V. GALLAGHER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 10:30 p.m., until 9:30 a.m., Thursday, April 24, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, APRIL 24, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Honorable Lucas J. DeKoster, member of the Senate from Hull, Sioux County, Iowa.

The Journal of Wednesday, April 23, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Merlin Broers, Schleswig, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Gerald W. Prince, former member of the Senate from Guthrie County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five students from Earlham Junior-Senior High School, Earlham, Iowa, accompanied by Ron Myers. Senator Rodgers.

Twelve honor society students from Madrid High School, Madrid, Iowa, accompanied by their principal, Carl Reno. Senator Nystrom.

Thirty students from St. Mary's of Panama-Portsmouth School, Portsmouth, Iowa, accompanied by Sister Mary and Mrs. Foxhoven. Senator Culver.

Thirty-five students from Sully Christian School, Sully, Iowa, accompanied by their principal, Stanley Hoogeveen, and Arlan Vis. Senator Hill of Jasper.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kinley from thirteen residents of Marshall, Polk, and Warren Counties favoring pari-mutuel betting.

By Senator Kinley from sixty-nine residents of Polk County opposing pari-mutuel betting and the sale of liquor on Sunday.

By Senator Shaw from twenty-eight residents of Clayton County urging rescission of the Equal Rights Amendment.

INTRODUCTION OF BILLS

Senate File 484, by committee on cities, a bill for an act relating to the regulation of noise emission from motor vehicles by cities.

Read first time and **placed on calendar.**

Senate File 485, by committee on labor and industrial relations, a bill for an act relating to employment security.

Read first time and **placed on calendar.**

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 486, by Senator Scott, a bill for an act relating to the issuance of a third plate as a duplicate plate for campers mounted on motor trucks.

Read first time and **passed on file.**

Senate File 487, by committee on commerce, a bill for an act relating to the regulation of savings and loan associations organized under the laws of the state of Iowa.

Read first time and **placed on calendar.**

Senate File 488, by committee on state government, a bill for an act relating to the political affiliation of persons serving on state boards, commissions, and councils.

Read first time and **placed on calendar.**

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senate File 44

The following report of the conference committee on Senate File 44, called up and deferred on April 22, 1975, was taken up for further consideration:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 44

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 44, a bill for an act relating to the registration of farm trailers, respectfully make the following recommendations:

1. That the Senate recede from its amendment, H—3216, to the House amendment to Senate File 44.

2. That the House amendment S—3187, to Senate File 44 be amended as follows:

1. Page 1, by striking lines 5 through 27 and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point one hundred twenty-three (321.123), Code 1975, is amended by striking subsection five (5) and inserting in lieu thereof the following:

5. Motor trucks or truck tractors pulling trailers or semitrailers shall be registered for the combined gross weight of the motor truck or truck tractor and trailer or semitrailer, except that:

a. Motor trucks registered for six tons or less not used for hire, pulling trailers or semitrailers used by a person engaged in farming to transport commodities produced by the owner, or to transport commodities or livestock purchased by the owner for use in his own farming operation or used by any person to transport horses shall not be subject to registration for the gross weight of such trailer or semitrailer provided the combined gross weight does not exceed twelve tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code.

b. Motor trucks registered for six tons or less not used for hire, pulling trailers or semitrailers used by a person in his own operations shall not be subject to registration for the gross weight of such trailer or semitrailer provided the combined gross weight does not exceed eight tons, plus the tolerance provided for in section three hundred twenty-one point four hundred sixty-six (321.466) of the Code."

2. Page 2, line 8, by striking the words "farm or horse trailers" and inserting in lieu thereof the words "trailers and semitrailers".

On the Part of the Senate:	On the Part of the House:
BERL E. PRIEBE, Chairman	C. W. HUTCHINS, Chairman
ROBERT M. CARR	RICHARD F. DRAKE
HILARIUS L. HEYING	EMIL J. HUSAK
PHILIP B. HILL	FRED L. KOOGLER
CLIFTON C. LAMBORN	WENDELL C. PELLETT

Senator Doderer withdrew amendment S—3598 filed by her on April 22, 1975.

On motion of Senator Priebe, the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Priebe moved that the bill 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. 44) the vote was:

Ayes, 45:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, 4:

Doderer	Hill of Polk	Nolting	Redmond

Absent or not voting, 1:

Hill of Jasper

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your committee on steering begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 374 S. F. 387 S. F. 154
H. F. 336

C. JOSEPH COLEMAN, Chairman

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 374.

Senate File 374

On motion of Senator Redmond, Senate File 374, a bill for an act correcting and clarifying provisions in the city code of Iowa, was taken up for consideration.

Senator Redmond asked and received unanimous consent that House File 723 be substituted for Senate File 374.

House File 723

On motion of Senator Redmond, House File 723, a bill for an

act correcting and clarifying provisions in the city code of Iowa, was taken up for consideration.

Senator Shaw offered amendment S—3612 and moved its adoption:

S—3612

Amend House File 723, page 4, line 32, by inserting after the comma the words "*or a special charter city governed, on the effective date of this section, by the mayor-council form composed of a mayor and a council consisting of two councilmen elected at large and one councilman elected from each of eight wards,*".

Amendment S—3612 was adopted.

Senator Redmond moved that the bill 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, 48:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Doderer	Hill of Jasper

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 723 passed the Senate.

WARREN E. CURTIS

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 336.

House File 336

On motion of Senator Carr, House File 336, a bill for an act relating to the quantity of alcoholic liquor an individual may

import into and possess within the state for the purpose of personal consumption, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

DEFERRED

Senator Norpel raised the point of order that a fiscal note was required on the bill under Senate Rule 32.

The Chair ruled the point well taken.

Senator Lamborn moved that House File 336 be referred to the committee on ways and means.

Senator Hill of Jasper raised the point of order that House File 336 should be referred to the committee on ways and means, under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Lamborn withdrew his motion to refer, and House File 336 was deferred for a fiscal note under Senate Rule 32, and placed on the calendar under unfinished business.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 387.

Senate File 387

On motion of Senator Sovern, Senate File 387, a bill for an act relating to liability for the performance of or refusal to perform abortions, was taken up for consideration.

Senator Hill of Polk offered amendment S—3611 by Senators Hill of Polk, et al., and moved its adoption:

S—3611
Amend Senate File 387 as follows:

Division S—3611A

1. Page 1, line 6, by inserting after the word "procedures" the words ", except in an emergency when medically necessary to save the life of the mother."

Division S—3611B

2. Page 1, line 19, by inserting after the word "abortion" the words ", except in an emergency when medically necessary to save the life of the mother".

Senator Palmer called for a division of the amendment, sec-

tion 1 to be considered as division S—3611A, and section 2 to be considered as division S—3611B.

Senator Coleman took the chair at 4:50 p.m.

Senator Hill of Polk moved the adoption of division S—3611A and requested a record roll call.

On the question "Shall division S—3611A of the amendment be adopted?" (S.F. 387) the vote was:

Ayes, 13:

Bergman	Hansen	Murray	Redmond
Burroughs	Hill of Polk	Orr	Shaw
Doderer	Miller of Marshall	Plymat	Willits
Glenn			

Nays, 34:

Andersen	Griffin	Miller of Des Moines	Robinson
Briles	Heying	Nolin	Rodgers
Carr	Hill of Jasper	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Rabedeaux	Taylor
Gallagher	Merritt	Ramsey	Tieden
Gluba			Winkelman

Absent or not voting, 3:

Lamborn	Priebe	Van Gilst

Division S—3611A of the amendment lost.

DEFERRED

Senator Doderer ask unanimous consent that further action on Senate File 387 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

Senator Doderer moved that further action on Senate File 387 be deferred and that the bill be placed on the calendar under unfinished business.

A record roll call was requested.

On the question "Shall the motion to defer be adopted?" (S.F. 387) the vote was:

Ayes, 25:

Andersen	Hansen	Orr	Schwengels
Bergman	Hill of Polk	Palmer	Shaff
Burroughs	Lamborn	Plymat	Shaw
Curtis	Merritt	Ramsey	Sovern
DeKoster	Miller of Marshall	Redmond	Tieden
Doderer	Murray	Rodgers	Willits
Gallagher			

Nays, 16:

Carr	Heying	Nolting	Robinson
Coleman	Hill of Jasper	Norpel	Scott
Culver	Kelly	Nystrom	Taylor
Gluba	Nolin	Rabedeaux	Winkelman

Voting present, 6:

Briles	Griffin	Kinley	Miller of Des Moines
Glenn	Junkins		

Absent or not voting, 3:

Hultman	Priebe	Van Gilst

The motion prevailed.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 154.

Senate File 154

On motion of Senator Sovern, Senate File 154, a bill for an act relating to the employment and duties of public school principals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sovern offered amendment S—3533 filed by him and moved its adoption:

S—3533

Amend Senate File 154 as follows:

1. Page 1, line 15, by striking the words "The principal shall be".

2. Page 1, by striking lines 16 through 23 and inserting in lieu thereof the following:

"The principal shall, pursuant to the policies adopted by the board of directors of the school district, be responsible for the planning, management, operation, and evaluation of the educational program offered at the attendance center to which the principal is assigned and shall submit recommendations to the superintendent regarding the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to the attendance center. The principal shall perform such other duties as may be assigned by the superintendent."

Amendment S—3533 was adopted.

Amendment S—3502 filed by Senator Shaw ruled out of order with the adoption of amendment S—3533.

Senator Sovern moved that the bill 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. 154) the vote was:

Ayes, 26:

Andersen	Heying	Miller of Des Moines	Ramsey
Carr	Hill of Polk	Murray	Redmond
Culver	Junkins	Nolting	Robinson
DeKoster	Kelly	Norpel	Rodgers
Glenn	Kinley	Orr	Sovern
Gluba	Merritt	Palmer	Tieden
Hansen			Willits

Nays, 18:

Bergman	Gallagher	Miller of Marshall	Schwengels
Briles	Griffin	Nolin	Scott
Burroughs	Hill of Jasper	Plymat	Shaff
Coleman	Lamborn	Rabedeaux	Taylor
Curtis			Winkelman

Absent or not voting, 6:

Doderer	Nystrom	Shaw	Van Gilst
Hultman	Priebe		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Redmond asked and received unanimous consent that **Senate File 374** be **withdrawn** from further consideration of the Senate.

INTRODUCTION OF BILLS

Senate File 489, by committee on transportation, a bill for an act relating to the width of commercial vehicles subject to penalties provided by law.

Read first time and **placed on calendar.**

Senate File 490, by committee on state government, a bill for an act relating to improvement of certain benefits for members of police and fire retirement systems.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 33

By Committee on Transportation

Whereas, the Mississippi River Locks and Dam 26 at Alton, Illinois are a vital link in the mid-continent waterway system; and

Whereas, over twenty million tons of coal, petroleum, grain, fertilizer, salt, molasses and other commodities are transported to Iowa via the Mississippi waterway, and it provides clear economic benefits to all of Iowa and, indirectly, the nation; and

Whereas, the locks and dam have deteriorated over the past

37 years and structural failure is now threatened by settlement and riverbed scour, and lock failure could halt navigation on both the Upper Mississippi and Illinois Rivers; and

Whereas, the Corps of Engineers began examining alternate solutions in 1957, proceeded with project development and advertised for initial construction bids in August, 1974; and

Whereas, the United States district court granted a preliminary injunction to stop the project until consent of Congress was obtained and defects in the environmental impact statement were remedied; and

Whereas, the Iowa state department of transportation has reviewed the General Design Memorandum, Final Environmental Statement, and litigation documents relating to the Alton Locks and Dam 26 project proposal; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the general assembly urges that the federal government and its agencies make no further delays in the construction of the new Alton Lock and Dam in order to insure continued navigation, remove capacity constraints on the present lock and dam, avoid further increases in construction cost, and maintain the economic competitiveness of the water transportation alternative; and

Be It Further Resolved, That copies of this resolution be

Page 2

forwarded to the Iowa congressional delegation and the Iowa department of transportation and their support for the principles and objectives of this resolution is urged; and

Be It Further Resolved, That other midwestern states dependent upon water transportation on the Upper Mississippi and Illinois Rivers be urged to unite in uniformly opposing further delay in this critical project.

Read first time and placed on calendar.

SENATE CONCURRENT RESOLUTION 34

By Committee on Energy

Whereas, the regulation of hazardous substances includes regulating the transportation of, and medical and industrial uses of, all materials which in a quantity and form may pose an unreasonable risk to health, safety or property; and

Whereas, concern over the biological effects of ionizing radiation, including radiation emitted through such sources as x-ray equipment and released accidentally through other sources, has caused the lowering of allowable dosage standards several times in the past; and

Whereas, of the two hundred forty-five pieces of x-ray equipment inspected last year in this state, seventy were found to have serious deficiencies; and

Whereas, the use of nuclear fission power plants has increased in the recent past; and

Whereas, the federal Nuclear Regulatory Commission, formerly the Atomic Energy Commission, regulates only the by-product of the nuclear reactor; and

Whereas, several other aspects of nuclear plant safety have

proved controversial in recent years; and

Whereas, Iowa is one of only a few states which have not adopted regulations for the monitoring of hazardous substances in general; and

Whereas, the Midwest Nuclear Board is currently involved in encouraging uniformity of regulations relating to the transportation of hazardous substances; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council create a study committee as provided by law and composed of members of the Senate and the House of Representatives to conduct a study, during the 1975 interim, of the regulation of hazardous substances, which study shall include

Page 2

an analysis and determination of the proper and most efficient role of the state in any regulation currently being provided by various federal agencies; and

Be It Further Resolved, That the study committee shall prepare a report of its findings for submission to the legislative council and members of the Sixty-sixth General Assembly meeting during the 1976 Session, which report shall be accompanied by the necessary legislative bill drafts designed to carry out the recommendations of the study committee.

Read first time and **placed on calendar.**

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 on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 12, a bill for an act relating to the indemnification of county officers and employees.

Also: That the House has on April 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 185, a bill for an act relating to the transporting of livestock, and providing penalties.

Also: That the House has on April 22, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 188, a bill for an act authorizing the director of the department of general services with approval of the state executive council to proceed with the acquisition of additional land for the extension of the state capitol grounds.

Also: That the House has on April 16, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 352, a bill for an act relating to dissolution of marriage.

Also: That the House has on April 22, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 575, a bill for an act relating to eligibility for low-rent housing.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 12, a bill for an act relating to the indemnification of county officers and employees.

Read first time and **passed on file.**

House File 185, a bill for an act relating to the transporting of livestock, and providing penalties.

Read first time and **passed on file.**

House File 188, a bill for an act authorizing the director of the department of general services with approval of the state executive council to proceed with the acquisition of additional land for the extension of the state capitol grounds.

Read first time and **passed on file.**

House File 352, a bill for an act relating to dissolution of marriage.

Read first time and **passed on file.**

House File 575, a bill for an act relating to eligibility for low-rent housing.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 482 Judiciary
H.J.R. 9 Judiciary
H. F. 36 Commerce
H. F. 206 Ways and means
H. F. 374 County government
H. F. 414 Commerce
H. F. 497 Natural resources
H. F. 498 Judiciary
H. F. 698 Energy
H. F. 728 Judiciary
H. F. 736 Energy
H. F. 741 Judiciary
H. F. 744 Transportation
H.C.R. 34 Education

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 99

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 99, a bill for an act relating to the temporary closing of highways, respectfully make the following recommendations:

1. That the Senate recede from its amendment, S—3077, to House File 99.

2. That page 1, line 14, be amended by inserting after the period the following:

"Any numbered road closed for over 48 hours shall have a designated detour route."

On the Part of the Senate:	On the Part of the House:
KENNETH D. SCOTT, Chairman	THOMAS J. GILLOON, Chairman
FRED W. NOLTING	JAMES I. MIDDLESWART
MILO MERRITT	DELWYN STROMER
RAY TAYLOR	ARNOLD R. LINDEEN
E. KEVIN KELLY	KEITH BAKER

EXPLANATION OF VOTE

MR. PRESIDENT: I had to leave the Senate chamber early on Wednesday, April 23, 1975. Had I been present I would have voted "aye" on House File 558.

JAMES W. GRIFFIN, SR.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of April, 1975: Senate Files 82, 119, 132, 150, 230, 231, 233 and 418.

CLARK R. RASMUSSEN
Secretary of the Senate

REPORTS OF COMMITTEES

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred House File 501, a bill for an act relating to the requirement for admission to the school for the deaf, begs leave to report it has had the same under consideration and recommends the same do pass.

JOAN ORR, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following reports:

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 288**, a bill for an act to repeal the procedure for establishment of a convention to ratify amendments to the Constitution of the United States, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government to which was referred **House File 160**, a bill for an act relating to canvass of vote for governor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 271**, a bill for an act relating to reducing speeds when approaching slow moving vehicles and allowing garbage collection vehicles to display slow moving vehicle reflective devices, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3606

Amend the Coleman, et al., amendment, S—3303, to Senate File 93, line 20, by adding after the period the words "The costs incurred in conducting the survey shall be assessed against the petitioner."

RAY TAYLOR

S—3616

Amend Senate File 228 by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. *NEW SECTION.* DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Bicycle" means a device driven by a person which is propelled by human power by means of a belt, chain, or gears and having two tandem wheels, either of which is greater than fourteen inches in diameter.

2. "Functional braking system" means a device which will enable the operator of a bicycle to make the wheel skid on dry, level, clean pavement.

3. "Coaster bicycle" means a bicycle that has

one speed and one brake system which is contained in the hub of the bicycle.

Sec. 2. *NEW SECTION.* MINIMUM SAFETY EQUIPMENT.

1. Every bicycle shall be equipped with a functional braking system.

2. During the hours from sunset to sunrise or under conditions when visibility is less than five hundred feet, a bicycle or the driver shall be equipped and have operating the following lighting equipment:

a. A head lamp with a white light which is visible for a distance of five hundred feet.

b. A red taillight or rear mounted red reflector which is visible for a distance of three hundred feet.

c. White, amber, or red reflectors or reflectorized materials capable of reflecting light attached to the sides of the bicycle.

Sec. 3. *NEW SECTION.* REQUIRE ASSEMBLY.

1. Any bicycle, except a coaster bicycle, sold to a consumer in the state of Iowa shall be assembled before the consumer takes possession of the bicycle.

Sec. 4. *NEW SECTION.* BICYCLE INSTRUCTION MANUAL. Every new bicycle sold in Iowa shall include an instructional manual tied to the frame, or included in the packaging. This manual shall include at least the following information:

a. Operating and safety instructions, including all applicable state laws or summaries thereof.

b. Detailed maintenance instructions for proper maintenance of brakes, control cables, bearing adjustments, wheel adjustments, lubrication, reflectors, tires, and handlebar and seat adjustment. Should the manufacturer determine that such maintenance is beyond the capability of the consumer, specifics regarding locations where such maintenance can be obtained shall be included in addition to the other information.

Sec. 5. *NEW SECTION.* ASSEMBLY CHARGE. If there

Page 2

is a charge for assembling an unassembled bicycle, that charge must be clearly posted at the same place as the price of the bicycle.

Sec. 6. *NEW SECTION.* SIRENS OR WHISTLES. A bicycle shall not be equipped with any siren or whistle.

Sec. 7. *NEW SECTION.* OPERATING REQUIREMENTS. Every person operating a bicycle upon any highway shall:

1. Drive as near as practicable to the right-hand side of the highway, except while making a left turn or on one-way street or on a designated bicycle pathway.

2. Drive not more than two abreast.

8. Not allow a person to ride upon the bicycle unless it is equipped with an additional seat upon which that person can ride.

Sec. 8. *NEW SECTION.* SUBJECT TO MOTOR VEHICLE

LAWS. The provisions of sections two (2) and six (6) of this Act shall not exempt a bicycle or the driver of a bicycle from the provisions of chapter three hundred twenty-one (321) of the Code. Sections three hundred twenty-one point two hundred twenty-nine (321.229), three hundred twenty-one point two hundred fifty-seven (321.257), three hundred twenty-one point two hundred eighty-five (321.285), three hundred twenty-one point three hundred eighteen (321.318), three hundred twenty-one point three hundred twenty-seven (321.327), three hundred twenty-one point three hundred forty-five (321.345), and three hundred twenty-one point three hundred fifty-three (321.353), Code 1975, shall specifically be applicable to bicycles and drivers of bicycles.

Sec. 9. *NEW SECTION.* COMPETITIVE RACING. The requirements imposed under this Act may be waived for sanctioned competitive racing by obtaining a waiver from the department of public safety or the local law enforcement agency in whose jurisdiction the race is to take place.

Sec. 10. *NEW SECTION.* APPROVED MATERIALS. The commissioner of public safety shall approve or disapprove the types of reflective materials required by this Act and issue rules and regulations establishing standards and specifications for reflective materials and publish lists of the types of the reflective surfaces which have been approved.

Sec. 11. *NEW SECTION.* PENALTY FOR VIOLATION. Any person who violates the provisions of this Act may be subject to a fine of not less than fifteen dollars but not exceeding fifty dollars.

Page 3

Sec. 12. Section three hundred twenty-one point two hundred thirty-four (321.234), Code 1975, is amended to read as follows:

321.234 [BICYCLES OR] ANIMAL—DRAWN VEHICLES. Every person riding [a bicycle or] an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions of this chapter which by their nature can have no application.

Sec. 13. Sections three hundred twenty-one point three hundred ninety-seven (321.397) and three hundred twenty-one point four hundred thirty-four (321.434), Code 1975, are repealed.

RICHARD J. NORPEL, SR.
JOHN S. MURRAY
LOUIS P. CULVER
KENNETH D. SCOTT
ROBERT M. CARR
DALE L. TIEDEN
JAMES E. BRILES
NORMAN G. RODGERS

S—3610

Amend Senate File 367, page 1, by striking lines 9 through 18 and inserting in lieu thereof the following:

"3. 'Established date of operation:'

(a) DEQ Permittees: 'Established date of operation' means the date of the issuance of an appropriate department construction or operation permit for a confined feed lot. With respect to the issuance of a subsequent permit or permits authorizing the expansion of a confined feedlot with a previously established date of operation, the established date of operation for each expansion is deemed to be a separate and independent date of operation established as of the date of the issuance of the permit for the expansion and shall not divest the permittee of a previously established date of operation.

(b) Non-DEQ Permittees: 'Established date of operation' means the date on which a feedlot exempt from DEQ permit requirements actually commenced operating as a feedlot with not more livestock than reasonably could be maintained by the physical facilities existing as of that date. If such a feedlot subsequently expands but still remains exempt from the DEQ permit requirements, the established date of operation for each expansion is deemed to be a separate and independent date of operation established as of the date of commencement of the expanded operations."

BASS VAN GILST
KARL NOLIN

S—3614

Amend Senate File 387 as follows:

1. Page 1, line 3, by inserting after the word "in" the word "any".

2. Page 1, lines 3 and 4 by striking the words "which will result in an abortion".

3. Page 1, line 12, by striking the words "an abortion procedure." and all of lines 13 through 15 and inserting in lieu thereof the following: "any such procedure that is against the individual's religious beliefs or moral convictions."

4. Page 1, line 19, by striking the word "the performance of an abortion" and inserting in lieu thereof the following: "such procedures which are against that hospital's religious beliefs or moral convictions".

MINNETTE DODERER

S—3613

Amend Senate File 387, page 1, line 22, by inserting after the word "hospital" the following: ", except if either the mother or the fetus dies as a result of the refusal to provide medical care".

MINNETTE DODERER

S—3607

Amend the Shaw amendment S—3597 to Senate File 463 page 1, line 18, by inserting after the word "in" the word "the".

ELIZABETH SHAW

S—3615

Amend Senate File 485 as follows:

1. By inserting the following before line 1, page 1:

"Section 1. Section ninety-six point two (96.2), Code 1975, is amended to read as follows:

96.2 GUIDE FOR INTERPRETATION. As a guide to the interpretation and application of this chapter, the public policy of this state is declared to be as follows: Economic insecurity due to unemployment is a serious menace to the health, morals, and welfare of the people of this state. Involuntary unemployment is therefore a subject of general interest and concern which requires appropriate action by the legislature to prevent its spread and to lighten its burden which now so often falls with crushing force upon the unemployed worker and his family. The achievement of social security requires protection against this greatest hazard of our economic life. This can be provided by encouraging employers to provide more stable employment and by systematic accumulation of funds during periods of employment to provide benefits for periods of unemployment, thus maintaining purchasing power and limiting the serious social consequences of the poor relief assistance. The legislature, therefore, declares that in its considered judgment the public good, and the general welfare of the citizens of this state require the enactment of this measure, under the police powers of the state, for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed **through no fault of their own.** ***Further, to actively seek means of employment in working corps that would materially benefit the state as a whole.***

Sec. 2. Section ninety-six point three (96.3), subsection two (2), Code 1975, is amended to read as follows:

2. TOTAL UNEMPLOYMENT. Each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in an amount which shall be equal to his weekly benefit amount, ***but only if the state was unable to provide a job opportunity in a service of general welfare to the state.***

Sec. 3. Section ninety-six point three (96.3), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Wherever the state sees a need to maintain, repair, or construct facilities that would serve the general public welfare, the unemployed who have the physical capability must serve in that capacity. Wages shall be paid for such services from funds provided in section ninety-six point thirteen (96.13) of the Code, shall be the equivalent of the wage scale as set forth by

the department of labor for like services. Should the state fail to provide a job opportunity, then only will

Page 2

the employment benefits apply."

2. By renumbering the remaining sections in accordance with this amendment.

HILARIUS L. HEYING

S—3608

Amend House File 127, as amended and passed by the House, as follows:

1. Page 2, by inserting after line 9 the following new section:

"Sec. ..... Section four hundred seventy-four point twenty-two (474.22), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

474.22 EXAMINATION OF RAILROAD OPERATIONS. The mayor and council of any city affected by a railroad, or the board of supervisors of any county affected by a railroad, may file a petition with the department requesting that the department make an examination of the condition or operation of the railroad. Any twenty-five voters may petition the mayor and council of any city affected by the railroad or the board of supervisors of any county affected by the railroad, requesting that a petition be filed with the department. If the mayor and council of the city or the board of supervisors of the county refuse, the mayor and council or board of supervisors shall submit a report to the petitioners stating the reasons for denying the petition. The twenty-five voters may submit the petition to the department within ten days from the date the mayor and council or board of supervisors denied the petition. The department shall determine the merits of each petition filed with the department, and if it determines that the allegations contained in the petition warrant further action, the department shall give the petitioners and the railroad reasonable notice, in writing, of the time and place of a public hearing. Upon conclusion of the hearing, the department shall give notice of its findings to the petitioners and the railroad and issue an order directing the railroad to take such action as the department deems necessary."

2. Page 11, by inserting after line 13 the following new section:

"Sec. ..... Section four hundred eighty point seven (480.7), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, the railroad company which relocates its track shall file a petition with the department giving the department notice that it intends to relocate the track. The railroad company may also request an exemption from the requirements of this section. The department shall set a time and place for

a public hearing on the petition. The department shall conduct the hearing at a place designated by the department in the affected county. The department shall publish notice of the hearing once each week for three consecutive

Page 2

weeks in a newspaper of general circulation in the area affected by the taking up of the tracks. The last publication shall be made not less than three weeks before the date set for the hearing. If after the hearing, the department finds that no objections have been raised, the department may issue an order exempting the railroad company from the provisions of this section."

3. Page 14, line 12, by striking the words and figure "four hundred eighty point seven (480.7),".

JAMES M. REDMOND

S—3609

Amend the Redmond amendment S—3608 to House File 127 as amended and passed by the House, as follows:

1. Page 2, line 4, by striking the words "If after" and all of lines 5 through 8 and inserting in lieu thereof the following: "Upon the conclusion of the hearing, the department shall give notice of its findings and may for good cause shown issue an order exempting the railroad company from the provisions of this section."

2. Page 2, by inserting after line 8 the following new paragraph:

..... Page 12, line 11, by striking the words "four hundred seventy-four point twenty-two (474.22),".

3. Page 2, by inserting after line 10 the following new paragraph:

"..... By renumbering the sections in accordance with this amendment."

4. By renumbering the paragraphs in accordance with this amendment.

JAMES M. REDMOND

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Friday, April 25, 1975.

JOINT MEMORIAL SERVICE

House Chamber 7:30 p.m.

REQUIESCAT DEAR COLLEAGUE

By Senator Hilarius L. Heying, West Union

I pause in reverence, and listened
For some echo from these hallowed walls
Great voices, numbers never mentioned
Orated hope and justice in these halls.

I wished, then, that these walls would speak,
And tell the secret tales of men long gone,
Who left memorials we daily seek
In the Code of State which still lives on.

It seemed then strange that this should be
God's plan to save the neuters and each deed,
Instead of vital man. Suddenly
I saw the greater gift of man's soul freed.

Organ Prelude .....Senator Earl M. Willits, Des Moines

Invocation .....Representative David M. Readinger, Des Moines

"Alleluia" .....Randall Thompson

Chancel Choir
Plymouth Congregational Church, Des Moines
C. Richard Morris, Organist and Director of Music and Fine Arts

MEMORIALS—SENATE

Reading: Senator Eugene M. Hill, Newton

"How Great Thou Art" .....Stuart K. Hine

Duet: Senator Ray Taylor and wife, Mary, Steamboat Rock
Accompanist: Senator Willits

MEMORIALS—SENATE

Reading: Senator Elizabeth Shaw, Davenport

"Sanctus" .....Francis Poulenc

Plymouth Chancel Choir

MEMORIALS—SENATE

Reading: Senator Louis P. Culver, Dunlap

"Sing Unto God" .....Paul Fetler

Plymouth Chancel Choir

MEMORIALS—HOUSE

Reading: Representative James I. Middleswart, Indianola

"Joyful, Joyful, We Adore Thee" .....Ludwig von Beethoven

Representative Arthur A. Small, Jr., Iowa City
Accompanist: Senator Willits

MEMORIALS—HOUSE

Reading: Representative Julia Gentleman, Des Moines

"Cry Out and Shout" .....Knut Nystedt

Plymouth Chancel Choir

MEMORIALS—HOUSE

Reading: Representative Terry Dyrland, Elkader

"The Lord's Prayer" .....Malotte

Mrs. Arline J. Maher, Soloist for Plymouth Congregational Church
Accompanist: Mrs. Linda Jones

Benediction .....Senator Kenneth D. Scott, Thornton

Organ Postlude .....Senator Earl Willits

IN MEMORIAM

Honorable Oliver P. Bennett, Sr. (Monona, Crawford and Harrison Counties) 43rd, 44th, 45th and 45th Ex.

Honorable Jay C. Colburn (Shelby and Cass Counties) House—49th, 50th, 50th Ex., 51st and 56th; Senate—52nd, 52nd Ex., 53rd, 54th and 55th.

Honorable Thomas J. Frey (Pottawattamie County) House—54th, 55th, 56th, 57th; Senate—62nd and 63rd.

Honorable Merle W. Hagedorn (Buena Vista, Clay and Dickinson Counties) House—56th, 57th, 58th, 59th, 60th; Senate—61st and 62nd.

Honorable Stanley L. Hart (Lee County) 47th, 48th, 49th, 50th, 50th Ex., 51st, 52nd, 52nd Ex., 53rd, 54th and 55th; President pro tempore of Senate in 51st, 54th and 55th.

Honorable Vernon H. Kyhl (Butler, Black Hawk, Bremer, Floyd, Franklin, Grundy, Marshall, Mitchell and Tama Counties) 60th, 60th Ex., 61st, 62nd, 63rd, 64th and 65th; President pro tempore in Senate 64th and 65th.

Honorable Karl Miles LeCompte (Wayne and Lucas Counties) 37th and 38th.

Honorable Harold V. Levis (Lucas and Wayne Counties) 47th and 48th.

Honorable Leon M. Miller (Marion and Monroe Counties) 55th and 56th.

Honorable Edward E. Nicholson (Scott County) 63rd and 64th.

Honorable D. C. Nolan (Iowa and Johnson Counties) 55th, 56th, 57th, 58th, 59th, 60th and 60th Ex.; Majority Floor Leader in Senate 57th.

Honorable George L. Scott (Fayette County) 46th, 47th, 48th, 49th and 50th; (Allamakee, Fayette and Winneshiek Counties) 55th, 56th, 57th, 58th, 59th and 60th.

Honorable Carl O. Sjulin (Fremont and Page Counties) 48th, 49th, 50th and 51st.

Honorable Charles S. Van Eaton (Woodbury County) 51st, 52nd, 53rd, 54th, 55th, 56th, 59th, 60th and 62nd.

* * * * *

Honorable Henry W. Burma (Butler County) 47th, 48th, 49th, 50th and 50th Ex.; Speaker of the House 50th and 50th Ex.

Honorable C. J. "Dutch" Burris (Jackson County) 53rd, 54th and 57th.

Honorable Joseph W. Clark (Dubuque County) 65th.

Honorable William J. Coffman (Iowa County) 57th, 58th, 59th, 60th, 60th Ex., 61st and 62nd.

Honorable J. C. Davis (Fayette County) 51st, 52nd, 52nd Ex., 53rd and 54th.

Honorable Andrew G. Dooley (Woodbury County) 63rd.

Honorable Bert K. Fairchild (Ida County) 53rd, 54th, 55th, 56th, 57th and 58th.

Honorable Theodore Michael Gleason (Humboldt County) 61st.

Honorable O. J. Grau (Buena Vista County) 45th, 45th Ex.

Honorable G. H. Hesse (O'Brien County) 44th.

Honorable Ernst Lieberknecht (Louisa County) 40th, 40th Ex., and 41st.

Honorable A. L. "Al" Mensing (Cedar County) 54th, 55th, 56th, 57th, 58th, 59th, 60th, 60th Ex. and 62nd.

Honorable R. G. "Hap" Miller (Calhoun County) 65th.

Honorable Charles A. Palmer (Allamakee County) 51st.

Honorable Rev. Arthur Weed (Madison County) 45th, 45th Ex. and 46th.

* * * * *

Candlelighters

Senator Elizabeth Miller, Marshalltown
Senator Joan Orr, Grinnell
Representative Robert T. Anderson, Newton
Representative Mattie Harper, West Grove

Host and Hostesses

Senator Hilarius L. Heying, West Union
Representative Joyce Lonergan, Boone
Representative Lillian McElroy, Percival

* * * * *

Senate Memorial Committee

Honorable Louis P. Culver, Dunlap, Chairman
Honorable Warren E. Curtis, Cherokee
Honorable William E. Gluba, Davenport
Honorable Elizabeth Shaw, Davenport

House Memorial Committee

Honorable William B. Griffee, Nashua, Chairman
Honorable James I. Middleswart, Indianola
Honorable Elmer Den Herder, Sioux Center
Honorable David Readinger, Des Moines

JOURNAL OF THE SENATE

ONE HUNDRED THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, APRIL 25, 1975

The Senate met in regular session, Senator Glenn presiding.

Prayer was offered by the Reverend Gary Pierce, pastor of the Congregational Church, Marshalltown, Iowa.

The Journal of Thursday, April 24, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Bell, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Van Gilst for the day and Senator Priebe for the day on request of Senator Kinley; Senator Kelly for the day on request of Senator Curtis; Senator Lamborn for the day on request of Senator Shaff; Senator Doderer for the day on request of Senator Kinley; Senator Murray for the afternoon session on request of Senator Burroughs.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six students from Lincoln Elementary School, Ottumwa, Iowa, accompanied by Mrs. Barnes, Mr. Ahrens and Mr. Richardson. Senator Glenn.

Forty students from United Community School, Boone, Iowa, accompanied by Mrs. McLean and Mrs. Sivesind. Senator Nystrom.

Twelve students, winners in the Jaycees Gun Safety Course at Missouri Valley, Iowa, who will compete in the State Jaycees BB Gun Tournament at Bellevue, Iowa. Senator Culver.

PETITIONS

The following petitions were presented and placed on file:

By Senator Hill of Jasper from thirty-one residents of Clayton County urging rescission of the Equal Rights Amendment.

By Senator Hill of Jasper from forty-two residents of Jasper County opposing pari-mutuel betting.

By Senator Gluba from three hundred fifty-six residents of Scott County favoring Senate File 387 which provides that a person cannot be required to participate in medical procedures which will result in an abortion if it is against his religious beliefs or moral convictions.

By Senator Coleman from twenty-seven residents of Clayton County favoring a public hearing in regard to rescission of the Equal Rights Amendment.

By Senator Sovern from thirty-five residents of Linn County urging rescission of the Equal Rights Amendment.

CONSIDERATION OF BILLS

House File 398

On motion of Senator Redmond, House File 398, a bill for an act relating to the board of psychology examiners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond moved that the bill 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. 398) the vote was:

Ayes, 43:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Briles	Heying	Nolting	Scott
Burroughs	Hill of Jasper	Norpel	Shaff
Carr	Hill of Polk	Nystrom	Shaw
Coleman	Hultman	Orr	Sovern
Culver	Junkins	Palmer	Taylor
Curtis	Kinley	Rabedeaux	Tieden
DeKoster	Merritt	Ramsey	Willits
Gallagher	Miller of	Redmond	Winkelman
Glenn	Des Moines	Robinson	
Gluba			

Nays, none.

Absent or not voting, 7:

Doderer	Miller of	Plymat	Van Gilst
Kelly	Marshall	Priebe	
Lamborn			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 177

On motion of Senator Curtis, House File 177, a bill for an act relating to the membership of the state historical board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curtis offered amendment S—3248 filed by Senators Curtis and Shaw and moved its adoption:

S—3248

Amend House File 177 by striking everything after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. Section three hundred three point one (303.1), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

There is established the Iowa state historical department which shall be governed by a state historical board consisting of twelve members, six of whom shall be appointed by the governor and six of whom shall be elected by the members of the state historical society established in section 303.4 of this chapter. The members appointed by the governor shall include one professionally qualified architectural historian, one historian, and one archaeologist. [One member appointed by the governor and one member elected by the society shall be residents of each congressional district.] *The members elected by the society shall include one resident of each congressional district.*"

Amendment S—3248 was adopted.

Amendment S—3600 filed by Senator Gallagher on April 23, 1975, was ruled out of order with the adoption of amendment S—3248.

Senator Curtis moved that the bill 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, 43:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hill of Polk	Norpel	Shaff
Carr	Hultman	Nystrom	Shaw
Coleman	Junkins	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Merritt	Rabedeaux	Tieden
DeKoster	Miller of Des Moines	Ramsey	Willits
Gallagher	Miller of Marshall	Redmond	Winkelman
Glenn		Robinson	
Gluba			

Nays, none.

Absent or not voting, 7:

Doderer	Kelly	Plymat	Van Gilst
Griffin	Lamborn	Priebe	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Curtis asked and received unanimous consent that **Senate File 211 be withdrawn** from further consideration of the Senate.

Senator Shaw asked and received unanimous consent that **Senate File 155 be withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 332

On motion of Senator Palmer, House File 332, a bill for an act to establish a service program for the deaf within the department of health, 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. 332) the vote was:

Ayes, 41:

Andersen	Griffin	Miller of	Rodgers
Bergman	Hansen	Marshall	Schwengels
Briles	Heying	Murray	Scott
Burroughs	Hill of Jasper	Nolting	Shaff
Carr	Hill of Polk	Nystrom	Shaw
Culver	Hultman	Orr	Sovern
Curtis	Junkins	Palmer	Taylor
DeKoster	Kinley	Rabedeaux	Tieden
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of	Redmond	Winkelman
Gluba	Des Moines	Robinson	

Nays, 3:

Coleman	Nolin	Norpel

Absent or not voting, 6:

Doderer	Lamborn	Priebe	Van Gilst
Kelly	Plymat		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Palmer asked and received unanimous consent that **Senate File 223** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 397

On motion of Senator Willits, Senate File 397, a bill for an act relating to benefited street lighting districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 397) the vote was:

Ayes, 40:

Andersen	Glenn	Merritt	Redmond
Bergman	Gluba	Murray	Robinson
Briles	Griffin	Nolin	Rodgers
Burroughs	Hansen	Nolting	Schwengels
Carr	Heying	Norpel	Scott
Coleman	Hill of Jasper	Nystrom	Shaw
Culver	Hill of Polk	Orr	Sovern
Curtis	Hultman	Palmer	Taylor
DeKoster	Junkins	Rabedeaux	Tieden
Gallagher	Kinley	Ramsey	Willits

Nays, 3:

Miller of Des Moines	Miller of Marshall	Winkelman

Absent or not voting, 7:

Doderer	Lamborn	Priebe	Van Gilst
Kelly	Plymat	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 383

On motion of Senator Burroughs, Senate File 383, a bill for an act to authorize name changes for school districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Burroughs moved that the bill 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. 383) the vote was:

Ayes, 43:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Rabedeaux	Taylor
DeKoster	Merritt	Ramsey	Tieden
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 7:

Doderer	Lamborn	Plymat	Van Gilst
Kelly	Palmer	Priebe	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 475

On motion of Senator Heying, Senate File 475, a bill for an act relating to the maximum deposit required for bids to construct levee or drainage district improvements, was taken up for consideration.

Senator Heying offered amendment S—3586 filed by the committee on natural resources and moved its adoption:

S—3586

Amend Senate File 475 as follows:

1. Page 1, line 8, by striking the words "equal to ten" and inserting in lieu thereof the words "[equal to **ten]** ***not in excess of twenty-five"*.**

2. Page 1, line 9, by striking the line and inserting in lieu thereof the words "bid [but in any event not to exceed ten thousand dollars]."

3. Page 1, line 14, by striking the word "shall" and inserting in lieu thereof the word "may".

Action on Senate File 475 was temporarily deferred.

Senate File 479

On motion of Senator Heying, Senate File 479, a bill for an act regarding the labeling of containers in which baby chicks are held when sold or delivered, was taken up for consideration.

Senator Heying moved that the bill 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. 479) the vote was:

Ayes, 40:

Andersen	Gluba	Miller of Des Moines	Redmond
Bergman	Griffin	Miller of Marshall	Rodgers
Briles	Hansen	Murray	Schwengels
Burroughs	Heying	Nolin	Scott
Carr	Hill of Jasper	Nolting	Shaff
Coleman	Hill of Polk	Norpel	Shaw
Culver	Hultman	Nystrom	Sovern
Curtis	Junkins	Rabedeaux	Tieden
DeKoster	Kinley	Ramsey	Willits
Gallagher	Merritt		Winkelman
Glenn			

Nays, 1:

Orr

Absent or not voting, 9:

Doderer	Palmer	Priebe	Taylor
Kelly	Plymat	Robinson	Van Gilst
Lamborn			

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 on April 23, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 425, a bill for an act appropriating funds to the department of general services, capitol planning commission, the executive council and the Iowa merit employment department and relating to a permanent revolving fund used for printing purposes.

Also: That the House has on April 23, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 426, a bill for an act making an appropriation to the department of environmental quality.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 426

S—3618

Amend Senate File 426 as follows:

1. Page 1, by inserting after line 22 the following:

"Sec. ..... Section four hundred fifty-five B point eighty-two (455B.82), subsection one (1), Code 1975, is amended to read as follows:

1. Commencing July 1, 1975, it shall be unlawful for any private agency or public agency to dump or deposit or permit the dumping or depositing of any solid waste at any place other than a sanitary disposal project approved by the executive director.

This section shall not prohibit a private agency or public agency from dumping or depositing solid waste resulting from its own residential, farming, manufacturing, mining or commercial activities on land owned or leased by it if such action does not violate any statute of this state or rules promulgated by the commission or local boards of health, or local ordinances, or rules issued by the air quality commission or water quality commission of the department. [A violation of this subsection shall be a misdemeanor.] *The executive director may issue temporary permits for dumping or disposal of solid waste at disposal sites for which an application for a permit to operate a sanitary disposal project has been made and which have not met all of the requirements of part one (1) of this division and the rules adopted by the commission if a compliance schedule has been submitted by the applicant specifying how and when the applicant will meet the requirements for an operational sanitary disposal project and the executive director determines the public interest will be best served by granting such temporary permit.*

Sec. ..... Section four hundred fifty-five B point eighty-two (455B.82), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Any person who violates any provision of part one (1) of this division or any rule or any order promulgated or the conditions of any permit or order issued pursuant to part one (1) of this division shall be subject to a civil penalty not to exceed five hundred dollars for each day of such violation."

2. By numbering sections to conform to this amendment.

3. Amend the title, line 2, by inserting after the word "quality" the words ", providing for the issuance of temporary permits for certain solid waste disposal sites, and providing a civil penalty

Page 2

for violations".

On motion of Senator Kinley, the Senate recessed until 12:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Glenn presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONSIDERATION OF BILLS

Senate File 475

The Senate resumed consideration of Senate File 475, and amendment S—3586.

Senator Heying called for a division of amendment S—3586, sections 1 and 2 to be considered as division S—3586A, section 3 to be considered as division S—3586B.

Senator Heying withdrew division S—3586A of the amendment.

On motion of Senator Heying, division S—3586B of the amendment was adopted.

Senator Heying moved that the bill 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. 475) the vote was:

Ayes, 38:

Andersen	Gluba	Miller of Des Moines	Redmond
Bergman	Griffin	Miller of Marshall	Robinson
Burroughs	Hansen	Nolin	Rodgers
Carr	Heying	Nolting	Schwengels
Coleman	Hill of Jasper	Norpel	Scott
Culver	Hill of Polk	Palmer	Shaff
Curtis	Hultman	Plymat	Sovern
DeKoster	Junkins	Ramsey	Taylor
Gallagher	Kinley		Tieden
Glenn	Merritt		Willits

Nays, 1:

Winkelman

Absent or not voting, 11:

Briles	Lamborn	Orr	Shaw
Doderer	Murray	Priebe	Van Gilst
Kelly	Nystrom	Rabedeaux	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 463.

House File 463

On motion of Senator Gluba, House File 463, a bill for an act relating to remedial eye care, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gluba moved that the bill 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, 40:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Nolin	Rodgers
Burroughs	Heying	Nolting	Schwengels
Carr	Hill of Jasper	Norpel	Scott
Coleman	Hill of Polk	Palmer	Shaff
Culver	Hultman	Plymat	Sovern
Curtis	Junkins	Rabedeaux	Taylor
DeKoster	Kinley	Ramsey	Tieden
Gallagher	Merritt	Redmond	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			

Nays, none.

Absent or not voting, 10:

Briles	Lamborn	Orr	Shaw
Doderer	Murray	Priebe	Van Gilst
Kelly	Nystrom		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 488.

House File 488

On motion of Senator Heying, House File 488, a bill for an act to allow the state conservation commission to gather or remove certain plant life from parks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gallagher moved that further action on House File 488 be deferred and that the bill be placed on the calendar under unfinished business.

The Chair requested a non-record roll call.

The ayes were 8, nays 26.

The motion to defer lost.

Senator DeKoster offered amendment S—3625 and moved its adoption:

S—3625

Amend House File 488, page 1, as follows:

1. Line 10 by striking the word "set" and

inserting in lieu thereof the word "adopted".
2. Line 11 by inserting after the word "commission" the words "as rules under chapter seventeen A of the Code".

A non-record roll call was requested.

The ayes were 28, nays 7.

Amendment S—3625 was adopted.

Action on House File 488 was temporarily deferred.

Senator Kinley asked and received unanimous consent to take up for reconsideration House File 451.

House File 451

On motion of Senator Tieden, House File 451, a bill for an act relating to gasoline receptacles, repealing provisions relating to illuminating oil, and having the effect of imposing a penalty for violations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Tieden offered amendment S—3599 by the committee on agriculture:

S—3599
Amend House File 451 as amended and passed by the House, page 1, by inserting in line 13 after the word "bottles" the words "and plastic containers".

Action on House File 451 was temporarily deferred.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for reconsideration Senate File 477.

Senate File 477

On motion of Senator Redmond, Senate File 477, a bill for an act relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties, was taken up for consideration.

Senator Redmond asked and received unanimous consent that House File 348 be substituted for Senate File 477.

House File 348

On motion of Senator Redmond, House File 348, a bill for an

act relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties, was taken up for consideration.

Senator Redmond moved that the bill 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. 348) the vote was:

Ayes, 88:

Andersen	Griffin	Miller of	Robinson
Bergman	Hansen	Marshall	Rodgers
Burroughs	Heying	Nolin	Schwengels
Carr	Hill of Jasper	Nolting	Scott
Coleman	Hultman	Norpel	Shaff
Culver	Junkins	Palmer	Shaw
Curtis	Kinley	Plymat	Taylor
DeKoster	Merritt	Rabedeaux	Willits
Gallagher	Miller of	Ramsey	Winkelman
Glenn	Des Moines	Redmond	
Gluba			

Nays, none.

Absent or not voting, 12:

Briles	Kelly	Nystrom	Sovern
Doderer	Lamborn	Orr	Tieden
Hill of Polk	Murray	Priebe	Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Redmond asked and received unanimous consent that Senate File 477 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 476.

Senate File 476

On motion of Senator Coleman, Senate File 476, a bill for an act to provide for the licensing of speech pathologists and audiologists and to establish an examining board, 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. 476) the vote was:

Ayes, 33:

Andersen	Gluba	Nolting	Schwengels
Bergman	Griffin	Norpel	Scott
Briles	Hansen	Palmer	Shaff
Burroughs	Hill of Jasper	Plymat	Shaw
Carr	Hultman	Ramsey	Sovern
Coleman	Junkins	Redmond	Tieden
Curtis	Kinley	Robinson	Willits
DeKoster	Miller of Marshall	Rodgers	Winkelman
Glenn			

Nays, 7:

Culver	Heying	Nolin	Taylor
Gallagher	Merritt	Rabedeaux	

Voting present, 1:

Miller of Des Moines

Absent or not voting, 9:

Doderer	Lamborn	Nystrom	Priebe
Hill of Polk	Murray	Orr	Van Gilst
Kelly			

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 476 passed the Senate on April 25, 1975.

CALVIN O. HULTMAN

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 295.

Senate File 295

On motion of Senator Miller of Des Moines, Senate File 295, a bill for an act relating to safety standards and equipment on motor vehicles used by railroad companies, to the authority of the state department of transportation, and to provide penalties for violations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman offered amendment S—3554 by the committee on transportation and moved its adoption:

S—3554
1 Amend Senate File 295, as follows:

1. Page 3, line 27, by striking the words "and, upon conviction thereof, the" and inserting in lieu thereof a period.
2. **Page 3, by striking lines 28 through 30.**

Amendment S—3554 was adopted.

Senator Miller of Des Moines moved that the bill 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, 29:

Andersen	Gluba	Miller of Marshall	Rodgers
Carr	Hansen	Nolting	Schwengels
Coleman	Heying	Norpel	Scott
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Tieden
DeKoster	Merritt	Redmond	Willits
Gallagher	Miller of Des Moines	Robinson	Winkelman
Glenn			

Nays, 11:

Bergman	Hill of Jasper	Rabedeaux	Shaw
Burroughs	Hultman	Ramsey	Taylor
Griffin	Nolin	Shaff	

Absent or not voting, 10:

Briles	Kelly	Nystrom	Priebe
Doderer	Lamborn	Plymat	Van Gilst
Hill of Polk	Murray		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 152** be **deferred** and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File 483

On motion of Senator Taylor, Senate File 483, a bill for an act relating to bonding for income tax withholding agents, was taken up for consideration.

Senator Taylor moved that the bill 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. 483) the vote was:

Ayes, 39:

Andersen	Griffin	Miller of Marshall	Rodgers
Bergman	Hansen	Nolin	Schwengels
Burroughs	Heying	Nolting	Scott
Carr	Hill of Jasper	Norpel	Shaff
Coleman	Hultman	Plymat	Shaw
Culver	Junkins	Rabedeaux	Sovern
Curtis	Kinley	Ramsey	Taylor
DeKoster	Merritt	Redmond	Tieden
Gallagher	Miller of Des Moines	Robinson	Willits
Glenn			Winkelman
Gluba			

Nays, 1:

Palmer

Absent or not voting, 10:

Briles	Kelly	Nystrom	Priebe
Doderer	Lamborn	Orr	Van Gilst
Hill of Polk	Murray		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

House File 723

Senator Curtis called up the following motion to reconsider filed by him on April 24, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 723 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (H.F. 723) the vote was:

Ayes, 37:

Andersen	Griffin	Miller of Marshall	Rodgers
Bergman	Hansen	Nolin	Schwengels
Carr	Heying	Nolting	Scott
Coleman	Hill of Jasper	Norpel	Shaff
Culver	Hultman	Palmer	Shaw
Curtis	Junkins	Plymat	Sovern
DeKoster	Kinley	Rabedeaux	Taylor
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 13:

Briles	Kelly	Nystrom	Robinson
Burroughs	Lamborn	Orr	Tieden
Doderer	Murray	Priebe	Van Gilst
Hill of Polk			

The motion prevailed.

Senator Curtis moved to reconsider the vote by which House File 723 went to its last reading, which motion prevailed.

On motion of Senator Curtis, House File 723, a bill for an act correcting and clarifying provisions in the city code of Iowa, was taken up for reconsideration.

Senator Curtis offered amendment S—3617 and moved its adoption:

S—3617
1 **Amend House File 723, page 8, line 21 by strik-**
2 **ing *thirteen* and inserting in lieu thereof *twelve*.**

Amendment S—3617 was adopted.

Senator Redmond moved that the bill 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, 37:

Andersen	Griffin	Nolin	Schwengels
Bergman	Hansen	Nolting	Scott
Carr	Heying	Norpel	Shaff
Coleman	Hill of Jasper	Plymat	Shaw
Culver	Hultman	Rabedeaux	Sovern
Curtis	Junkins	Ramsey	Taylor
DeKoster	Kinley	Redmond	Tieden
Gallagher	Merritt	Robinson	Willits
Glenn	Miller of Marshall	Rodgers	Winkelman
Gluba			

Nays, none.

Absent or not voting, 13:

Briles	Kelly	Murray	Palmer
Burroughs	Lamborn	Nystrom	Priebe
Doderer	Miller of Des Moines	Orr	Van Gilst
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

Senate File 53

The Senate resumed consideration of Senate File 53, a bill for an act to establish the license and qualifications of real estate apprentice salesmen.

Senator Gluba offered amendment S—3439 filed by him and moved its adoption:

S—3439
1 **Amend Senate File 53, page 4, line 25, by in-**

serting after the word "*elapsed*" the words ", *except that the commission may waive the time requirement for reapplication if the real estate apprentice salesman shows just cause to the commission why the thirty-hour course was not completed*".

Amendment S—3439 was adopted.

Senator Junkins moved to reconsider the vote by which amendment S—3116 was adopted by the Senate on February 14, 1975.

The motion prevailed and amendment S—3116 was taken up for reconsideration.

Senator Junkins asked and received unanimous consent to withdraw amendment S—3116.

Senator Junkins offered amendment S—3292 filed by him:

S—3292

Amend Senate File 53, page 12, by inserting after line 30 the following new paragraph:

"The provisions of this Act which require successful completion of a real estate education course before being licensed as a real estate apprentice salesman shall not apply within six months of the effective date of this Act to persons who have taken an examination prior to the effective date of this Act who have not successfully passed the required examination."

Senator Junkins offered amendment S—3450 to amendment S—3292 filed by him and moved its adoption:

S—3450

Amend the Junkins amendment S—3292 to page 12 of Senate File 53 in line 7 by inserting after the word "examination" the words "within one year".

Amendment S—3450 to amendment S—3292 was adopted.

On motion of Senator Junkins, amendment S—3292 as amended was adopted.

Senator Gluba offered amendment S—3294 filed by him and moved its adoption:

S—3294

Amend Senate File 53, page 12, by inserting before line 31 the following section:

Sec. ..... The Code editor is directed to strike all references to "salesman" or "salesmen" in chapter one hundred seventeen (117) of the Code and insert in lieu thereof the word "salesperson" or the word "salespersons", whichever is applicable.

Amendment S—3294 was adopted.

Senator Gluba moved that the bill 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. 53) the vote was:

Ayes, 35:

Andersen	Hansen	Nolin	Scott
Bergman	Heying	Nolting	Shaff
Briles	Hultman	Norpel	Shaw
Carr	Junkins	Plymat	Sovern
Coleman	Kinley	Rabedeaux	Taylor
Culver	Merritt	Redmond	Tieden
DeKoster	Miller of Des Moines	Robinson	Willits
Gallagher	Miller of Marshall	Rodgers	Winkelman
Gluba		Schwengels	
Griffin			

Nays, 2:

Glenn	Hill of Jasper

Voting present, 1:

Ramsey

Absent or not voting, 12:

Burroughs	Hill of Polk	Murray	Palmer
Curtis	Kelly	Nystrom	Priebe
Doderer	Lamborn	Orr	Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 451

The Senate resumed consideration of House File 451.

Senator Tieden offered amendment S—3630 and moved its adoption:

S—3630

Amend House File 451 as amended and passed by the House, page 1, by inserting in line 13 after the word "bottles" the words "and plastic containers except those bottles and plastic containers which are approved by the state fire marshal and which are conspicuously posted with such approval."

Amendment S—3630 was adopted.

Senator Tieden asked and received unanimous consent to withdraw S—3599 by the committee on agriculture.

Senator Tieden moved that the bill 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. 451) the vote was:

Ayes, 35:

Andersen	Hansen	Nolin	Schwengels
Bergman	Heying	Nolting	Scott
Briles	Hill of Jasper	Norpel	Shaw
Carr	Hultman	Plymat	Sovern
Coleman	Junkins	Rabedeaux	Taylor
Culver	Kinley	Ramsey	Tieden
DeKoster	Merritt	Redmond	Willits
Glenn	Miller of	Robinson	Winkelman
Gluba	Des Moines	Rodgers	
Griffin			

Nays, none.

Absent or not voting, 15:

Burroughs	Kelly	Murray	Priebe
Curtis	Lamborn	Nystrom	Shaff
Doderer	Miller of	Orr	Van Gilst
Gallagher	Marshall	Palmer	
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER LOST

House File 127

Senator Redmond called up the following motion to reconsider filed by him on March 7, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 127 passed the Senate on March 7, 1975.

On the question "Shall the motion to reconsider be adopted?" (H.F. 127) the vote was:

Ayes, 14:

Glenn	Merritt	Rodgers	Taylor
Gluba	Nolting	Shaw	Tieden
Junkins	Ramsey	Sovern	Willits
Kinley	Redmond		

Nays, 22:

Andersen	DeKoster	Hultman	Rabedeaux
Bergman	Gallagher	Miller of	Schwengels
Briles	Griffin	Des Moines	Scott
Carr	Hansen	Nolin	Shaff
Coleman	Heying	Norpel	Winkelman
Culver	Hill of Jasper	Plymat	

Absent or not voting, 14:

Burroughs	Kelly	Murray	Priebe
Curtis	Lamborn	Nystrom	Robinson
Doderer	Miller of	Orr	Van Gilst
Hill of Polk	Marshall	Palmer	

The motion lost.

House File 488

The Senate resumed consideration of House File 488.

Senator Rodgers offered amendment S—3628 by Senators Rodgers and Ramsey and moved its adoption:

S—3628
Amend House File 488 as amended and passed by the House, page 1, line 11, by inserting the following after the period: "The conservation commission shall conspicuously post upon the affected land the activities permitted and prohibited pursuant to this section and the regulations of the commission pursuant to this section."

The Chair called for a non-record roll call.

The ayes were 22, nays 11.

Amendment S—3628 was adopted.

Senator Gallagher offered amendment S—3626 and moved its adoption:

S—3626
Amend House File 488 as amended and passed by the House, page 1, by striking lines 12 through 16.

Amendment S—3626 lost.

Senator Heying moved that the bill 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. 488) the vote was:

Ayes, 35:

Andersen	Hansen	Nolin	Scott
Bergman	Heying	Nolting	Shaff
Briles	Hill of Jasper	Norpel	Shaw
Carr	Hultman	Orr	Sovern
Coleman	Junkins	Plymat	Taylor
Culver	Kinley	Rabedeaux	Tieden
DeKoster	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Robinson	Winkelman
Gluba		Schwengels	
Griffin			

Nays, 8:

Gallagher	Redmond	Rodgers	

Absent or not voting, 12:

Burroughs	Kelly	Murray	Priebe
Curtis	Lamborn	Nystrom	Van Gilst
Doderer	Miller of Marshall	Palmer	
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 491, by committee on human resources, a bill for an act relating to the licensing and registration of child day care facilities and providing a penalty.

Read first time and **placed on calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 486 Transportation

H. F. 12 County government

H. F. 188 State government

H. F. 352 Judiciary

H. F. 575 Human resources

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 24, 1975, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 202—Relating to maintenance of law enforcement agencies and duties and powers of officers in district headquarters.

SUBCOMMITTEE ASSIGNMENTS

Senate File 388
Transportation
Murray, Chairman
Miller of Marshall
Doderer

Senate File 391
Transportation
Norpel, Chairman
Orr
Coleman

Senate File 398
Transportation
Norpel, Chairman
Orr
Coleman

Senate File 437
Transportation
Nolin, Chairman
Rabedeaux
Murray

Senate File 458
Natural Resources
Hultman, Chairman
Bergman
Sovern

Senate File 461
State Government
Doderer, Chairman
Gluba
Winkelman

Senate File 466
Ways and Means
Van Gilst, Chairman
Junkins
Schwengels

Senate File 467
Natural Resources
Miller of Marshall, Chairman
Winkelman
Culver

Senate File 469
State Government
Coleman, Chairman
Nolin
Nystrom

Senate File 470
Education
Willits, Chairman
Plymat
Merritt

Senate File 471
Judiciary
Shaw, Chairman
Ramsey
Coleman

Senate File 474
Commerce
Rabedeaux, Chairman
Rodgers
Priebe

Senate File 478
Judiciary
Willits, Chairman
Kelly
Rodgers

Senate File 480
Transportation
Rabedeaux, Chairman
Nolin
Norpel

House File 38
Ways and Means
Nolting, Chairman
Gluba
Burroughs

House File 243
Labor and Industrial Relations
Redmond, Chairman
Rabedeaux
Glenn

House File 335
State Government
Nolin, Chairman
Coleman
Andersen

House File 386
Education
Carr, Chairman
Griffin
Sovern

House File 390
Human Resources
Hill of Polk, Chairman
Miller of Des Moines
Palmer

House File 422
Ways and Means
Hill of Jasper, Chairman
Nolting
Schwengels

House File 424
Appropriations
State Departments

House File 465
Education
Carr, Chairman
Griffin
Sovern

House File 467
Education
Shaw, Chairman
Willits
Sovern

House File 479
Transportation
Rabedeaux, Chairman
Nolin
Norpel

House File 488
Natural Resources
Heying, Chairman
Priebe
Winkelman

House File 501
Education
Willits, Chairman
Merritt
Plymat

House File 503
Human Resources
Kelly, Chairman
Scott
Hill of Polk

House File 679
Ways and Means
Curtis, Chairman
Junkins
Shaff

House File 720
Education
Shaw, Chairman
Orr
Willits

House File 725
Ways and Means
Lamborn, Chairman
Hill of Jasper
Culver

House File 742
Judiciary
Kelly, Chairman
DeKoster
Willits

REPORTS OF COMMITTEE

Senator Junkins submitted the following reports:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 188**, a bill for an act relating to the routing of transmission lines, 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:**

S—3627
1 Amend Senate File 188 as follows:
2 1. Page 1, by striking lines 1 through 28 and insert-
3 ing in lieu thereof the following:
4 "Section. 1. Section four hundred eighty-nine point

eighteen (489.18), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

"489.18 SUPERVISION OF CONSTRUCTION—LOCATION. The state commerce commission shall have power of supervision over the construction of said transmission line and over its future operations and maintenance. The state commerce commission shall have the power to determine as an issue of fact whether the applicant's proposed route for said transmission line is reasonable and practicable, giving consideration to routes near and parallel to the right of way of the railways of the state or parallel to the division lines of the lands, according to the government survey thereof. Said right of way shall not unnecessarily interfere with the use by the public highways or streams in the state nor unnecessarily interfere with the use of lands by the occupant thereof."

LOWELL JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 364**, a bill for an act relating to the practice of accountancy, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 443**, a bill for an act relating to loans on residential real property by state banks, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **House File 207**, a bill for an act to amend the eminent domain procedures relating to the appointment of compensation commissioners, dispossession of landowners, replacement of wells, furnishing appraisals, and interests in land arising after service of notice of assessment, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3621

Amend Senate File 152, page 1, line 23 by inserting after the period the following: "The Governor may remove any board member for cause but not until the member has first been presented with a copy of the charges against him and has been given an opportunity to be heard."

CLOYD ROBINSON

S—3620

Amend Senate File 152, page 7, by inserting after line 33 the following:

"The commission shall provide daily inspection of pari-mutuel wagering equipment and machines to ascertain that they have not been tampered with and are functioning properly. The inspection shall be made by a qualified employee of the commission."

CLOYD ROBINSON

S—3619

Amend the Norpel, et al., amendment S—3616 to Senate File 228, page 2, by striking lines 40 through 46 and inserting in lieu thereof the following:

"Sec. 9. *NEW SECTION.* APPROVED REFLECTIVE DEVICES. The director of the state department of transportation shall issue rules establishing standards and performance requirements for reflective devices and publish lists of approved reflective surfaces."

RICHARD J. NORPEL, SR.

S—3622

Amend the agriculture committee amendment S—3496 to Senate File 421 by striking from line 20 the words "this state" and inserting in lieu thereof the words "Iowa or in any state bordering on Iowa".

ROGER J. SHAFF

S—3631

Amend Senate File 481, as follows:

1. Page 5, lines 24 and 25 by striking the words "the members of the board of supervisors,".
2. Page 5, by striking lines 32 through 35.
3. Page 6, by striking lines 1 and 2.

JAMES W. GRIFFIN, SR.

S—3623

Amend House File 185, as amended and passed by the House, page 1, by striking lines 3 and 4 and inserting in lieu thereof the following:

"1. 'Livestock' means and includes live cattle, swine, sheep or horses, and the carcasses of such animals whether in whole or in part."

ROGER J. SHAFF

S—3624

Amend House File 185, as amended and passed by the House, as follows:

1. Page 1, by striking line 27 and inserting in lieu thereof the words "execute in".

2. Page 2, line 6, by striking the first word "a" and inserting in lieu thereof the word "another".

3. Page 3, by striking lines 27 through 35, and page 4 by striking lines 1 and 2 and inserting in lieu thereof the following:

"1. SHIPPER. A person who causes the transporting of livestock shall cause to be executed and to be delivered to the person transporting livestock, at the request of that person, duplicate copies of a transportation certificate.

2. TRANSPORTER. A person transporting livestock who has been given a receipt by a law enforcement officer shall retain that receipt until the person relinquishes custody of the livestock."

CLIFF BURROUGHS

On motion of Senator Kinley, the Senate adjourned at 4:20 p.m., until 9:30 a.m., Tuesday, April 29, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, APRIL 29, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Peter Bergen, pastor of the First Federated Church, Des Moines, Iowa.

The Journal of Friday, April 25, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Garry Cole, New Hampton, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-four students from Lincoln Elementary School, Perry, Iowa, accompanied by Clarice Mains, Joyce Roberts and Ms. Luett. Senator Rodgers.

Forty-five students from Adel High School, Adel, Iowa, accompanied by Mike Myers. Senator Rodgers.

Thirty students from St. Mary's School, Marshalltown, Iowa, accompanied by James Agnew and Kathleen Huse. Senator Miller of Marshall.

RESOLUTION

The following resolution from the Davenport City Council was presented and placed on file by Senator Shaw:

Whereas representatives of the downtown business area of the City of Davenport, Iowa, have for some time sought to find a means whereby downtown improvements can be made and financed, and

Whereas it has been the desire of the City Government to encourage improvement of said business district as well as any other area of the City desiring so to do the same, and

Whereas the City Council desires to find appropriate means to cooperate in such projects and to engage in proper city improvements in conjunction with private improvements, so that private improvements will be paid for privately, improvements benefiting a particular district will be paid by the district and the normal public improvements will be paid by the general taxpayers, and

Whereas the City's special corporation counsel, Robert Helmick, and its regular corporation counsel have drafted a bill which has been introduced as Senate File No. 356, for consideration by the Sixty-sixth General Assembly of the State of Iowa providing for the creation of special self-improvement districts which will accomplish the foregoing objectives:

Now, Therefore, Be It Resolved that the City Council of the City of Davenport does hereby petition the Sixty-sixth General Assembly of the State of Iowa to enact, and the Honorable Robert D. Ray, Governor, to approve, Senate File No. 356 providing for the establishment of community improvement districts.

Passed and approved this 16th day of April, 1975.

GOVERNOR'S ITEM VETO MESSAGE

The following item veto message from the Governor to the Secretary of State was presented:

April 28, 1975

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Synhorst:

I hereby transmit House File 334, an Act appropriating funds to the Iowa state commerce commission and the department of public defense and providing for the deposit of receipts of such departments in the general fund of the state.

House File 334 is approved April 28, 1975, with the following exception which I hereby disapprove.

I am unable to approve Item 2 designated in the Act as Section 2 which reads as follows:

> "Sec. 2. Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, there shall be no transfer of funds appropriated by this Act between categories or line items provided by this Act."

Chapter 8 of the Code of Iowa directs that the Governor shall have "the efficient and economical administration of all departments and establishments of the government." Chapter 8 also authorizes the Governor and the State Comptroller to transfer funds on an intradepartmental and interdepartmental basis. This authority was provided so that the executive could meet its responsibility of maintaining efficient and economical administration. This administration and its predecessors have found the transfer authority to be an essential management tool. To be denied this authority, the executive branch would be limited in its ability to effectively carry out its responsibilities. This then can be viewed as an unconstitutional restriction by one branch of government on another.

Section 2 of House File 334 would remove the authority to transfer the funds appropriated in this bill. If allowed to remain, this item would remove the flexibility needed to administer these funds in the most efficient and productive manner possible.

In the preparation of an agency budget, one attempts to anticipate the scope and intensity of the demands and problems the agency will face

during the next year or biennium. Yet no one can foresee every changing condition and challenge that may confront an agency. The ability to transfer funds within and between agencies gives an administration the management capability to meet its changing responsibilities. Also, with the transfer authority available, the Governor's budget presented to the General Assembly need not provide for all possible contingencies. It eliminates the need for large contingent funds.

During the past biennium the Department of Public Defense and the Commerce Commission made limited but effective use of the transfer authority. Funds were transferred to the Civil Defense Division of the Department of Public Defense from the Commerce Commission and the Department of Social Services to establish and implement the Emergency Fuel Program in the winter of 1973. Funds were also transferred within the Commerce Commission from the Utilities Division to the Motor Transportation Division to compensate for an unusually low vacancy factor, increased professional services due to complex rate cases, and inflated operating costs. Without the ability to transfer these funds, many Iowa communities might have gone without crucial fuel oil supplies and an important regulation agency might have been hamstrung in its efforts to do its job effectively.

I appreciate the careful analysis and study given to these departments' appropriation requests by the members of the General Assembly. They believe the amounts appropriated are sufficient to meet the needs of the two departments during FY1976. I can also appreciate the concern of some legislators over the transfer of funds. Yet this administration has and will continue to make only the most prudent and careful transfer of funds. If the citizens of Iowa are to benefit from efficient and productive management by state government, the authority to transfer funds between and within these departments as well as departments of state government needs to be retained.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 334 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 723 passed the Senate on Friday, April 25, 1975.

WARREN E. CURTIS

On motion of Senator Kinley, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 492, by Senators Schwengels, Willits, Nystrom, Shaw, Lamborn, Junkins, Rabedeaux, Murray, Gluba, Bergman, Burroughs, Curtis, DeKoster, Andersen, Hansen, Ramsey, Red-

mond and Rodgers, a bill for an act to provide for the establishment of public safety commissions for police districts, to prescribe their powers and duties, and to authorize the levy of a property tax.

Read first time and **passed on file.**

Senate File 493, by committee on energy, a bill for an act relating to the effective date for the operation of certain sanitary disposal projects.

Read first time and **placed on calendar.**

Senate File 494, by committee on county government (committee on county government), a bill for an act authorizing the county recorder to combine separate index books.

Read first time and **placed on calendar.**

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, on April 28, 1975, adopted the conference committee report and passed House File 99, an act relating to temporary closing of highways.

Also: That the House has on April 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 670, a bill for an act relating to the salaries of juvenile court employees.

Also: That the House has on April 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 738, a bill for an act permitting licensed insurance agents to place coverage through other licensed agents when their insurer is unable to accept the risk.

Also: That the House has on April 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 748, a bill for an act relating to sales delivered within the state for corporation tax purposes.

Also: That the House has on April 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 749, a bill for an act relating to interest payments and interest penalties under the retail sales and income taxes.

Also: That the House has on April 24, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 760, a bill for an act making an appropriation to provide funds for the development of a statewide comprehensive water plan and requiring approval of the plan by the general assembly.

Also: That the House has on April 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 766, a bill for an act to establish an office of prosecuting attorneys training coordinator and to prescribe the functions and duties.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 670, a bill for an act relating to the salaries of juvenile court employees.

Read first time and **passed on file.**

House File 738, a bill for an act permitting licensed insurance agents to place coverage through other licensed agents when their insurer is unable to accept the risk.

Read first time and **passed on file.**

House File 748, a bill for an act relating to sales delivered within the state for corporation tax purposes.

Read first time and **passed on file.**

House File 749, a bill for an act relating to interest payments and interest penalties under the retail sales and income taxes.

Read first time and **passed on file.**

House File 760, a bill for an act making an appropriation to provide funds for the development of a statewide comprehensive water plan and requiring approval of the plan by the general assembly.

Read first time and **passed on file.**

House File 766, a bill for an act to establish an office of prosecuting attorneys training coordinator and to prescribe the functions and duties.

Read first time and **passed on file.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **Senate File 485** be made a **special order** of business for Wednesday, April 30, 1975, at 2:00 p.m.

The Senate stood at ease until the fall of the **gavel.**

The Senate resumed session, President Neu presiding.

ADOPTION OF CONFERENCE COMMITTEE REPORT

House File 99

Senator Scott called up the following report of the conference committee on House File 99 and moved its adoption:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 99

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 99, a bill for an act relating to the temporary closing of highways, respectfully make the following recommendations:

1. That the Senate recede from its amendment, S—3077, to House File 99.

2. That page 1, line 14, be amended by inserting after the period the following:

"Any numbered road closed for over 48 hours shall have a designated detour route."

On the Part of the Senate:	On the Part of the House:
KENNETH D. SCOTT, Chairman	THOMAS J. GILLOON, Chairman
FRED W. NOLTING	JAMES I. MIDDLESWART
MILO MERRITT	DELWYN STROMER
RAY TAYLOR	ARNOLD R. LINDEEN
E. KEVIN KELLY	KEITH BAKER

A record roll call was requested.

On the question "Shall the conference committee report be adopted?" (H.F. 99) the vote was:

Ayes, 30:

Briles	Junkins	Nolin	Robinson
Carr	Kelly	Nolting	Rodgers
Coleman	Kinley	Orr	Scott
Culver	Merritt	Palmer	Sovern
Glenn	Miller of Des Moines	Plymat	Taylor
Heying	Miller of Marshall	Priebe	Tieden
Hill of Jasper		Ramsey	Van Gilst
Hill of Polk		Redmond	Willits

Nays, 17:

Andersen	Gallagher	Hultman	Rabedeaux
Bergman	Gluba	Lamborn	Schwengels
Curtis	Griffin	Murray	Shaw
DeKoster	Hansen	Nystrom	Winkelman
Doderer			

Absent or not voting, 3:

Burroughs	Norpel	Shaff

The motion prevailed, and the conference committee report

and the recommendations and amendment contained therein were adopted.

Senator Scott moved that the bill 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. 99) the vote was:

Ayes, 86:

Andersen	Heying	Miller of	Rabedeaux
Bergman	Hill of Jasper	Marshall	Redmond
Briles	Hill of Polk	Murray	Robinson
Coleman	Junkins	Nolin	Rodgers
Culver	Kelly	Nolting	Scott
Curtis	Kinley	Nystrom	Sovern
Gallagher	Merritt	Orr	Taylor
Glenn	Miller of	Palmer	Van Gilst
Gluba	Des Moines	Plymat	Willits
Hansen		Priebe	

Nays, 11:

Carr	Griffin	Ramsey	Shaw
DeKoster	Hultman	Schwengels	Winkelman
Doderer	Lamborn	Shaff	

Absent or not voting, 3:

Burroughs	Norpel	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

Senate File 387

On motion of Senator Sovern, Senate File 387, a bill for an act relating to liability for the performance of or refusal to perform abortions, was taken up for further consideration.

The Senate resumed consideration of division S—3611B of the Hill of Polk, et al., amendment, offered and pending on April 24, 1975.

Senator Hill of Polk asked and received unanimous consent that action on division S—3611B of the amendment be deferred.

Senator Sovern offered amendment S—3635 by Senators Sovern, Kinley and Lamborn:

S—3635

Amend Senate File 387, page 1, line 15, by inserting after the period the following: "Abortion does not include medical care which has as its primary purpose the treatment of a serious pathological condition requiring immediate medical attention and which may indirectly cause the termination of a pregnancy."

Senator Ramsey raised the point of order that amendment S—3635 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3635 in order.

On motion of Senator Sovern, amendment S—3635 was adopted.

Senator Hill of Polk asked and received unanimous consent to withdraw division S—3611B of the Hill of Polk, et al., amendment.

Senator Doderer asked and received unanimous consent to withdraw amendment S—3613 filed by her on April 24, 1975, and found on page 1103 of the Senate Journal.

Senator Doderer asked and received unanimous consent to withdraw amendment S—3614 filed by her on April 24, 1975, and found on page 1103 of the Senate Journal.

Senator Sovern moved that the bill 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. 387) the vote was:

Ayes, 42:

Andersen	Griffin	Murray	Schwengels
Bergman	Heying	Nolin	Scott
Briles	Hill of Jasper	Nolting	Shaff
Carr	Hultman	Nystrom	Shaw
Coleman	Junkins	Palmer	Sovern
Culver	Kelly	Plymat	Taylor
Curtis	Kinley	Priebe	Tieden
DeKoster	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Robinson	Winkelman
Gluba		Rodgers	

Nays, 5:

Doderer	Hill of Polk	Orr	Redmond
Hansen			

Absent or not voting, 3:

Burroughs	Miller of Marshall	Norpel

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 12, by committee on commerce, a joint resolution to provide for an interim study of the causes and effects of and solutions to the unavailability and high cost of

malpractice insurance to health care providers and to provide for an appropriation.

Read first time and referred to committee on **appropriations** (under Senate Rule 38).

Senate File 495, by Senator DeKoster, a bill for an act relating to movement of mobile agricultural equipment sold by agricultural implement dealers.

Read first time and **passed on file.**

Senate File 496, by committee on judiciary, a bill for an act relating to gambling, and providing penalties.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 35
By Priebe

Whereas, Iowa's state mental health institutes are under the jurisdiction of the Department of Social Services, while the community mental health centers in the state have for many years related to the Iowa Mental Health Authority, which has more recently been made responsible for defining standards for and evaluating services provided by community mental health centers; and

Whereas, the legislative Mental Health and Juvenile Institutions Study Committee has repeatedly expressed concern about this circumstance, and about the degree of coordination between the two agencies, in recent years; and

Whereas, there are also alcoholism and drug abuse programs in Iowa which are supported with public funds, but are not directly related to either the Department of Social Services or the Iowa Mental Health Authority; and

Whereas, since its inception the Iowa Mental Health Authority has been largely supported by federal funds allocated to Iowa, but the future availability of those funds is now uncertain, and state funding (in addition to that contemplated for support of the standards and evaluation functions previously referred to) may be necessary if the programs of the Iowa Mental Health Authority are to continue; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Legislative Council is requested to authorize appointment of a joint interim subcommittee consisting of members of the Human Resources Subcommittees of the respective Committees on Appropriations to consider the present structure by which mental health services are administered in Iowa, and the possible need for consolidation or other alteration of the roles or structure of the state agencies involved.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 36
By Priebe

Whereas, there are a significant number of persons in the State of Iowa whose incomes are marginal, low or moderate in scale but who are not eligible for or wish to avoid applying for any of the present federal or state income assistance programs; and

Whereas, many if not most of these persons are either presently or potentially threatened by the high cost of care and treatment for severe or lengthy illnesses or injuries; and

Whereas, at the present time, Iowa's Medical Assistance program is for all practical purposes limited in scope to those who are receiving cash payments under a federal or state income assistance program; and

Whereas, the Study Committee on Problems of the Elderly and Handicapped which functioned during the 1974 legislative interim was desirous of studying the possibility of enacting a state catastrophic illness program, and received some pertinent information, but was prevented by lack of time and the press of other matters from pursuing this particular topic; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Legislative Council is requested to provide for expansion and completion of the study of the possibility of enacting a state catastrophic illness program, by an appropriate legislative committee or subcommittee, during the 1975 legislative interim.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 37
By Priebe

Whereas, the Iowa juvenile justice system has been studied by the Penal and Correctional Systems Study Committee during the 1974-1975 legislative interim; and

Whereas, the Penal and Correctional Systems Study Committee identified many areas of concern within the Iowa juvenile justice system and extensively discussed possible alternatives; and

Whereas, the alternatives discussed and the material gathered by the Study Committee provide a basis upon which concrete decisions may be made concerning the Iowa juvenile justice system; and

Whereas, several of the options available for revision of the Iowa juvenile justice system may require additional appropriations or reallocation of funds from existing programs to new programs; and

Whereas, it is advisable that persons to whom such appropriation requests must initially be made have an understanding of the existing juvenile justice system and the rationale and intent of any proposed changes which may necessitate such appropriation; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Legislative Council is authorized to create a study committee, as provided by law, to continue the study of the state juvenile justice system. The study committee shall be composed of members of the Human Resources Appropriations Subcommittee of the House of Representatives and Senate, to conduct during the 1975-1976 and 1976-1977 legislative interims a comprehensive study of the Iowa juvenile justice system.

Be It Further Resolved, That the study committee may include nonlegislative members having special knowledge in the fields

Page 2

of juvenile justice and rehabilitation of juveniles and that a report of the study shall be prepared and submitted to the legislative council and members of the General Assembly at the conclusion of each interim and shall be accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

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 on April 24, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 654, a bill for an act relating to the commission on aging.

Also: That the House has on April 25, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 780, a bill for an act making an appropriation to the department of soil conservation and department of agriculture, from the general fund of the state and various trust funds, and providing for changes in certain fees by the department of agriculture to provide funds sufficient to meet expenses of a program under the department of agriculture.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 654, a bill for an act relating to the commission on aging.

Read first time and **passed on file.**

House File 780, a bill for an act making an appropriation to the department of soil conservation and department of agriculture, from the general fund of the state and various trust funds, and providing for changes in certain fees by the department of agriculture to provide funds sufficient to meet expenses of a program under the department of agriculture.

Read first time and **passed on file.**

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 28, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 82—Relating to civil damages for unlawfully taking certain protected species of wildlife.

S. F. 119—Relating to hearing procedures by the insurance commissioner.

S. F. 132—Prohibiting hunting within one hundred yards of buildings.

S. F. 150—Relating to the interstate probation and parole compact.

S. F. 230—Relating to bonding requirements for contracts with commercial fishermen.

S. F. 231—Relating to the inspection of fishing bait.

S. F. 233—Relating to claims against the estates of decedents arising from assistance granted under a previous categorical assistance program.

S. F. 418—Relating to payment and final returns of inheritance tax.

H. F. 54—Changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts and for filling certain nonpartisan offices at the general election.

H. F. 74—Requiring cities to give notice of annexation to the state department of transportation.

H. F. 262—Relating to the sale of game by a game breeder for food purposes.

H. F. 399—Appropriating for programs under the jurisdiction of the Iowa commission for the blind, the bonus board, and the educational radio and television division of the department of general services.

H. F. 485—Appropriating funds 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.

COMMUNICATION FROM THE SECRETARY OF STATE

April 28, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 368 was published in The Humeston New Era, Humeston, Iowa, April 17, 1975, and in The Monticello Express, Monticello, Iowa, April 17, 1975.

Respectfully submitted
MELVIN D. SYNHORST
Secretary of State

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate from:

THE STATE OF MISSISSIPPI

A copy of House Concurrent Resolution 51, adopted by the House of Representatives and the Senate of Mississippi proposing an amendment to the United States Constitution limiting congressional appropriations to total revenue.

REPORTS OF COMMITTEES

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 321**, a bill for an act relating to continuing education requirements as a condition of a professional or occupational license renewal or inactive licensee reentry, providing for legislative review of professional and occupational examining board activities, delegating rule-making authority to professional and occupational examining boards, and eliminating mandatory annual renewal of professional and occupational licenses, 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:**

S—3634

Amend Senate File 321, page 3, line 30 by striking the word "Three" and inserting in lieu thereof the word "Four".

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 679**, a bill for an act relating to the final return, payment and refund, and appeal procedures for the state inheritance tax, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3632

Amend Senate File 481, page 4, by striking lines 2 through 6 and inserting in lieu thereof the following:

"schedule to the board of supervisors. The board of supervisors shall review the compensation schedule at one or more of their regular public meetings and may lower the recommended compensation for any of the offices covered or may accept the recommended compensation for any of the offices covered. The compensation schedule as decided by the board of supervisors shall become effective

only upon the affirmative public vote of a majority of the board of supervisors. A copy of the compensation schedule shall be filed with the county budget at the office of the state comptroller. The compensation schedule shall become effective on the first day of July next following its approval to the board of supervisors."

ROGER J. SHAFF
EARL M. WILLITS
WILLIAM D. PALMER
LOWELL L. JUNKINS
WARREN E. CURTIS
WILLIAM P. WINKELMAN
IRVIN L. BERGMAN
LUCAS J. DeKOSTER
ELIZABETH SHAW
RAY TAYLOR
CLIFF BURROUGHS
LEONARD C. ANDERSEN
WILLARD R. HANSEN
CALVIN O. HULTMAN
EUGENE M. HILL
H. L. HEYING
JAMES M. REDMOND
FRED W. NOLTING
KENNETH D. SCOTT
KARL NOLIN
WILLIAM E. GLUBA
LOUIS P. CULVER
RICHARD J. NOPEL, SR.
STEVE SOVERN
CLIFTON C. LAMBORN

S—3636

Amend Senate File 485 as follows:

1. Page 10, after line 2, by adding the following section:

"Sec. ..... Section ninety-six point seven (96.7), subsection eight (8), Code 1975, is amended to read as follows:

8. FINANCING BENEFITS PAID TO STATE EMPLOYEES *AND TO EMPLOYEES OF THE STATE'S POLITICAL SUBDIVISIONS.*

a. Any state agency, board, commission, department, or instrumentality thereof, other than state-owned hospitals and institutions of higher education, which, pursuant to section 96.19, subsection 6, paragraph 'h', is, or becomes, subject to this chapter on or after January 1, 1972, shall pay to the commission for the unemployment fund an amount equal to the amount of regular benefits and of one-half of the extended benefits paid, that is attributable to service in the employ of such state agency, board, commission, department, or instrumentality thereof. Such payments shall be made in accordance with the

provisions of subsection 9, paragraph 'b' hereof.

b. State agencies, boards, commissions, and departments, except board of regents institutions and the state fair board, shall, after approving the billing provided for in subsection 9, paragraph 'b', submit the billing to the state comptroller to be paid out of any moneys in the state treasury not otherwise appropriated. The state comptroller shall be reimbursed for payments made on behalf of agencies, boards, commissions, or departments which have revolving, special, trust of federal funds from which the payments can be made.

c. The amount of payment required from each political subdivision of the state shall be ascertained by the employment security commission and shall be paid from the general funds of such local governmental employers at such time and in such manner as may be prescribed by the commission and approved by the comptrollers and auditors of the respective local governmental employers, except that to the extent that benefits are paid on the basis of wages paid by local governmental employers from special administrative funds, the payment into the unemployment compensation fund shall be made from such special funds."

2. Page 10, after line 13, by adding the following sections:

"Sec. ..... Section ninety-six point eight (96.8), subsection three (3), paragraph c, Code 1975, is

Page 2

amended by striking the paragraph.

Sec. ..... Section ninety-six point eight (96.8), subsection three (3), paragraph c, unnumbered paragraph three (3), Code 1975, is amended by striking the paragraph."

3. Page 14, after line 8, by adding the following sections:

"Sec. ..... Section ninety-six point nineteen (96.19), subsection five (5), Code 1975, is amended to read as follows:

5. 'EMPLOYING UNIT' means any individual or type of organization, including *this state and its political subdivisions, state agencies, boards, commissions, and instrumentalities thereof*, any partnership, association, trust, estate, joint stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January 1, 1936, had in its employ one or more individuals performing services for it within this state. All individuals performing services within this state for any employing unit which maintains two or more separate establishments within this state shall be deemed to be employed by a single employing unit for

all the purposes of this chapter. Whenever any employing unit contracts with or has under it any contractor or subcontractor for any work which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection 6 or section 96.8, subsection 3, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which such individual is engaged in performing such work; except that each such contractor or subcontractor who is an employer by reason of subsection 6 or section 96.8, subsection 3, shall alone be liable for the contributions measured by wages payable to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection 6 or section 96.8, subsection 3, may recover the same from such contractor or subcontractor, except as any contractor or subcontractor who would in the absence of the foregoing provisions be liable to pay said contributions, accepts exclusive liability for said

Page 3

contributions under an agreement with such employer made pursuant to general rules of the commission. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee, provided the employing unit had actual or constructive knowledge of such work, and provided, further, that such employment was for a total of not less than eight hours in any one calendar week.

Sec. ..... Section ninety-six point nineteen (96.19), subsection seven (7), paragraph a, subparagraph six c (6c), Code 1975, is amended by striking the subparagraph as follows:

[(c) In the employ of a school which is not an institution of higher education.]"

4. Page 14, by inserting before line 9 the following sections:

"Sec. ..... Section ninety-six point nineteen (96.19), subsection seven (7), paragraph a, Code 1975, is amended by adding the following new subparagraphs:

(7) (a) Service performed in the employ of any political subdivision of the state or any instrumentality thereof, effective on the day immediately following termination of eligibility to file a claim for assistance under The Special Unemployment Assistance Act of 1974 (Public Law 93-

567) and extensions thereof, if any; provided that, the effective date of coverage provided herein shall not be deemed to apply to service performed for a hospital or institution of higher education operated by a political subdivision which has elected coverage with such services pursuant to paragraph c of subsection three (3) of section ninety-six point eight (96.8) of the Code; provided further, that, there shall not be restrictions until the effective date of the coverage year herein provided upon the right of any political subdivision to elect coverage solely for its institutions of higher education and hospitals as provided in paragraph c of subsection three (3) of section ninety-six point eight (96.8) of the Code.

(b) For the purpose of subparagraph seven a (7a) of this paragraph the term 'employment' does not apply to service performed by individuals granted temporary appointment of less than eighty working days, duration, casual or day workers, and workers who perform service for less than twenty hours per week.

(c) Upon the effective date of the coverage of

Page 4

service as 'employment' provided by this subparagraph seven (7), individuals who performed the covered services shall be credited with wage credits retroactively limited to the base period as defined in subsection seventeen (17) of section ninety-six point nineteen (96.19) of the Code, applicable to such effective date, in accordance with their wages as defined in subsection thirteen (13) of section ninety-six point nineteen (96.19) of the Code. Such wage credits shall be available for use solely with respect to claims for benefits under this chapter filed on and after the effective date of coverage herein provided.

(d) Benefits based on services in employment as provided in this subparagraph seven (7) shall be payable in the same amount, on the same terms, and subject to the same conditions as compensation payable on the basis of other service in this chapter, except that benefits based on service in an instructional, research or principal administrative capacity in a school operated by a political subdivision or an instrumentality thereof shall not be paid to an individual for any week of unemployment which begins during the period between two successive years or during similar periods between two regular terms whether or not successive, or during the period of paid sabbatical leave provided for in individual's contract, if the individual has a contract or contracts to perform services in this capacity for any school or schools for both such academic years or for both such terms. For the purpose of this provision 'school' means an educational institution operated by a

political subdivision or an instrumentality thereof which is not an institution of higher education as defined in subsection twenty-four (24) of section ninety-six point nineteen (96.19) of the Code.

Sec. ..... Section ninety-six point nineteen (96.19), subsection seven (7), paragraph g, subparagraph one (1), Code 1975, is amended to read as follows:

(1) Service performed in the employ of this state by an elected official [or service performed in the employ of any political subdivision of this state or any instrumentality of its political subdivisions. Provided that this exemption shall not be deemed to apply to services performed for a hospital or institution of higher education operated by a political subdivision of this state which has elected coverage for such services pursuant to section 96.8, subsection 3, paragraph 'c', and service performed in the employ of any political subdivision of this state,

Page 5

or any instrumentality of any political subdivision, which for the effective period of its election pursuant to section 96.8, subsection 3, paragraph 'a', has voluntarily elected that all services performed for it by individuals in its employ shall be deemed to constitute employment for all purposes of this chapter. Nothing in this or any other provision of this chapter shall be construed to restrict the right of any political subdivision to elect coverage solely for institutions of higher education and hospitals as provided in section 96.8, subsection 3, paragraph 'c']."

5. By renumbering the sections, and cross references to conform with this amendment.

W. R. RABEDEAUX
CLOYD E. ROBINSON

S—3637

Amend Senate File 485 as follows:

1. Page 15, after line 18, add the following:

"Sec. ..... The provisions of this Act are retroactive to January 1, 1975."

WILLIAM E. GLUBA

S—3638

Amend House File 723, page 8, lines 21 and 22 by striking the words "[three and three-eighths] *thirteen and one-half*" and inserting in lieu thereof the words "three and three-eighths".

WARREN E. CURTIS

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:45 p.m., until 9:30 a.m., Wednesday, April 30, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, APRIL 30, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Boral Biorn, pastor of the Morningside Lutheran Church, Sioux City, Iowa.

The Journal of Tuesday, April 29, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Murphy, Boone, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty students from Plainfield Junior-Senior High School, Plainfield, Iowa, accompanied by Mrs. Dietz and Miss Burke. Senator Burroughs.

Twenty-four students from Lytton Community School, Lytton, Iowa, accompanied by Tom Sawyer. Senator Winkelman.

PETITION

The following petition was presented and placed on file:

By Senator Merritt from thirty-two residents of Cerro Gordo County favoring a local levy for a regional library appropriation.

INTRODUCTION OF BILL

Senate File 497, by Senator Hill of Polk, a bill for an act relating to public and other records.

Read first time and passed on file.

Senator Bergman took the chair at 9:40 a.m.

On motion of Senator Kinley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 498, by Senator Hansen (O'Halloran, Brandt, Middleton, Wulff, Miller of Buchanan, Harper, Husak and Wyckoff), a bill for an act relating to faculty compensation at universities administered by the state board of regents.

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 on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 765, a bill for an act relating to labeling of late penalty charges on bills issued by public utilities.

Also: That the House has on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 775, a bill for an act to change the expiration date of hunting, fishing and trapping licenses.

Also: That the House has on April 29, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 38 urging Congress to continue adequate funding of the priority primary highway program, so as to allow the construction of proposed highway 520.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 765, a bill for an act relating to labeling of late penalty charges on bills issued by public utilities.

Read first time and **passed on file.**

House File 775, a bill for an act to change the expiration date of hunting, fishing and trapping licenses.

Read first time and **passed on file.**

HOUSE CONCURRENT RESOLUTION 38

By Brandt, Tauke, O'Halloran, Krause, Jochum, Junker, Miller of Buchanan, Fitzgerald, Gilloon and Doyle

Whereas, twenty-five percent of Iowa's population resides in and twenty-five percent of Iowa's agricultural products is produced by the area to be served by the route of proposed highway 520; and

Whereas, the construction of proposed highway 520 would be significantly aided by the continued funding of the federal "priority primary" highway program; and

Whereas, the federal department of transportation is recommending abolishing the "priority primary" highway program; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Congress is urged to continue adequate funding of the "priority primary" highway program in such amount as will allow the construction of proposed highway 520 within the earliest possible time; and

Be It Further Resolved, That copies of this resolution be forwarded to each member of the Iowa congressional delegation.

Read first time and **passed on file.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 491 S. F. 487 S. F. 421
S. F. 488

C. JOSEPH COLEMAN, Chairman

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 485.

Senate File 485

On motion of Senator Nolting, Senate File 485, a bill for an act relating to employment security, was taken up for consideration.

Senator Robinson asked and received unanimous consent that John Peters, Director, Unemployment Insurance Division, Employment Security Commission, be permitted to remain in the Senate chamber as a consultant during consideration of the bill.

Senator Rabedeaux offered amendment S—3636 filed by Senators Rabedeaux and Robinson on April 29, 1975, and found on pages 1148-1152, inclusive, of the Senate Journal.

Senator Redmond offered amendment S—3643 to amendment S—3636 and moved its adoption:

S—3643
Amend the Rabedeaux and Robinson amendment S—3636 to Senate File 485, page 2, by striking lines 3, 4 and 5 and inserting in lieu thereof the following: "subsection three (3), Code 1975, is amended by striking the last unnumbered paragraph of that subsection."

Amendment S—3643 to amendment S—3636 was adopted.

Senator DeKoster offered amendment S—3638 to amendment S—3636 and moved its adoption:

S—3638
Amend the Rabedeaux-Robinson amendment S—3636 to Senate File 485, page 3, by striking lines 15 through 18 and inserting in lieu thereof the following:
"paragraph six c (6c), Code 1975, is amended to read as follows:
(c) In the employ of a *nonpublic* school which is not an institution of higher education."

Amendment S—3638 to amendment S—3636 was adopted.

Senator Rabedeaux offered amendment S—3641 to amendment S—3636 by Senators Rabedeaux and Robinson and moved its adoption:

S—3641
Amend the Rabedeaux and Robinson amendment S—3636 to page 10 of Senate File 485, on page 4, line 27, by inserting after the word "in" the word "the".

Amendment S—3641 to amendment S—3636 was adopted.

Senator Rabedeaux moved the adoption of amendment S—3636 as amended and requested a record roll call.

On the question "Shall amendment S—3636 as amended be adopted?" (S.F. 485) the vote was:

Ayes, 41:

Andersen	Gluba	Miller of Des Moines	Priebe
Bergman	Griffin	Miller of Marshall	Rabedeaux
Briles	Hansen	Murray	Redmond
Carr	Hill of Polk	Nolin	Robinson
Coleman	Hultman	Nolting	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt		Van Gilst
Glenn			Willits

Nays, 7:

Burroughs	Hill of Jasper	Rodgers	Winkelman
Heying	Ramsey	Shaw	

Absent or not voting, 2:

Norpel Schwengels

Amendment S—3636 as amended was adopted.

Senator Heying offered amendment S—3615 filed by him and called for a division of the amendment as follows:

S—3615

Amend Senate File 485 as follows:

Division S—3615A

1. By inserting the following before line 1, page 1:

"Section 1. Section ninety-six point two (96.2), Code 1975, is amended to read as follows:

96.2 GUIDE FOR INTERPRETATION. As a guide to the interpretation and application of this chapter, the public policy of this state is declared to be as follows: Economic insecurity due to unemployment is a serious menace to the health, morals, and welfare of the people of this state. Involuntary unemployment is therefore a subject of general interest and concern which requires appropriate action by the legislature to prevent its spread and to lighten its burden which now so often falls with crushing force upon the unemployed worker and his family. The achievement of social security requires protection against this greatest hazard of our economic life. This can be provided by encouraging employers to provide more stable employment and by systematic accumulation of funds during periods of employment to provide benefits for periods of unemployment, thus maintaining purchasing power and limiting the serious social consequences of the poor relief assistance. The legislature, therefore, declares that in its considered judgment the public good and the general welfare of the citizens of this state require the enactment of this measure, under the police powers of the state, for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed through no fault of their own. *Further, to actively seek means of employment in working corps that would materially benefit the state as a whole.*

Division S—3615B

Sec. 2. Section ninety-six point three (96.3), subsection two (2), Code 1975, is amended to read as follows:

2. TOTAL UNEMPLOYMENT. Each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in an amount which shall be equal to his weekly benefit amount, *but only if the state was unable to provide a job opportunity in a service of general welfare to the state.*

Sec. 3. Section ninety-six point three (96.3), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Wherever the state sees a need to maintain, repair, or construct facilities that would serve the general public welfare, the unemployed who have

the physical capability must serve in that capacity. Wages shall be paid for such services from funds provided in section ninety-six point thirteen (96.13) of the Code, shall be the equivalent of the wage scale as set forth by the department of labor for like services. Should the state fail to provide a job opportunity, then only will

Page 2

the employment benefits apply."

2. By renumbering the remaining sections in accordance with this amendment.

Senator Heying moved the adoption of division S—3615A of the amendment and requested a record roll call.

On the question "Shall division S—3615A of the amendment be adopted?" (S.F. 485) the vote was:

Ayes, 20:

Bergman	Hansen	Nolin	Scott
Briles	Heying	Nystrom	Shaw
Burroughs	Miller of Des Moines	Priebe	Taylor
Coleman	Miller of Marshall	Ramsey	Tieden
Culver		Schwengels	Winkelman
Doderer			

Nays, 29:

Andersen	Hill of Jasper	Merritt	Redmond
Carr	Hill of Polk	Murray	Robinson
Curtis	Hultman	Nolting	Rodgers
DeKoster	Junkins	Orr	Shaff
Gallagher	Kelly	Palmer	Sovern
Glenn	Kinley	Plymat	Van Gilst
Gluba	Lamborn	Rabedeaux	Willits
Griffin			

Absent or not voting, 1:

Norpel

Division S—3615A of the amendment lost.

Senator Heying withdrew division S—3615B of the amendment.

Senator Ramsey offered amendment S—3645 and moved its adoption:

S—3645

Amend Senate File 485, as follows:

1. **Page 1, line 24, by inserting after the word** "work" the words ***"when the state 'on indicator' is in effect, and at the rate of fifty-five percent when the state 'off indicators' are in effect".***

2. Page 2, line 17, by inserting after the word "period" the words ***"when the state 'on indicator' is in effect, and one-third when the state 'off indicator' is in effect".***

A record roll call was requested.

On the question "Shall amendment S—3645 be adopted?" (S.F. 485) the vote was:

Ayes, 11:

Bergman	Heying	Ramsey	Tieden
Briles	Miller of	Schwengels	Winkelman
Burroughs	Marshall	Taylor	
Coleman			

Nays, 35:

Andersen	Hill of Jasper	Murray	Robinson
Carr	Hill of Polk	Nolin	Rodgers
Culver	Junkins	Nolting	Scott
Curtis	Kelly	Nystrom	Shaff
DeKoster	Kinley	Orr	Shaw
Doderer	Lamborn	Palmer	Sovern
Gallagher	Merritt	Plymat	Van Gilst
Glenn	Miller of	Rabedeaux	Willits
Griffin	Des Moines	Redmond	
Hansen			

Absent or not voting, 4:

Gluba	Hultman	Norpel	Priebe

The amendment lost.

Senator Redmond offered amendment S—3642 and moved its adoption:

S—3642

Amend Senate File 485, page 10, line 28, by inserting after the word "elective" the word *"partisan"*.

Amendment S—3642 was adopted.

Senator Gluba offered amendment S—3637 filed by him:

S—3637

Amend Senate File 485 as follows:

1. Page 15, after line 18, add the following:

"Sec. ..... The provisions of this Act are retroactive to January 1, 1975."

Senator Glenn offered amendment S—3647 to amendment S—3637 by Senators Glenn and Gluba, moved its adoption and requested a record roll call:

S—3647

Amend the Gluba amendment S—3637, to page 15 of Senate File 485, line 4, by striking the figures "1975" and inserting in lieu thereof the figures "1974".

On the question "Shall amendment S—3647 to amendment S—3637 be adopted?" (S.F. 485) the vote was:

Ayes, 7:

Carr	Gluba	Miller of	Priebe
Gallagher	Heying	Des Moines	
Glenn			

Nays, 42:

Andersen	Hill of Jasper	Nolin	Schwengels
Bergman	Hill of Polk	Nolting	Scott
Briles	Hultman	Nystrom	Shaff
Burroughs	Junkins	Orr	Shaw
Coleman	Kelly	Palmer	Sovern
Culver	Kinley	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Merritt	Ramsey	Van Gilst
Doderer	Miller of	Redmond	Willits
Griffin	Marshall	Robinson	Winkelman
Hansen	Murray	Rodgers	

Absent or not voting, 1:

Norpel

Amendment S—3647 to amendment S—3637 lost.

Senator Gluba moved the adoption of amendment S—3637 and requested a record roll call.

On the question "Shall amendment S—3637 be adopted?" (S.F. 485) the vote was:

Ayes, 8:

Carr	Gluba	Orr	Willits
Gallagher	Miller of	Priebe	
Glenn	Des Moines		

Nays, 39:

Andersen	Hansen	Murray	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Briles	Hill of Polk	Nolting	Scott
Burroughs	Hultman	Nystrom	Shaff
Coleman	Junkins	Palmer	Shaw
Culver	Kinley	Plymat	Sovern
Curtis	Lamborn	Rabedeaux	Taylor
DeKoster	Merritt	Ramsey	Tieden
Doderer	Miller of	Redmond	Van Gilst
Griffin	Marshall	Robinson	Winkelman

Absent or not voting, 3:

Heying	Kelly	Norpel

Amendment S—3637 lost.

Senator Doderer offered amendment S—3649 by Senators Doderer and Miller of Des Moines and moved its adoption:

S—3649

Amend Senate File 485 as follows:

Page 15, after line 18 by inserting the following:

"Sec. ..... The Code editor is directed to determine if terms in chapter ninety-six (96) of the Code and this Act and the amendments to the Act specify only one gender and where the provisions of the Act are applicable to both genders. The Code editor shall make editorial changes in the text

of the Act and the amendments to the Act to reflect their applicability to both genders or one gender, as the case may be. The editing shall be done without changing the substantive meaning of the provisions of the Act."

A non-record roll call was requested.

The ayes were 43, nays 3.

Amendment S—3649 was adopted.

Senator Ramsey offered amendment S—3650 by Senators Ramsey and Heying:

S—3650

Amend Senate File 485 as follows:

1. Page 15, by inserting after line 18, the following new section:

"Sec. ..... *NEW SECTION.* VOLUNTEER SERVICE. The unemployment security commission shall develop a program of public works to provide service opportunities for persons who are applying for unemployment compensation benefits under this Act. The unemployment security commission shall obtain manpower needs from state departments, state agencies, and political subdivisions for the repair, maintenance or construction of public facilities or other services which will enure to the public benefit. Any person who applies for unemployment compensation benefits under this Act shall be provided the opportunity to volunteer his or her services in a public works program developed pursuant to this section. The unemployment security commission shall promulgate rules pursuant to chapter seventeen A (17A) of the Code to implement the purposes of the section."

Senator Nolting raised the point of order that amendment S—3650 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3650 out of order.

Senator Bergman took the chair at 5:32 p.m.

Senator Nolting moved that the bill 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, 35:

Andersen	Curtis	Gluba	Kinley
Bergman	DeKoster	Hansen	Lamborn
Carr	Doderer	Hill of Polk	Merritt
Coleman	Gallagher	Junkins	Miller of
Culver	Glenn	Kelly	Des Moines

Murray	Orr	Redmond	Shaff
Nolin	Palmer	Robinson	Sovern
Nolting	Plymat	Rodgers	Van Gilst
Nystrom	Rabedeaux	Scott	Willits

Nays, 14:

Briles	Hill of Jasper	Priebe	Taylor
Burroughs	Hultman	Ramsey	Tieden
Griffin	Miller of Marshall	Schwengels	Winkelman
Heying		Shaw	

Absent or not voting, 1:

Norpel

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 499, by committee on human resources, a bill for an act relating to hospitalization of the mentally ill.

Read first time and **placed on calendar.**

Senate File 500, by Senator Doderer, a bill for an act relating to discrimination on the basis of sex or marital status in the issuance of certain insurance policies.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 492 Ways and means

S. F. 495 Transportation

S.C.R. 35 Rules and administration

S.C.R. 36 Rules and administration

S.C.R. 37 Rules and administration

H. F. 654 Human resources

H. F. 670 State government

H. F. 738 Commerce

H. F. 748 Ways and means

H. F. 749 Ways and means

H. F. 760 Appropriations

H. F. 766 Judiciary

H. F. 780 Appropriations

H.C.R. 38 Transportation

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Phyllis Larson of Davenport, Scott County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term beginning July 1, 1974, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH SHAW, Chairman
JAMES E. BRILES
CHARLES P. MILLER

REPORTS OF COMMITTEES

Senator Gluba submitted the following reports:

MR. PRESIDENT: Your committee on human resources to which was referred **Senate File 253**, a bill for an act relating to exchange of inmates with federal bureau of prisons, 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:**

S—3646

Amend Senate File 253 as follows:

1. Page 1, line 3, by striking the word "Convicts" and inserting in lieu thereof the word "Inmates".

2. Page 1, line 6, by striking the word "Convicts" and inserting in lieu thereof the word "Inmates".

3. Page 1, line 8, by inserting after the period the sentence "If an inmate objects to her transfer to the federal bureau of prisons, the inmate shall be afforded a hearing as provided in section two hundred seventeen point twenty-two (217.22) of the Code."

4. Page 1, line 11, by striking the word "Convicts" and inserting in lieu thereof the words "[Convicts] *Inmates*".

5. Page 1, line 14, by striking the word "*Convicts*" and inserting in lieu thereof the word "*Inmates*".

6. Page 1, line 16, by inserting after the period the sentence "*If an inmate objects to his transfer to the federal bureau of prisons, the inmate shall be afforded a hearing as provided in section two hundred seventeen point twenty-two*

(217.22) of the Code."

7. Page 1, by inserting after line 16 the following:

"Sec. ..... Chapter two hundred seventeen point twenty-two (217.22), Code 1975, is amended to read as follows:

217.22 [INTERSTATE COMPACT BOARD—HEARING] *TRANSFER HEARING.* An inmate who objects to confinement in a receiving state pursuant to the interstate corrections compact *or transfer to the federal bureau of prisons* may request a hearing before a board appointed by the governor and serving at his pleasure and composed of three members of the general public, one of whom shall be a former inmate. Members of the board shall be paid forty dollars per diem and actual and necessary expenses from appropriated funds.

The board shall bar the transfer of the inmate to a receiving state *or the federal bureau of prisons* when a majority of its members are of the opinion that the transfer does not serve to promote the treatment, rehabilitation, or best interests of the offender. The burden of proof shall lie with the department of social services and all decisions of the hearing board shall be final."

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 390,** a bill for an act authorizing the expenditure of federal funds or grants for the support of mental health centers, programs for the mentally retarded, and capital improvements by counties, 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:**

S—3648

Amend House File 390, as passed by the House, as follows:

1. Page 2, line 22, by inserting after the word "electors" the words *"to expend federal revenue-sharing funds for a mental health or mental retardation project or"*.

2. Page 2, lines 22 through 24, inclusive, by striking the words *"a mental health or mental retardation project is to be funded by federal revenue-sharing funds or when"*.

3. Page 3, line 1, by inserting after the word *"newspaper"* the words *"published in the county"*.

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Senator Glenn submitted the following **report:**

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 76,** a bill for an act relating to the signature of persons with physical disabilities and providing penalties, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 104,** a bill for an act relating to taxation of United States civil service retirement and disability annuities, 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:**

S—3651

Amend Senate File 104 as follows:

1. Page 1, line 3, by striking the words "A person who receives annuities" and inserting in lieu thereof the words "Except as provided in this section, a person who receives an annuity".

2. Page 1, line 11, by striking the word "annuities" and inserting in lieu thereof the words "an annuity".

3. Page 1, line 13, by striking the word "are" and inserting in lieu thereof the word "is".

4. Page 1, line 16, by striking the words "two hundred fifty" and inserting in lieu thereof the words "one hundred".

5. Page 1, line 18, by striking the word "five" and inserting in lieu thereof the word "two".

6. Page 1, line 19, by inserting after the period the following:

"However, this exclusion does not apply to a person who is less than sixty-two years of age unless the person is disabled. This exclusion applies to any annuity received on or after January 1, 1975."

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3657

Amend Senate File 473 as follows:

1. Page 2, line 29, by inserting after the word "*pension*" the words "*computed under this subsection*".

2. Page 3, line 2, by inserting after the word "*pension*" the words "*computed under this subsection*".

GENE W. GLENN

S—3654

Amend Senate File 476 as follows:

1. Page 2, line 6, by inserting after the word

"dealer" the words "or holder of a temporary permit".

2. Page 2, line 30, by inserting after the word "audiologist" the words "except that a hearing aid dealer licensed under chapter one hundred fifty-four A (154A) of the Code may use the title 'certified hearing aid audiologist' when granted by the national hearing aid society".

ELIZABETH SHAW

S—3655

Amend Senate File 490 as follows:

1. Page 1, by inserting before line 1 the following sections:

"Sec. ..... Section four hundred eleven point six (411.6), subsection one (1), paragraph a, Code 1975, is amended to read as follows:

a. Any member in service may retire upon his written application to the board of police or fire trustees as the case may be, setting forth at what time, not less than thirty nor more than ninety days subsequent to the execution and filing therefor, he desires to be retired, provided, that the said member at the time so specified for his retirement shall have attained the age of fifty-five and *or* shall have served twenty-two years or more in said department *whichever occurs earlier*, and notwithstanding that, during such period of notification, he may have separated from the service.

Sec. ..... Section four hundred eleven point six (411.6), subsection one (1), Code 1975, is amended by striking paragraph b."

"Sec. ..... Section four hundred eleven point six (411.6), subsection four (4), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Upon retirement for ordinary disability a member shall [receive a service retirement allowance if he has attained the age of fifty-five, otherwise he shall] receive an ordinary disability retirement allowance which shall consist of:"

2. Page 1, by inserting after line 7 the following section:

"Sec. ..... Section four hundred eleven point six (411.6), subsection seven (7), Code 1975, is amended to read as follows:

7. RE-EXAMINATION OF BENEFICIARIES RETIRED ON ACCOUNT OF DISABILITY. Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the respective board of trustees may, and upon his application shall, require any disability beneficiary who has not yet attained age fifty-five *and would not yet have completed twenty-two years of service if he had not been disabled,* to undergo a medical examination at a place designated by the medical board. Such

examination shall be made by the medical board or in special cases, by an additional physician or physicians designated by such board. Should any disability beneficiary who has not attained the age of fifty-five *and would not yet have completed twenty-*

Page 2

two years of service if he had not been disabled refuse to submit to such medical examination, his allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for one year all rights in and to his pension may be revoked by the respective board of trustees.

a. Should any beneficiary for disability not incurred in line of duty, be engaged in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, then the amount of his pension shall be reduced to an amount which together with his annuity and the amount earned by him shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension may be further modified, provided, that the new pension shall not exceed the amount of the pension originally granted nor an amount which, when added to the amount earned by the beneficiary together with his annuity, equals the amount of his average final compensation. A beneficiary restored to active service at a salary less than the average final compensation upon the basis of which he was retired at age fifty-five or greater *or after twenty-two years of service,* shall not again become a member of the retirement system and shall have his retirement allowance suspended while in active service.

b. Should a disability beneficiary under age fifty-five *and who would not yet have completed twenty-two years of service* be restored to active service at a compensation not less than his average final compensation, his retirement allowance shall cease, he shall again become a member and he shall contribute thereafter at the same rate he paid prior to disability, and any former service on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect and upon his subsequent retirement he shall be credited with all his service as a member and also with the period of disability retirement, provided that during such period of disability he has not engaged in a gainful occupation from which his net earnings exceeded the difference between his disability retirement allowance and the amount he would have received for said period if his compensation at the time of disability had continued.

c. The chief of the fire department or the chief of the police department of such city may, subject

to approval of the medical board, assign any former member of such department who is retired and drawing

Page 3

a pension for disability under the provisions of this chapter, to the performance of light duties in such department."

3. By numbering and renumbering sections as necessary.

CALVIN O. HULTMAN

S—3656

Amend Senate File 490 as follows:

1. Page 2, line 4, by inserting after the word *"pension"* the words *"computed under this subsection"*.

2. Page 2, line 13, by inserting after the word *"pension"* the words *"computed under this subsection"*.

GENE W. GLENN

S—3659

Amend Senate File 491 as follows:

1. Page 1, line 14, by striking the words *"first cousin,"* and inserting in lieu thereof the words *"or first cousin."*

2. Page 1, by striking line 15.

3. Page 1, line 33, by striking the words *"less than seven"* and inserting in lieu thereof the words *"more than three but not more than six"*.

RICHARD R. RAMSEY

S—3658

Amend Senate File 491, page 8, after line 19, by inserting the following new section:

"*NEW SECTION.* FEES. Issuance of a license, including a provisional license, or certificate of registration shall be made only upon receipt by the department of the following fees:

1. For a license to operate a nonprofit child care center.....50 dollars.

2. For a license to operate a profit-making child care center.....100 dollars.

3. For a certificate of registration.....10 dollars."

RICHARD R. RAMSEY

S—3640

Amend House File 207, page 1, line 12, by striking the word "and" and inserting in lieu thereof the words "[and] *or*".

LUCAS J. DeKOSTER

S—3639

Amend House File 207 as follows:

1. Page 2, by striking lines 5 through 9 and inserting in lieu thereof the following:

"[either] *only* after the damages have been finally

determined and paid [or one hundred eighty days after the compensation commission has determined and filed its award, in which event all of the appraisement of damages shall be paid to the property owner before the dispossession can take place]. This".

2. Page 2, line 16, by striking the words "[, orchard, or garden]" and inserting in lieu thereof the words ", orchard, or garden".

JAMES V. GALLAGHER

S—3653

Amend House File 324 as amended and passed by the House, page 1, by inserting after line 22C the following new paragraph:

"(6) A vehicle shall not be considered abandoned if its owner or operator is unable to move it from the place where it is located and so notifies the proper local police authority and requests assistance in removal thereof."

C. JOSEPH COLEMAN

S—3652

Amend House File 450 as amended, passed and reprinted by the House, page 9 by striking lines 3 and 4 and inserting in lieu thereof the following:

"receive applications for renewal of vehicle registrations and payment of the registration fees. The registration".

C. JOSEPH COLEMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:50 p.m., until 9:30 a.m., Thursday, April 30, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MAY 1, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Mr. John Weiss, elder of the Church of Jesus Christ of the Latter Day Saints, Dow City, Iowa.

The Journal of Wednesday, April 30, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Hawkins, Clarion, Iowa.

SPECIAL GUEST

President Neu presented Kathleen Pedrick, Douds, Iowa, the 1974-1975 Governor of Hawkeye Girls' State, who addressed the Senate briefly.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five students from Hampton High School, Hampton, Iowa, accompanied by Ken Anderson, John Mesicek and Pat Peterson. Senator Taylor.

Twenty-eight students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Mr. Sheridan. Senators Lamborn and Norpel.

PETITIONS

The following petitions were presented and placed on file:

By Senator Hill of Jasper from three hundred eighty-three residents of Iowa urging rescission of the Equal Rights Amendment.

By Senator Rodgers from seventy-three residents of Adair and Madison Counties opposing pari-mutuel betting.

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 on April 28, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 114, a bill for an act relating to payment by the executive council of court related costs and expenses.

Also: That the House has on April 28, 1975, concurred in Senate amendment to and passed the following bill:

House File 43, a bill for an act permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks.

Also: That the House has on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 362, a bill for an act relating to the exclusion of banks from membership sales licensing requirements of the Code.

Also: That the House has on April 28, 1975, concurred in Senate amendment to and passed the following bill:

House File 459, a bill for an act permitting the issuance of a special license by the board of medical examiners to authorize the licensee to practice medicine and surgery.

Also: That the House has on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 753, a bill for an act relating to the speed restriction for motor vehicles towing disabled motor vehicles.

Also: That the House has on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 792, a bill for an act relating to the legal specifications for gasoline volatility.

Also: That the House has on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 793, a bill for an act relating to the marketing board of the department of agriculture.

Also: That the House has on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 798, a bill for an act to provide for change of sex on birth certificates.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 362, a bill for an act relating to the exclusion of banks from membership sales licensing requirements of the Code.

Read first time and **passed on file.**

House File 753, a bill for an act relating to the speed restriction for motor vehicles towing disabled motor vehicles.

Read first time and **passed on file.**

House File 792, a bill for an act relating to the legal specifications for gasoline volatility.

Read first time and **passed on file.**

House File 793, a bill for an act relating to the marketing board of the department of agriculture.

Read first time and **passed on file.**

House File 798, a bill for an act to provide for change of sex on birth certificates.

Read first time and **passed on file.**

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **Senate File 496** be made a **special order** of business for Tuesday, May 6, 1975, at 1:00 p.m.

Senator Carr took the chair at 10:00 a.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Shaw called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Phyllis Larson of Davenport, Scott County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term beginning July 1, 1974, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH SHAW, Chairman
JAMES E. BRILES
CHARLES P. MILLER

The motion prevailed and the report was adopted.

Senator Shaw moved the appointment of Phyllis Larson as a member of the Iowa Board of Examiners for Hearing Aid Dealers be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Scott
Burroughs	Hill of Polk	Nolting	Shaff
Carr	Hultman	Norpel	Shaw
Coleman	Junkins	Nystrom	Sovern
Curtis	Kelly	Orr	Taylor
DeKoster	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			
Griffin			

Nays, none.

Absent or not voting, 4:

Culver	Priebe	Rabedeaux	Schwengels

The Chair declared the appointment of Phyllis Larson as a member of the Iowa Board of Examiners for Hearing Aid Dealers confirmed for an initial term ending June 30, 1976.

On motion of Senator Kinley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 501, by committee on ways and means, a bill for an act relating to the assessment and equalization of certain industrial property.

Read first time and **placed on calendar.**

Senate File 502, by committee on cities (committee on cities and towns), a bill for an act authorizing the levying of a transient guest tax by counties and cities, adopting provisions of the state gross receipts tax law including penalties, and imposing certain duties upon the director of revenue.

Read first time and referred to committee on **ways and means** (under Senate Rule 38).

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 on April 24, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 700, a bill for an act relating to procedures for preparing for, giving notice of, conducting and canvassing elections, to the election of presidential electors, and to the registration of voters, and prescribing penalties.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 700, a bill for an act relating to procedures for, giving notice of, conducting and canvassing elections, to the election of presidential electors, and to the registration of voters, and prescribing penalties.

Read first time and **passed on file.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 491.

Senate File 491

On motion of Senator Sovern, Senate File 491, a bill for an act relating to the licensing and registration of child day care facilities and providing a penalty, was taken up for consideration.

Senator Ramsey offered amendment S—3664 by Senators Ramsey, et al., and moved its adoption:

S—3664

Amend Senate File 491 as follows:

1. Page 1, by striking lines 32 and 33.
2. Page 1, line 35, by striking the words "*or family day care home*".
3. Page 4, by striking lines 10 through 31.
4. Page 5, by striking lines 9 through 16.
5. Page 5, line 30, by striking the words "*or registered home*".
6. Page 6, line 3, by striking the words "*or registration,*".
7. Page 6, line 4, by striking the words "*or registered*".
8. Page 6, line 33, by striking the words "*or certificate of registration*".
9. Page 6, line 35, by striking the words "*or certificate*".

10. Page 7, line 10, by striking the words "*and family day care homes*".

11. Page 8, line 22, by striking the words "or certificate of registration".

12. Page 8, line 30, by striking the words "or certificate of registration".

13. Page 9, line 22, by striking the words "and registration".

14. Page 9, line 26, by inserting before the word "two" the words and figures "two hundred thirty-seven A point three (237A.3),".

15. Amend the title, line 1, by striking the words "and registration".

16. By renumbering sections in accordance with this amendment.

Senator Willits took the chair at 3:45 p.m.

President Neu took the chair at 4:30 p.m.

Senator Ramsey moved the adoption of amendment S—3664.

A record roll call was requested.

On the question "Shall amendment S—3664 be adopted?" (S.F. 491) the vote was:

Ayes, 32:

Andersen	Heying	Miller of Marshall	Schwengels
Bergman	Hill of Jasper	Nolin	Scott
Briles	Hultman	Norpel	Shaff
Burroughs	Junkins	Nystrom	Shaw
Coleman	Kelly	Rabedeaux	Sovern
Culver	Lamborn	Ramsey	Taylor
Curtis	Merritt	Rodgers	Tieden
DeKoster	Miller of Des Moines		Winkelman
Gallagher			

Nays, 17:

Carr	Hansen	Nolting	Redmond
Doderer	Hill of Polk	Orr	Robinson
Glenn	Kinley	Palmer	Van Gilst
Gluba	Murray	Plymat	Willits
Griffin			

Absent or not voting, 1:

Priebe

Amendment S—3664 was adopted.

The Chair ruled the following amendments out of order with the adoption of amendment S—3664:

Amendment S—3659 filed by Senator Ramsey on April 30, 1975, and found on page 1168 of the Senate Journal.

Amendment S—3660 by Senators Nystrom, Junkins and Lamborn:

S—3660

Amend Senate File 491 as follows:

1. Page 1, line 33, by inserting after the word "seven" the words "but more than three".

Amendment S—3661 by Senators Nystrom, Junkins and Lamborn:

S—3661

Amend Senate File 491 as follows:

1. Page 4, by striking lines 13 through 16 and inserting in lieu thereof the following: "237A.3 REGISTRATION OF FAMILY DAY CARE HOMES. A person who operates or establishes a family day care home may apply to the department for registration under the provisions of this chapter. The department shall issue a certificate of".

2. Page 4, line 19, by striking the word "shall" and inserting in lieu thereof the word "may".

3. Page 4, by striking lines 24 through 27 and inserting in lieu thereof the following: "compliances. The registration process may be repeated".

4. Page 8, line 21, by striking "child day care facility" and inserting in lieu thereof "child care center".

5. Page 8, line 22, by striking "or certificate of registration".

6. Page 8, line 29, by striking "day care facility" and inserting in lieu thereof "care center".

7. Page 8, line 30, by striking "or certificate of registration".

Amendment S—3667 by Senator Shaw:

S—3667

Amend Senate File 491 as follows:

1. Page 4, lines 19 and 20 by striking the words "shall be posted in a conspicuous place in the family day care home,".

2. Page 5, by striking in lines 26 through 28 the words ***"This requirement shall not apply to personnel whose religious convictions in accordance with the tenets of the church are against medical treatment."***

Amendment S—3673 by Senator Gallagher:

S—3673

Amend Senate File 491, page 1, line 33, by striking the words *"less than seven"* and insert in lieu thereof the words *"more than two but not more than six"*.

(Senate File 491 pending on adjournment.)

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILLS

Senate File 503, by committee on commerce, a bill for an act relating to the maximum interest rate payable by persons purchasing securities on credit.

Read first time and **placed on calendar.**

Senate File 504, by committee on appropriations, a bill for an act making an appropriation to continue a study of the problems of Spanish-speaking persons.

Read first time and **placed on calendar.**

Senate File 505, by committee on appropriations, a bill for an act to appropriate money from the dairy industry fund to the Iowa dairy industry commission.

Read first time and **placed on calendar.**

Senate File 506, by committee on appropriations, a bill for an act making an appropriation to the state conservation commission and divisions of the commission.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 38
By Andersen and Heying

Whereas, the present economic situation in Iowa and the nation is resulting in increased numbers of people drawing unemployment compensation and is also contributing to an increase in the number of welfare recipients; and

Whereas, it is desirable as a matter of public policy to pay people for working at productive employment, rather than providing them funds in lieu of wages or salary; and

Whereas, there is a lack of information as to the most appropriate and desirable ways of providing that able-bodied persons be offered productive employment as a condition of receiving, or as an alternative to, unemployment compensation or welfare benefits; and

Whereas, it is known that at least one state, California, has had experience with implementation of such a program, apparently with a high degree of success; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Legislative Council is requested to authorize appointment of a study committee or a joint interim subcommittee of appropriate committees of the Senate and House to study the foregoing matters during the 1975 legislative interim, and that a report of the study be prepared and submitted to the Legislative Council and to the members of the General Assembly at the conclusion of the interim, accompanied by draft legislation designed to implement the recommendations of the study committee or joint interim subcommittee.

Read first time and **passed on file.**

SENATE RESOLUTION 10
By Kinley and Lamborn

Whereas, the Iowa Senate authorized the preparation of a booklet in 1969 to call attention to the beauty of the capitol building and to the incidents relative to its construction and history; and

Whereas, The Golden Dome was first published in March of 1970, and edited and revised in 1974; and

Whereas, the last edition is out of print and in need of revision; *Now Therefore,*

Be It Resolved by the Senate, That the Secretary of the Senate is hereby authorized to have printed additional copies of *The Golden Dome* for use during the current legislative session; and

Be It Further Resolved, That the Secretary of the Senate is authorized to edit and revise *The Golden Dome* during the 1975 interim, and to have an additional printing of this booklet in order to make it available in revised form in 1976.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 497 State government

S. F. 498 Appropriations

S. F. 500 Commerce

H. F. 765 Commerce

H. F. 775 Natural resources

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Arthur Earnest Dahl of Muscatine, Muscatine County, Iowa, for appointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System (IPERS) under the provision of Section 97B.8, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD J. NORPEL, SR., Chairman
JAMES V. GALLAGHER
JOAN ORR
JOHN N. NYSTROM
W. R. RABEDEAUX

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mary F. Holstad of Des Moines, Polk County, Iowa, for appointment as member of the Iowa State Commerce Commission under the provisions of Sections 474.1 and 474.2, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD E. ROBINSON, Chairman
LOWELL L. JUNKINS
GEORGE R. KINLEY
CALVIN O. HULTMAN
ELIZABETH SHAW

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate, April 29th and 30th due to the fact that I was attending a transportation meeting in Washington, D.C., with the Iowa Congressional delegation, the U.S. House and Senate Public Works Committee and staff and members of the U.S. Department of Transportation. Had I been present, I would have voted "aye" on House File 99 and Senate Files 387 and 485.

RICHARD J. NORPEL SR.

REPORTS OF COMMITTEES

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate Joint Resolution 6**, a joint resolution to continue the governor's task force on early childhood development and making an appropriation, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the resolution be adopted:**

S—3677

Amend Senate Joint Resolution 6, page 1, line 16, by striking the words and figure "fifty thousand (50,000)" and inserting in lieu thereof the words and figure "twenty thousand (20,000)"

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 424**, a bill for an act to appropriate and authorize expenditures for centralized printing, centralized purchasing and the vehicle dispatcher, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 760,** a bill for an act making an appropriation to provide funds for the development of a statewide comprehensive water plan and requiring approval of the plan by the general assembly, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 780,** a bill for an act making an appropriation to the department of soil conservation and department of agriculture, from the general fund of the state and various trust funds, and providing for changes in certain fees by the department of agriculture to provide funds sufficient to meet expenses of a program under the department of agriculture, 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:**

S—3678

Amend House File 780 as amended and passed by the House as follows:

1. Page 2, line 18, after the word "funds" insert the words ", except as provided in subsection two (2) of this section,".

2. Page 2, line 30, after the word "division" insert the words ", however if House File 785 is enacted by the 1975 session of the Sixty-sixth General Assembly the following amount shall be appropriated from the general fund of the state to the regulatory division in addition to funds appropriated by section one (1) of this Act".

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **House Concurrent Resolution 38,** a resolution relating to urging Congress to continue adequate funding of the "priority primary" highway program, begs leave to report it has had the same under consideration and recommends the same **be adopted.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3672

Amend Senate File 363, page 1, after line 28, by inserting the following new section:

"Sec. ..... Section four hundred twenty-two point five (422.5), unnumbered paragraph one, Code 1975, is amended to read as follows:

A tax is hereby imposed upon every resident of the state, and upon that part of the taxable income of any nonresident which is derived from any property, trust, or other source within this state, including any business, trade, profession, or occupation carried on within this state, which tax shall be levied, collected and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

1. On the first one thousand dollars of taxable income, or any part thereof, three-fourths of one percent.

2. On the second thousand dollars of taxable income, or any part thereof, one and one-half percent.

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 the ninth through the twentieth thousand dollars of taxable income, or any part thereof, seven percent.

8. On the twenty-first through the thirtieth thousand dollars of taxable income, or any part thereof, eight percent.

9. On the thirty-first through the fiftieth thousand dollars of taxable income, or any part thereof, nine percent.

10. On the fifty-first through the one-hundredth thousand dollars of taxable income, or any part thereof, ten percent.

[7] 11. On all taxable income over [nine] *one* ***hundred*** thousand dollars, [seven] *eleven* percent."

LUCAS J. DeKOSTER

S—3676

Amend Senate File 472 as follows:

1. Page 1, lines 6 and 7, by striking the words ", the hours and times of operation, and other train movements".

2. Page 1, line 11, by striking the words "is referred to the board" and inserting in lieu thereof the words "shall be referred to the board by the political subdivision".

3. Page 1, lines 12, 13, and 14, by striking the words "on and after July 1, 1975, unless disapproved by the board or the ordinance or resolution is repealed by the political subdivision" and

inserting in lieu thereof the words "upon approval of the ordinance or resolution by the board".

CLOYD ROBINSON

S—3669

Amend Senate File 491, page 1, by inserting after line 27 the following:

"*d. Uncompensated care and supervision in a private home.*".

JAMES M. REDMOND

S—3675

Amend Senate File 491, page 1, by inserting after line 27 the following:

"*d. Care and supervision in a private home that receives less than $10 total compensation in any 24-hour period.*".

JAMES M. REDMOND

S—3663

Amend Senate File 491, page 2, by striking lines 5 through 19 and insert in lieu thereof the following:

"[7] *12.* 'LOW-INCOME FAMILY' means a family whose total income, relative to the number of persons dependent on the family's total income for support, is designated by the department as insufficient to provide an adequate standard of living. Adequate standard of living shall be defined as at or below the minimum living standard budget determined by the bureau of labor statistics of the United States department of labor, adjusted regionally and for family size.".

EUGENE M. HILL

S—3665

Amend Senate File 491 as follows:

1. Page 3, line 12, strike the words "so as" and inserting in lieu thereof the words "[so as]".

2. Page 3, line 14, strike the words "so as" and inserting in lieu thereof the words "[so as]".

3. Page 5, by striking lines 26 through 28 and inserting in lieu thereof the words "*thereafter.* [A new report]".

4. Page 8, lines 23 through 25 by striking the words "and, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars".

JAMES M. REDMOND

S—3674

Amend Senate File 491 as follows:

1. Page 5, lines 19 and 20 by striking the words "having direct responsibility for individual children" and inserting in lieu thereof the words "[having direct responsibility for individual children]".

2. Page 5, line 22 and 23, by striking the words

"an examination *and tests for tuberculosis*" and inserting in lieu thereof the words "*a pre-employment physical examination taken within six months prior to beginning employment, including communicable disease tests* [an examination]".

3. Page 5, by striking lines 26 through 28 and inserting in lieu thereof the words "*thereafter.* [A new report]".

MINNETTE DODERER
JAMES M. REDMOND
BERL E. PRIEBE
WILLIAM D. PALMER

S—3662

Amend Senate File 491 by striking line 28 on page 7 through line 17 on page 8 and inserting in lieu thereof the following:

"*Rules relating to fire safety and sanitation shall be promulgated under this chapter by the state fire marshal and the commissioner of public health respectively, in consultation with the department, and all rules shall be developed in consultation with the state day care advisory committee. The state fire marshal shall inspect the facilities.*

Rules promulgated by the state fire marshal and the commissioner of public health for buildings used as child care centers as an adjunct to the primary purpose of the building shall take into consideration that children are received for temporary care only and shall not differ from rules promulgated for these buildings when they are used by groups of persons congregating from time to time in the primary use and occupancy of the buildings. Furthermore, such rules shall govern only portions of the building utilized for child care centers.

[All rules and standards promulgated under this chapter with respect to child care centers shall be developed in consultation with the state day care advisory committee.]"

ELIZABETH SHAW

S—3668

Amend the Shaw amendment S—3662 to Senate File 491, line 1, by striking the figure "28" and inserting the figure "33".

ELIZABETH SHAW

S—3671

Amend Senate File 491, page 8, by striking lines 2 through 8 and inserting in lieu thereof the words "received for temporary care only and shall not differ from rules promulgated for these buildings when they are used by groups of persons congregating from time to time in the primary use and occupancy of the buildings. [Furthermore, such rules shall govern only portions of the building utilized for

child care centers.] *However, the rules may require a fire-rated separation from the remaining portion of the building if the fire marshal determines that the separation is necessary for the protection of children from a particular hazard.*"

WILLIAM E. GLUBA
ELIZABETH SHAW

S—3670

Amend the Ramsey amendment S—3658 to page 8 of **Senate File 491 as** follows:

1. Line 8, by striking the number "50" and insert **in lieu thereof the number "10".**

2. Line 10, by striking the number "100" and insert in lieu thereof the number "25".

3. Line 11, by striking the number "10" and insert in lieu thereof the number "5".

WILLIAM E. GLUBA

S—3666

Amend Senate File 496 as follows:

1. Page 6, line 20, by striking the words "unless all of the" and inserting in lieu thereof a period.

2. Page 6, by striking lines 21 through 35.

3. Page 7, by striking lines 1 through 35.

4. Page 8, by striking lines 1 through 22.

EUGENE M. HILL

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:50 p.m., until 9:30 a.m., Friday, May 2, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 2, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Gordon Freiburg, pastor of the Methodist Church, Northwood, Iowa, who closed with a hymn, sung by the fifth and sixth grade classes from the Northwood-Kensett Community School.

The Journal of Thursday, May 1, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Phil McLaughlin, Coralville, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murray for the day and Senator Rabedeaux for the day on request of Senator Lamborn; Senator Scott for the day on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty students from Arnolds Park Elementary School, Arnolds Park, Iowa, accompanied by Kathy Piper. Senator Bergman.

Forty 4-H Club members from Bremer and Chickasaw Counties accompanied by Janet Martin and Pam Walther. Senators Heying and Burroughs.

Fifty students from Lake View-Auburn Community School, Lake View, Iowa, accompanied by Mrs. Dale Gronemeyer, Mrs. Ed Drilling, and exchange students, Norma Stolet, Brazilia, Brazil, and Celso Morasco, Sao Carlos, Brazil. Senator Winkelman.

One hundred students from Audubon Elementary School,

Audubon, Iowa, accompanied by Mrs. Hutchins, Mrs. Kallesen, Mrs. Summers, and Mrs. Severin. Senator Nolin.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kelly from thirty residents of Iowa urging rescission of the Equal Rights Amendment.

By Senator Van Gilst from eleven residents of Marion County favoring legislation to improve benefits in the Iowa Public Employees Retirement System.

By Senator Kinley from thirty-two residents of Polk County favoring pari-mutuel betting.

APPOINTMENT OF COMMITTEE

Senator Kinley moved that a committee of three be appointed to prepare a suitable memorial resolution on the life of the following deceased member of the Senate: George L. Scott, West Union, Iowa.

The motion prevailed, and the Chair announced the appointment to such committee of Senators Heying, chairman; Coleman and Briles.

ADOPTION OF RESOLUTION

Senate Resolution 10

Senator Kinley asked and received unanimous consent to take up for consideration Senate Resolution 10, a resolution relating to publication of the booklet, The Golden Dome, found on page 1178 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

President pro tempore Doderer took the chair at 9:55 a.m.

CONSIDERATION OF BILLS

Senate File 378

On motion of Senator Van Gilst, Senate File 378, a bill for an act providing for identification of boars, sows and stags designated for slaughter, was taken up for consideration.

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?" (S.F. 378) the vote was:

Ayes, 41:

Andersen	Heying	Miller of Marshall	Redmond
Bergman	Hill of Jasper	Nolin	Robinson
Burroughs	Hill of Polk	Nolting	Rodgers
Carr	Hultman	Norpel	Schwengels
Coleman	Junkins	Nystrom	Sovern
Culver	Kelly	Orr	Taylor
Curtis	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Hansen			

Nays, 1:

Briles

Absent or not voting, 8:

DeKoster	Griffin	Rabedeaux	Shaff
Gluba	Murray	Scott	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 195

On motion of Senator Gallagher, House File 195, a bill for an act relating to statewide fire protection, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Polk offered amendment S—3574 by the committee on county government and moved its adoption:

S—3574

Amend House File 195, as amended and passed by the House, and reprinted, as follows:

1. Page 3, line 23, by inserting after the word "township" the words ", exclusive of any part of the township within a benefited fire district".

2. Page 4, line 11, by inserting after the word "property" the words "within a benefited fire district or".

3. Page 5, line 32, by inserting after the word *"township"* the words *"as an employer of volunteer firemen only"*.

Amendment S—3574 was adopted.

Senator Gallagher moved that the bill 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, 38:

Andersen	Glenn	Miller of Des Moines	Plymat
Bergman	Gluba	Miller of Marshall	Priebe
Briles	Hansen	Nolin	Redmond
Burroughs	Hill of Jasper	Nolting	Robinson
Carr	Hill of Polk	Norpel	Rodgers
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
Doderer	Kinley	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
			Willits

Nays, 5:

Heying	Ramsey	Tieden	Winkelman
Lamborn			

Absent or not voting, 7:

DeKoster	Murray	Schwengels	Shaff
Griffin	Rabedeaux	Scott	

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 195 passed the Senate on May 2, 1975.

CALVIN O. HULTMAN

CONSIDERATION OF BILLS

House File 160

On motion of Senator Hill of Jasper, House File 160, a bill for an act relating to canvass of vote for governor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Jasper moved that the bill 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. 160) the vote was:

Ayes, 42:

Andersen	Heying	Miller of Marshall	Redmond
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Shaw
Coleman	Junkins	Nystrom	Sovern
Culver	Kelly	Orr	Taylor
Curtis	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			
Hansen			

Nays, none.

Absent or not voting, 8:

Burroughs	Griffin	Rabedeaux	Scott
DeKoster	Murray	Robinson	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 501

On motion of Senator Willits, House File 501, a bill for an act relating to the requirement for admission to the school for the deaf, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 501) the vote was:

Ayes, 43:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Nolin	Robinson
Briles	Hill of Jasper	Nolting	Rodgers
Burroughs	Hill of Polk	Norpel	Schwengels
Carr	Hultman	Nystrom	Shaw
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Van Gilst
Doderer	Lamborn	Priebe	Willits
Gallagher	Merritt	Ramsey	Winkelman
Glenn	Miller of Des Moines		
Gluba			

Nays, none.

Absent or not voting, 7:

DeKoster	Murray	Scott	Tieden
Griffin	Rabedeaux	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 364

On motion of Senator Curtis, Senate File 364, a bill for an act relating to the practice of accountancy, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curtis moved that the bill 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. 364) the vote was:

Ayes, 43:

Andersen	Heying	Miller of	Redmond
Bergman	Hill of Jasper	Marshall	Robinson
Briles	Hill of Polk	Nolin	Rodgers
Carr	Hultman	Nolting	Schwengels
Coleman	Junkins	Norpel	Shaw
Culver	Kelly	Nystrom	Sovern
Curtis	Kinley	Orr	Taylor
Doderer	Lamborn	Palmer	Tieden
Gallagher	Merritt	Plymat	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Ramsey	Winkelman
Hansen			

Nays, none.

Absent or not voting, 7:

Burroughs	Griffin	Rabedeaux	Shaff
DeKoster	Murray	Scott	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

Senate File 367

On motion of Senator Van Gilst, Senate File 367, a bill for an act relating to the location and operation of livestock feed lots, and defining nuisance as the term relates thereto, was taken up for further consideration.

Senator Van Gilst offered amendment S—3610 filed by Senators Van Gilst and Nolin and moved its adoption:

S—3610

Amend Senate File 367, page 1, by striking lines 9 through 18 and inserting in lieu thereof the following:

"3. 'Established date of operation:'

(a) DEQ Permittees: 'Established date of operation' means the date of the issuance of an appropriate department construction or operation permit for a confined feed lot. With respect to the issuance of a subsequent permit or permits authorizing the expansion of a confined feedlot with a previously established date of operation, the established date of operation for each expansion is deemed to be a separate and independent date of operation established as of the date of the issuance of the permit for the expansion and shall not divest the permittee of a previously established date of operation.

(b) Non-DEQ Permittees: 'Established date of operation' means the date on which a feedlot exempt from DEQ permit requirements actually commenced

operating as a feedlot with not more livestock than reasonably could be maintained by the physical facilities existing as of that date. If such a feedlot subsequently expands but still remains exempt from the DEQ permit requirements, the established date of operation for each expansion is deemed to be a separate and independent date of operation established as of the date of commencement of the expanded operations."

A record roll call was requested.

On the question "Shall amendment S—3610 be adopted?" (S.F. 367) the vote was:

Ayes, 40:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Jasper	Norpel	Schwengels
Briles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Orr	Sovern
Carr	Junkins	Palmer	Taylor
Culver	Kelly	Plymat	Tieden
Curtis	Kinley	Priebe	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Glenn	Merritt	Redmond	Winkelman
Gluba	Miller of	Robinson	
Hansen	Des Moines		

Nays, 3:

Coleman	Gallagher	Nolting

Absent or not voting, 7:

DeKoster	Miller of	Murray	Scott
Griffin	Marshall	Rabedeaux	Shaff

Amendment S—3610 was adopted.

Senator Van Gilst offered amendment S—3571 filed by Senator Shaff and moved its adoption:

S—3571

Amend Senate File 367 as follows:

1. Page 2, line 28, by inserting after the word "proceeding", the words "against a feedlot".

2. Page 4, by striking lines 15 through 21.

Amendment S—3571 was adopted.

Senator Van Gilst offered amendment S—3577 filed by Senator Shaff and moved its adoption:

S—3577

Amend Senate File 367 as follows:

1. Page 3, by striking line 26.

2. Page 3, line 27, by striking the words "of the city".

3. Page 3, by striking lines 31 through 33, and inserting in lieu thereof the following:

"c. A zoning requirement which is in effect on the effective date of this".

4. Page 4, by striking lines 1 through 14, and inserting in lieu thereof the following:

"d. A zoning requirement adopted by a city shall apply to a feedlot located within an incorporated or unincorporated area which is subject to regulation by that city as of the effective date of this Act, regardless of the established date of operation of the feedlot.

e. A zoning requirement adopted by a city shall not apply to a feedlot which becomes located within an incorporated or unincorporated area subject to regulation by that city by virtue of an incorporation or annexation which takes effect after the effective date of this Act for a period of ten years from the effective date of the incorporation or annexation."

A non-record roll call was requested.

The ayes were 35, nays 6.

Amendment S—3577 was adopted.

Senator Gallagher offered amendment S—3591 filed by him:

S—3591

Amend Senate File 367 as follows:

1. Page 4, by inserting after line 26 the following:

"Sec. ..... *NEW SECTION.* APPLICABILITY. The provisions of this Act shall not apply within the jurisdiction of a city or a county which adopts a comprehensive plan and applicable ordinances or regulations for land use in compliance with a state land use policy or state land use policy guidelines enacted by the general assembly."

2. By renumbering sections to conform to this amendment.

Senator Heying raised the point of order that amendment S—3591 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3591 in order.

Senator Gallagher moved the adoption of amendment S—3591 and requested a record roll call.

President Neu took the chair at 11:05 a.m.

On the question "Shall amendment S—3591 be adopted?" (S.F. 367) the vote was:

Ayes, 21:

Carr	Hill of Polk	Norpel	Robinson
Doderer	Junkins	Orr	Rodgers
Gallagher	Kinley	Palmer	Shaw
Glenn	Miller of	Plymat	Sovern
Gluba	Des Moines	Redmond	Willits
Hansen	Nolting		

Nays, 22:

Andersen	Curtis	Miller of	Schwengels
Bergman	Heying	Marshall	Taylor
Briles	Hill of Jasper	Nolin	Tieden
Burroughs	Hultman	Nystrom	Van Gilst
Coleman	Lamborn	Priebe	Winkelman
Culver	Merritt	Ramsey	

Absent or not voting, 7:

DeKoster	Kelly	Rabedeaux	Shaff
Griffin	Murray	Scott	

Amendment S—3591 lost.

Senator Gallagher moved that further action on Senate File 367 be deferred.

Senator Gallagher withdrew his motion to defer.

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?" (S.F. 367) the vote was:

Rule 25 was invoked.

Ayes, 20:

Andersen	Curtis	Lamborn	Ramsey
Bergman	Griffin	Merritt	Schwengels
Briles	Heying	Miller of	Tieden
Burroughs	Hultman	Marshall	Van Gilst
Coleman	Junkins	Nystrom	Winkelman
Culver			

Nays, 23:

Carr	Hill of Jasper	Nolting	Robinson
Doderer	Hill of Polk	Norpel	Rodgers
Gallagher	Kinley	Orr	Shaw
Glenn	Miller of	Palmer	Sovern
Gluba	Des Moines	Priebe	Taylor
Hansen	Nolin	Redmond	Willits

Absent or not voting, 7:

DeKoster	Murray	Rabedeaux	Shaff
Kelly	Plymat	Scott	

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 Senate File 367 failed to pass the Senate on May 2, 1975.

BERL E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 367 failed to pass the Senate on May 2, 1975.

RAY TAYLOR

HOUSE AMENDMENT CONSIDERED

Senate File 426

Senator Hultman called up for consideration Senate File 426, a bill for an act making an appropriation to the department of environmental quality, amended by the House, and moved that the Senate concur in the following amendment:

S—3618

Amend Senate File 426 as follows:

1. Page 1, by inserting after line 22 the following:

"Sec. ..... Section four hundred fifty-five B point eighty-two (455B.82), subsection one (1), Code 1975, is amended to read as follows:

1. Commencing July 1, 1975, it shall be unlawful for any private agency or public agency to dump or deposit or permit the dumping or depositing of any solid waste at any place other than a sanitary disposal project approved by the executive director. This section shall not prohibit a private agency or public agency from dumping or depositing solid waste resulting from its own residential, farming, manufacturing, mining or commercial activities on land owned or leased by it if such action does not violate any statute of this state or rules promulgated by the commission or local boards of health, or local ordinances, or rules issued by the air quality commission or water quality commission of the department. [A violation of this subsection shall be a misdemeanor.] *The executive director may issue temporary permits for dumping or disposal of solid waste at disposal sites for which an application for a permit to operate a sanitary disposal project has been made and which have not met all of the requirements of part one (1) of this division and the rules adopted by the commission if a compliance schedule has been submitted by the applicant specifiying how and when the applicant will meet the requirements for an operational sanitary disposal project and the executive director determines the public interest will be best served by granting such temporary permit.*

Sec. ..... Section four hundred fifty-five B point

eighty-two (455B.82), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Any person who violates any provision of part one (1) of this division or any rule or any order promulgated or the conditions of any permit or order issued pursuant to part one (1) of this division shall be subject to a civil penalty not to exceed five hundred dollars for each day of such violation."

2. By numbering sections to conform to this amendment.

3. Amend the title, line 2, by inserting after the word "quality" the words ", providing for the issuance of temporary permits for certain solid waste disposal sites, and providing a civil penalty

Page 2

1 for violations".

The motion prevailed and the Senate concurred in House amendment S—3618.

Senator Hultman 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. 426) the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Des Moines	Ramsey
Bergman	Griffin		Redmond
Briles	Hansen	Miller of Marshall	Rodgers
Burroughs	Heying		Schwengels
Carr	Hill of Jasper	Nolin	Shaw
Coleman	Hill of Polk	Nolting	Sovern
Culver	Hultman	Norpel	Taylor
Curtis	Junkins	Nystrom	Tieden
Doderer	Kinley	Orr	Van Gilst
Gallagher	Lamborn	Palmer	Willits
Glenn	Merritt	Priebe	Winkelman

Nays, none.

Absent or not voting, 8:

DeKoster	Murray	Rabedeaux	Scott
Kelly	Plymat	Robinson	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS

Senate File 366

On motion of Senator Burroughs, Senate File 366, a bill for an act relating to the transporting of cattle, swine, and grain, and providing penalties, was taken up for consideration.

Senator Burroughs asked and received unanimous consent that **House File 185** be **substituted** for **Senate File 366.**

House File 185

On motion of Senator Burroughs, House File 185, a bill for an act relating to the transporting of livestock, and providing penalties, was taken up for consideration.

Senator Burroughs offered amendment S—3623 filed by Senator Shaff:

S—3623
Amend House File 185, as amended and passed by the House, page 1, by striking lines 3 and 4 and inserting in lieu thereof the following:
"1. 'Livestock' means and includes live cattle, swine, sheep or horses, and the carcasses of such animals whether in whole or in part."

Senator Burroughs offered amendment S—3684 to amendment S—3623 and moved its adoption:

S—3684
Amend the Shaff amendment S—3623 to House File 185 as amended and passed by the House, on line 2 by striking the words "and 4" and inserting in lieu thereof the words "4 and 5".

Amendment S—3684 to amendment S—3623 was adopted.

On motion of Senator Burroughs, amendment S—3623 as amended was adopted.

Senator Burroughs offered amendment S—3624 filed by him:

S—3624
Amend House File 185, as amended and passed by the House, as follows:
1. Page 1, by striking line 27 and inserting in lieu thereof the words "execute in".
2. Page 2, line 6, by striking the first word "a" and inserting in lieu thereof the word "another".
3. Page 3, by striking lines 27 through 35, and page 4 by striking lines 1 and 2 and inserting in lieu thereof the following:
"1. SHIPPER. A person who causes the transporting of livestock shall cause to be executed and to be delivered to the person transporting livestock, at the request of that person, duplicate copies of a transportation certificate.
2. TRANSPORTER. A person transporting livestock who has been given a receipt by a law enforcement officer shall retain that receipt until the person relinquishes custody of the livestock."

Senator Burroughs offered amendment S—3681 to amendment S—3624 and moved its adoption:

S—3681

Amend the Burroughs amendment S—3624 to House File 185 as amended and passed by the House, in line 3 by striking the number "27" and inserting in lieu thereof the number "28".

Amendment S—3681 to amendment S—3624 was adopted.

On motion of Senator Burroughs, amendment S—3624 as amended was adopted.

Senator Ramsey offered amendment S—3686 and moved its adoption:

S—3686

Amend House File 185 as amended and passed by the House, as follows:

1. Page 5, line 27, by striking the word "two" and by striking lines 28 through 30 and inserting in lieu thereof the following: "one hundred dollars, or to imprisonment in the county jail for a period not to exceed thirty days, or both the fine and imprisonment."

2. Page 5, line 10, by inserting after the word "time" the words "not to exceed thirty minutes".

Amendment S—3686 was adopted.

Senator Burroughs moved that the bill 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. 185) the vote was:

Ayes, 38:

Andersen	Griffin	Miller of Des Moines	Redmond
Bergman	Hansen	Miller of Marshall	Robinson
Burroughs	Heying	Nolin	Rodgers
Carr	Hill of Jasper	Norpel	Schwengels
Coleman	Hill of Polk	Nystrom	Taylor
Culver	Hultman	Orr	Tieden
Curtis	Junkins	Palmer	Van Gilst
Doderer	Kinley	Priebe	Willits
Gallagher	Lamborn		Winkelman
Glenn	Merritt		
Gluba			

Nays, 3:

Briles	Nolting	Ramsey

Absent or not voting, 9:

DeKoster	Plymat	Scott	Shaw
Kelly	Rabedeaux	Shaff	Sovern
Murray			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Burroughs asked and received unanimous consent that **Senate File 366** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER WITHDRAWN

Senator Hultman withdrew the motion to reconsider the vote by which **Senate File 476** passed the Senate filed by him on April 25, 1975.

INTRODUCTION OF BILL

Senate File 507, by committee on state government, a bill for an act relating to the funding, compensation, expenses and membership of legislative members of committees and certain statutory or appointive boards, commissions, and councils.

Read first time and **placed on calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.C.R. 38 Rules and administration

H. F. 362 Commerce

H. F. 700 State government

H. F. 753 State government

H. F. 792 Commerce

H. F. 793 Appropriations

H. F. 798 Human resources

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William H. Huff, III, of Des Moines, Polk County, Iowa, for reappointment as Commissioner of Insurance, under the provisions of Section 505.2, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1975 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES V. GALLAGHER, Chairman
MINNETTE F. DODERER
MILO MERRITT
JOHN N. NYSTROM
WILLIAM N. PLYMAT

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 2nd day of May, 1975: Senate File 425.

CLARK R. RASMUSSEN
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate File 414
Transportation
Gallagher, Chairman
Nolin
Norpel

Senate File 482
Judiciary
Doderer, Chairman
Shaw
Coleman

Senate File 486
Transportation
Rabedeaux, Chairman
Murray
Norpel

Senate File 492
Ways and Means
Rodgers, Chairman
Curtis
Van Gilst

House Joint Resolution 9
Judiciary
Willits, Chairman
Shaw
Rodgers

House File 12
County Government
Merritt, Chairman
Briles
Gallagher

House File 36
Commerce
Rabedeaux, Chairman
Briles
Junkins

House File 188
State Government
Nolin, Chairman
Coleman
Winkelman

House File 206
Ways and Means
Rodgers, Chairman
Nolting
Curtis

House File 352
Judiciary
Doderer, Chairman
Shaw
Coleman

House File 374
County Government
Ramsey, Chairman
Taylor
Merritt

House File 414
Commerce
Rabedeaux, Chairman
Gallagher
Glenn

House File 464
State Government
Coleman, Chairman
Nystrom
Redmond

House File 497
Natural Resources
Hultman, Chairman
Miller of Marshall
Culver

House File 498
Judiciary
Coleman, Chairman
DeKoster
Ramsey

House File 505
Natural Resources
Priebe, Chairman
Norpel
Miller of Marshall

House File 575
Human Resources
Gluba, Chairman
Palmer
Murray

House File 654
Human Resources
Gluba, Chairman
Palmer
Murray

House File 670
State Government
Nolin, Chairman
Kinley
Schwengels

House File 698
Energy
Tieden, Chairman
Rodgers
Robinson

House File 728
Judiciary
Hill of Polk, Chairman
Coleman
Carr

House File 736
Energy
Hultman, Chairman
Culver
Scott

House File 738
Commerce
Rodgers, Chairman
Bergman
Priebe

House File 741
Judiciary
Ramsey, Chairman
Kelly
Shaw

House File 744
Transportation
Rabedeaux, Chairman
Murray
Norpel

House File 748
Ways and Means
Hill of Jasper, Chairman
Van Gilst
Taylor

House File 749
Ways and Means
Taylor, Chairman
Hill of Jasper
Nolting

House File 775	House Concurrent Resolution 34	House Concurrent Resolution 38
Natural Resources	Education	Transportation
Winkelman, Chairman	Sovern, Chairman	Coleman, Chairman
Bergman	Plymat	Gallagher
Sovern	Orr	Norpel

REPORTS OF COMMITTEES

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 357**, a bill for an act relating to investment by state banks in revenue bonds issued by municipalities in support of industrial 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:**

S—3689
1 Amend Senate File 357 by striking lines 29
2 through 33.

LOWELL L. JUNKINS, Chairman

Ordered passed on file.

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 575**, a bill for an act relating to eligibility for low-rent housing, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Senator Heying submitted the following report:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 336**, a bill for an act relating to the conservation commission, begs leave to report it has had the same under consideration and recommends the same **do pass.**

H. L. HEYING, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3682
1 Amend the committee on ways and means
2 amendment S—3651 to Senate File 104, on line 19, by
3 striking the word "sixty-two" and inserting in lieu
4 thereof the word "sixty-five".

WARREN E. CURTIS

S—3687
1 Amend Senate File 355, as follows:
2 1. By striking everything after the enacting

clause and inserting in lieu thereof the following:
"Section 1. Section six hundred two point fifty-five (602.55), subsections one (1) and two (2), Code 1975, are amended to read as follows:
1. [Three-fifths] *Effective July 1, 1975 and through June 30, 1976, subject to the limitation contained in section two (2) of this Act, three-sevenths* to the [state] treasurer *of state* to be credited to the general fund of the state. *Effective July 1, 1976 and thereafter, subject to the limitation contained in section two (2) of this Act, two-sevenths to the treasurer of state to be credited to the general fund of the state.*
2. [Two-fifths] *Effective July 1, 1975, and through June 30, 1976, subject to the limitation contained in section two (2) of this Act, four-sevenths* to the county treasurer to be credited to the general fund of the county. *Effective July 1, 1976 and thereafter, subject to the limitation contained in section two (2) of this Act, five-sevenths to the county treasurer to be credited to the general fund of the county.*
Sec. 2. Section six hundred two point fifty-five (602.55), Code 1975, is amended by adding the following new unnumbered paragraph:
NEW UNNUMBERED PARAGRAPH. The portion of fees and costs received by the clerk upon the filing of a complaint or information or upon the forfeiture of bail received by a magistrate and remittable to the county treasurer pursuant to this section is subject to the limitation that the sum of all amounts remittable during a six-month period shall in no event exceed the actual amount expended during the period by the respective county for the costs of operating the judicial system in that county. For purposes of this paragraph, the costs of operation shall include all amounts required by law to be paid from the court expense fund, and all other costs directly attributable to operation of the judicial system. The court administrator shall adopt and distribute to all court clerks forms and procedures for determining, compiling and submitting data respecting the cost to each county of operating the judicial system. Each district court clerk shall submit to the court administrator a verified copy of the data prescribed not later than February fifteenth and August fifteenth of each year. The report submitted in February shall include the expenditures for the period July first through December thirty-first, and the report submitted in August shall

Page 2

cover the period January first through June thirtieth. If for any six month period it is determined that the amounts remitted to the county exceeded the cost of operation, the excess shall be remitted by the county to the treasurer of state not later than the date the report for that period is filed with the

court administrator.

Sec. 3. Section six hundred two point sixty-three (602.63), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The clerk of the district court of the county in which a judicial magistrate resides shall furnish the judicial magistrate, district associate judge, or district judge acting as judicial magistrate, a docket in which shall be entered all proceedings except small claims. Such docket shall be indexed and shall contain in each case the title and nature of the action; place of hearing; appearances; and notations of the documents filed with the judicial magistrate, of the proceedings in the case and orders made, of the verdict and judgment including costs, of any satisfaction of the judgment, of whether the judgment was certified to the clerk of the district court, of whether an appeal was taken, and of the amount of the appeal bond. All costs in criminal cases shall be assessed and distributed as in chapter 606, except that the cost of filing and docketing of a complaint or information for a nonindictable misdemeanor shall be [five] *seven* dollars which shall be distributed pursuant to section 602.55. The [five] *seven* dollar cost for filing and docketing a complaint or information for a nonindictable misdemeanor shall not apply in cases of overtime parking. If the judgment and costs are not fully and immediately satisfied in criminal cases, the judicial magistrate shall promptly certify a copy of the judgment to the clerk of the district court indicating thereon the portion unsatisfied; and the clerk shall index and file the judgment, whereupon it shall be a judgment of the district court without recording.

Sec. 4. Section seven hundred fifty-three point sixteen (753.16), subsections one (1) and two (2), and subsection three (3), paragraphs a and b, and subsection five (5), Code 1975, are amended to read as follows:

1. In cases of scheduled violations, the defendant, before the time specified in the citation and complaint for appearance before the court, may sign the admission of violation on the citation and complaint and deliver or mail the citation and complaint, together with

Page 3

the minimum fine for the violation, plus [five] *seven* dollars costs, to a traffic violations office in the county. The office shall, if the offense is a moving violation, forward a copy of the citation and complaint and admission to the commissioner of public safety as required by section 321.207. Thereupon the defendant shall not be required to appear before the court. The admission shall constitute a conviction.

2. A defendant charged with a scheduled violation by information may obtain two copies of the information

from the court and, before the time he is required to appear before the court, deliver or mail such copies, together with his admission, fine, and [five] *seven* dollars costs, to the traffic violations office in the county. The procedure, fine, and costs shall be the same as when the charge is by citation and complaint, with the admission and the number of the defendant's operator's or chauffeur's license placed upon the information.

a. If the defendant wishes to admit the violation, the officer may release the defendant upon observing him mail the citation and complaint, admission, and minimum fine, together with [five] *seven* dollars costs, to a traffic violations office in the county, in an envelope furnished by the officer. The officer may allow the defendant to mail a check in the proper amount in lieu of cash. If the check is not paid by the drawee for any reason, the defendant may be held in contempt of court. The officer shall advise the defendant of the penalty for nonpayment of the check.

b. If the defendant does not comply with paragraph 'a' of this subsection, the officer may release the defendant upon observing him mail to a court in the county the citation and complaint and one and one-half times the minimum fine together with [five] *seven* dollars costs, or in lieu of one and one-half times the fine and the costs, a guaranteed arrest bond certificate as provided in section 321.1, subsection 71, as bail together with the following statement signed by the defendant:

5. A defendant charged with a scheduled violation who does not fully comply with subsection 1, 2, 3, or 4 of this section before the time required to appear before the court must, at that time, appear before the court. If such defendant admits the violation, the procedure and fine, without suspension, after the hearing shall be the same before the court as before the traffic violations office with [five] *seven* dollars court costs, without prejudice, when

Page 4

applicable, to proceedings under section 321.487."

2. Amend the title by striking lines 1 and 2 and inserting in lieu thereof the following:

"An Act relating to the amount and distribution of costs collected in criminal actions."

HILARIUS L. HEYING
KENNETH D. SCOTT
RAY TAYLOR
JAMES M. REDMOND
FRED W. NOLTING
WILLARD R. HANSEN

S—3683

Amend Senate File 414, as follows:

1. Page 1, line 6, by inserting after the word "lamps" the following:

"and, if equipped as provided in section two (2) of this Act, the white lights mounted on top of the school bus,".

2. Page 1, lines 12 through 14 by striking the words *"and, if equipped as provided in section two of this Act, the white lights mounted on top of the school bus".*

3. Page 1, line 16, by inserting after the word "lamps" the following: *"and any white lights mounted on top of the school bus".*

RICHARD J. NORPEL, SR.

S—3679

Amend Senate File 487 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. ..... Section one hundred seventeen point forty-six (117.46), subsections one (1), two (2), and three (3), Code 1975, are amended to read as follows:

1. Each broker shall maintain a common trust account in a bank *or a savings and loan association* for the deposit of all down payments, earnest money deposits, or other trust funds received by the broker or his salesmen on behalf of his principal, except that a broker acting as a salesman shall deposit these funds in the common trust account of the broker for whom he acts as salesman.

2. Each broker shall notify the commission of the name of [the] *each* bank [or banks] *or savings and loan association* in which [said] *a* trust account is maintained and also the name of the account on forms provided therefor.

3. Each broker shall authorize the commission to examine [said] *each* trust account and shall obtain the certification of the bank *or savings and loan association* attesting to [said] *each* trust account and consenting to the examination and audit of [said] *each* account by a duly authorized representative of the commission. Said certification and consent shall be furnished on forms prescribed by the commission."

2. Page 1, by inserting after line 32 the following:

"Sec. ..... Section five hundred thirty-four point eleven (534.11), subsection seven (7), Code 1975, is amended to read as follows:

7. ACCOUNTS OF ADMINISTRATORS, EXECUTORS, GUARDIANS, CUSTODIANS, TRUSTEES AND OTHER FIDUCIARIES.

Any association or federal savings and loan association may accept share accounts in the name of any administrator, custodian, executor, guardian, trustee, or other fiduciary in trust for a name beneficiary

or beneficiaries, *or other fiduciary in trust for a specified class of unnamed beneficiaries.* Any such fiduciary shall have power to vote as a member as if the membership were held absolutely, to open and to make additions to, and to withdraw any such account in whole or in part. The withdrawal value of such accounts, and dividends thereon, or other rights relating thereto may be paid or delivered, in whole or in part to such fiduciary without regard to any notice to the contrary as long as such fiduciary is living. The payment or delivery to any such fiduciary

Page 2

or a receipt or acquittance signed by any such fiduciary to whom any such payment or any such delivery of rights is made shall be a valid and sufficient release and discharge of an institution for the payment or delivery so made. Whenever a person holding an account in a fiduciary capacity dies and no written notice of the revocation or termination of the fiduciary relationship shall have been given to an institution and the institution has no notice of any other disposition of the beneficial estate, the withdrawal value of such account and dividends thereon, or other rights relating thereto may, at the option of an institution, be paid or delivered, in whole or in part, to the beneficiary or beneficiaries. Whenever an account shall be opened by any person, describing himself in opening such account as trustee for another and no other or further notice of the existence and terms of a legal and valid trust then such description shall have been given in writing to such association, in the event of the death of the person so described as trustee, the withdrawal value of such account or any part thereof, together with the dividends or interest thereon, may be paid to the person for whom the account was thus stated to have been opened, and such account and all additions thereto shall be the property of such person. The payment or delivery to any such beneficiary, beneficiaries or designated person, or a receipt or acquittance signed by such beneficiary, beneficiaries or designated person for any such payment or delivery shall be a valid and sufficient release and discharge of an institution for the payment or delivery so made. No institution paying any such fiduciary or beneficiary in accordance with the provisions of this subsection shall thereby be liable for any estate, inheritance or succession taxes which may be due this state."

PHILIP B. HILL

S—3691

Amend Senate File 496 as follows:

1. Page 13, by striking line 14 and inserting in lieu thereof the following:

"1975, is amended by striking the section and

inserting in lieu thereof the following:

99B.9 GAMBLING IN PUBLIC PLACES. 1. Except as otherwise permitted by sections five (5), seven (7), eight (8), nine (9), ten (10), or thirteen (13), of this Act, it is unlawful to permit gambling on any premises owned, leased, rented, or otherwise occupied by a person other than a government, governmental agency or subdivision, unless all of the following are complied with:

a. The person occupying the premises as owner, lessee or other has submitted an application for a license and an application fee of twenty-five dollars, and has been issued a license for those premises, and prominently displays the license on the premises.

b. The holder of the license or any agent or employee of the license holder does not participate in, sponsor, conduct or promote, or act as cashier or banker for any gambling activities.

c. Gambling other than social games is not engaged in on the premises covered by the license or permit.

d. Concealed numbers or conversion charts are not used to play any game, and a game is not adapted with any control device to permit manipulation of the game by the operator in order to prevent a player from winning or to predetermine who the winner will be, and the object of the game is attainable and possible to perform under the rules stated from the playing position of the player.

e. The game must be conducted in a fair and honest manner.

f. No person receives or has any fixed or contingent right to receive, directly or indirectly, any amount wagered or bet or any portion of amounts wagered or bet, except an amount which the person wins as a participant while playing on the same basis as every other participant.

g. No cover charge, participation charge or other charge is imposed upon a person admitted to the premises, whether or not the person participates in gambling, and no rebate, discount, credit, or other method is used to discriminate between the charge for goods or services to participants in gambling and the charge for goods or services to nonparticipants.

Page 2

h. No participant wins or loses more than a total of fifty dollars or other consideration equivalent thereto in all games and activities at any one time during any period of twenty-four consecutive hours or over that entire period.

i. No participant is participating as an agent of another person.

j. A representative of the department of revenue

or a law enforcement agency is immediately admitted, upon request, to the premises with or without advance notice.

2. The holder of a license issued pursuant to this section shall be strictly accountable for maintaining compliance with subsection one (1) of this section, and proof of any violation shall constitute grounds for revocation of license issued pursuant to this section, whether or not the holder of the license had knowledge of the facts constituting the violation.

3. A participant in a social game which is not in compliance with this section shall be liable for a criminal penalty only if that participant has knowledge of or reason to know the facts constituting the violation.

4. The holder of a license issued pursuant to this section and every agent of that licensee who is required by the licensee to exercise control over the use of the premises who knowingly permits acts or omissions which constitute a violation of subsection one (1) of this section commits a misdemeanor. A licensee has knowledge of acts or omissions if any agent of the licensee has knowledge of those acts or omissions.

5. This section shall not apply to premises or portions of premises constituting the living quarters of the actual residence of an individual if that individual is a participant in or sponsor of the activities permitted by this section."

2. Page 12, by striking lines 25 and 26.

3. Page 17, by inserting after line 17 the following heading:

"DIVISION III
GAMES FOR WHICH A LICENSE IS NOT REQUIRED"

GEORGE R. KINLEY
CLIFTON C. LAMBORN

S—3688

Amend Senate File 496, as follows:

1. Page 15, line 15, by striking the word "or".

2. Page 15, line 16, by inserting after the number "(10)" the words ", or section fourteen (14)".

3. Page 17, by inserting after line 12, the following:

"Sec. 14. Chapter ninety-nine B (99B), Code 1975, is amended by adding the following new section:

NEW SECTION. GAMBLING IN PRIVATE RESIDENCE. Individuals lawfully may participate in gambling without limitation as to the type of game or activity, and without limitation as to the amount wagered, bet, won, or lost, but only if the game or activity occurs within the living quarters of the bona fide residence of a participant in the game or activity."

4. By renumbering the remaining sections in accordance with this amendment.

NORMAN RODGERS

S—3690

Amend Senate File 496, page 16, lines 9 and 10, by striking the words "one hundred" and inserting in lieu thereof the word "fifty".

CLIFTON C. LAMBORN
GEORGE R. KINLEY

S—3680

Amend Senate File 504, page 1, by striking lines 19 through 28.

KARL NOLIN

S—3685

Amend Senate File 507 as follows:

1. Page 1, line 14, by striking the words "*However, if*" and inserting in lieu thereof the words "*Members of the general assembly may be authorized by the legislative council to receive expenses only incurred in attending meetings of statutory boards, commissions and councils. If*".

COMMITTEE ON STATE GOVERNMENT
EUGENE M. HILL, Chairman

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 12:15 p.m., until 10:00 a.m., Monday, May 5, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MAY 5, 1975

The Senate met in regular session, President Neu presiding.

Prayers were offered by the Reverend William F. Wiebler and four altar boys, Ken and Frank Weiser and Chris and Kevin Wadle, from Our Lady of Lourdes Catholic Church, Bettendorf, Iowa.

The Journal of Friday, May 2, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Pat Kain, New Hampton, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Ninety-five students from Underwood Elementary School, Underwood, Iowa, accompanied by Mrs. Stamp, Mr. Brown and Mrs. Wohlers. Senator Culver.

Thirty students from Stanton Community School, Stanton, Iowa, accompanied by Mrs. Johnson and Mrs. Thomas. Senator Briles.

Thirty students from Keokuk Junior and Senior High Schools, Keokuk, Iowa, accompanied by Miss Oneta Harness, Mrs. Greg Ruth and Richard Sens. Senator Junkins.

PETITIONS

The following petitions were presented and placed on file:

By Senator Carr from thirteen residents of Dubuque County favoring Senate File 454 relating to massage parlors.

By Senator Miller of Marshall from ten residents of Marshall County favoring the Equal Rights Amendment.

By Senator Plymat from one hundred forty-two residents of Polk County favoring legislation that prohibits smoking tobacco in certain areas and provides a penalty.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 463** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate Joint Resolution 6

On motion of Senator Doderer, Senate Joint Resolution 6, a joint resolution to continue the governor's task force on early childhood development and making an appropriation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered amendment S—3677 by the committee on appropriations and moved its adoption:

S—3677
Amend Senate Joint Resolution 6, page 1, line 16, by striking the words and figure "fifty thousand (50,000)" and inserting in lieu thereof the words and figure "twenty thousand (20,000)".

Amendment S—3677 was adopted.

Senator Doderer 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. 6) the vote was:

Ayes, 42:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Carr	Hill of Polk	Nolting	Scott
Coleman	Hultman	Norpel	Sovern
Culver	Junkins	Nystrom	Taylor
Curtis	Kinley	Palmer	Tieden
DeKoster	Lamborn	Plymat	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of Des Moines	Redmond	Winkelman
Glenn			
Gluba			

Nays, none.

Absent or not voting, 8:

Burroughs	Kelly	Rabedeaux	Shaff
Hansen	Orr	Ramsey	Shaw

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senate File 504

On motion of Senator Willits, Senate File 504, a bill for an act making an appropriation to continue a study of the problems of Spanish-speaking persons, was taken up for consideration.

Senator Nolin offered amendment S—3680 filed by him and moved its adoption:

S—3680
1 Amend Senate File 504, page 1, by striking
2 lines 19 through 28.

A non-record roll call was requested.

The ayes were 9, nays 35.

Amendment S—3680 lost.

Senator Palmer offered amendment S—3692 and moved its adoption:

S—3692
1 Amend Senate File 504, page 1, line 14, by striking
2 "1975" and inserting in lieu thereof "1974".

Amendment S—3692 was adopted.

Senator Willits moved that the bill 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. 504) the vote was:

Ayes, 44:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolting	Rodgers
Carr	Hill of Polk	Norpel	Schwengels
Coleman	Hultman	Nystrom	Scott
Culver	Junkins	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			

Nays, 2:

Nolin	Winkelman

Absent or not voting, 4:

Burroughs	Hansen	Kelly	Shaff

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 504 passed the Senate on May 5, 1975.

RICHARD J. NORPEL, SR.

PRESENTATION OF PELLA TULIP QUEEN

Senator Hill of Jasper appeared on the rostrum and presented Carol Kuyper, Queen of the Fortieth Annual Tulip Time Festival from Pella, Iowa, who in turn introduced the members of her court, Mary Vander Ploeg, Cassie Van Zee, Connie Jaarsma and Lynn Hinga. The Queen greeted President Neu with a kiss, presented him with a "Dutch Dollar," and invited the Senate to attend the Tulip Time Festival in Pella on May 8-9-10, 1975.

The girls, assisted by Ray De Haan, all dressed in traditional Dutch costumes, distributed the famous Pella cookies.

CONSIDERATION OF BILLS

Senate File 505

On motion of Senator Heying, Senate File 505, a bill for an act to appropriate money from the dairy industry fund to the Iowa dairy industry commission, was taken up for consideration.

Senator Heying moved that the bill 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:

Ayes, 43:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Schwengels
Carr	Hill of Polk	Nolting	Scott
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 7:

Burroughs	Kelly	Orr	Shaff
Hansen	Norpel	Rodgers	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 506** be **deferred** and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

House File 424

On motion of Senator Willits, House File 424, a bill for an act to appropriate and authorize expenditures for centralized printing, centralized purchasing and the vehicle dispatcher, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 424) the vote was:

Ayes, 44:

Andersen	Griffin	Murray	Redmond
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaw
Culver	Kinley	Orr	Sovern
Curtis	Lamborn	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher		Rabedeaux	Willits
Glenn	Miller of Marshall	Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 6:

Burroughs	Hill of Jasper	Robinson	Shaff
Hansen	Kelly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 760

On motion of Senator Hultman, House File 760, a bill for an act making an appropriation to provide funds for the development of a statewide comprehensive water plan and requiring approval of the plan by the general assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hultman moved that the bill 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. 760) the vote was:

Ayes, 45:

Andersen	Griffin	Miller of	Redmond
Bergman	Heying	Marshall	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaw
Curtis	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of	Priebe	Van Gilst
Glenn	Des Moines	Rabedeaux	Willits
Gluba		Ramsey	Winkelman

Nays, none.

Absent or not voting, 5:

Burroughs	Kelly	Murray	Shaff
Hansen			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 780

On motion of Senator Hultman, House File 780, a bill for an act making an appropriation to the department of soil conservation and department of agriculture, from the general fund of the state and various trust funds, and providing for changes in certain fees by the department of agriculture to provide funds sufficient to meet expenses of a program under the department of agriculture, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hultman offered amendment S—3678 by the committee on appropriations and moved its adoption:

S—3678

Amend House File 780 as amended and passed by the House as follows:

1. Page 2, line 18, after the word "funds" insert the words ", except as provided in subsection two (2) of this section,".

2. Page 2, line 30, after the word "division" insert the words ", however if House File 785 is enacted by the 1975 session of the Sixty-sixth General Assembly the following amount shall be appropriated from the general fund of the state to the regulatory division in addition to funds appropriated by section one (1) of this Act".

Amendment S—3678 was adopted.

Senator Hultman moved that the bill 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. 780) the vote was:

Ayes, 43:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaw
Curtis	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Miller of	Plymat	Tieden
Gallagher	Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of	Ramsey	Willits
Gluba	Marshall	Redmond	Winkelman
Griffin			

Nays, 2:

Merritt	Priebe

Absent or not voting, 5:

Burroughs	Hansen	Kelly	Shaff
Coleman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gluba asked and received unanimous consent that **Senate File 241** be **withdrawn** from further consideration of the Senate.

On motion of Senator Kinley, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

Senate File 491

The Senate resumed consideration of Senate File 491, a bill for an act relating to the licensing and registration of child day care facilities and providing a penalty.

Senator Redmond withdrew amendment S—3669 filed by him on May 1, 1975, and found on page 1182 of the Senate Journal.

Senator Redmond withdrew amendment S—3675 filed by him on May 1, 1975, and found on page 1182 of the Senate Journal.

Senator Hill of Jasper offered amendment S—3663 filed by him, moved its adoption, and requested a record roll call:

S—3663

Amend Senate File 491, page 2, by striking lines **5 through 19 and insert in lieu thereof the following:**

"[7] *12.* 'LOW-INCOME FAMILY' means a family whose total income, relative to the number of persons dependent on the family's total income for support, is **designated by the department as insufficient to provide an adequate standard of living. Adequate standard of** living shall be defined as at or below the minimum **living standard budget determined by the bureau of** labor statistics of the United States department of labor, adjusted regionally and for family size.".

On the question "Shall amendment S—3663 be adopted?" (S.F. 491) the vote was:

Ayes 19:

Bergman	Curtis	Miller of Marshall	Scott
Briles	Heying	Norpel	Shaw
Burroughs	Hill of Jasper	Ramsey	Taylor
Coleman	Hultman	Schwengels	Tieden
Culver	Merritt		Winkelman

Nays, 27:

Andersen	Griffin	Murray	Rabedeaux
Carr	Hansen	Nolin	Redmond
DeKoster	Hill of Polk	Nolting	Robinson
Doderer	Junkins	Nystrom	Sovern
Gallagher	Kelly	Palmer	Van Gilst
Glenn	Kinley	Plymat	Willits
Gluba	Lamborn	Priebe	

Absent or not voting, 4:

Miller of Des Moines	Orr	Rodgers	Shaff

Amendment S—3663 lost.

Senator Redmond offered amendment S—3665 filed by him and called for a division of the amendment as follows:

S—3665

Amend Senate File 491 as follows:

Division S—3665A

1. Page 3, line 12, strike the words "so as" and **inserting in lieu thereof the words "[so as]".**

2. Page 3, line 14, strike the words "so as" and **inserting in lieu thereof the words "[so as]".**

Division S—3665B

3. Page 5, by striking lines 26 through 28 and inserting in lieu thereof the words "*thereafter.* [A new report]".

Division S—3665C

4. Page 8, lines 23 through 25 by striking the words "and, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars".

On motion of Senator Redmond, division S—3665A of the amendment was adopted.

Action on division S—3665B of the amendment was temporarily deferred.

On motion of Senator Redmond, division S—3665C of the amendment was adopted.

Senator Doderer offered amendment S—3674 filed by Senators Doderer, et al., and moved its adoption:

S—3674

Amend Senate File 491 as follows:

1. Page 5, lines 19 and 20 by striking the words "having direct responsibility for individual children" and inserting in lieu thereof the words "[having direct responsibility for individual children]".

2. Page 5, lines 22 and 23, by striking the words "an examination *and tests for tuberculosis*" and inserting in lieu thereof the words "*a pre-employment physical examination taken within six months prior to beginning employment, including communicable disease tests* [an examination]".

3. Page 5, by striking lines 26 through 28 and inserting in lieu thereof the words "*thereafter.* [A new report]".

Amendment S—3674 was adopted.

Division S—3665B of the Redmond amendment ruled out of order with the adoption of amendment S—3674.

Senator Shaw withdrew amendment S—3662 filed by her on May 1, 1975, and found on page 1183.

Senator Shaw withdrew amendment S—3668 to amendment S—3662 filed by her on May 1, 1975, and found on page 1183.

Senator Ramsey offered amendment S—3658 filed by him:

S—3658

Amend Senate File 491, page 8, after line 19, by inserting the following new section:

"*NEW SECTION.* FEES. Issuance of a license, including a provisional license, or certificate of registration shall be made only upon receipt by the department of the following fees:

1. For a license to operate a nonprofit child care center.....50 dollars.
2. For a license to operate a profit-making child care center .....100 dollars.
3. For a certificate of registration.....10 dollars."

Senator Gluba offered amendment S—3670 to amendment S—3658 filed by him and moved its adoption:

S—3670

Amend the Ramsey amendment S—3658 to page 8 of Senate File 491 as follows:

1. Line 8, by striking the number "50" and insert in lieu thereof the number "10".
2. Line 10, by striking the number "100" and insert in lieu thereof the number "25".
3. Line 11, by striking the number "10" and insert in lieu thereof the number "5".

Amendment S—3670 to amendment S—3658 was adopted.

Action on amendment S—3658 as amended was temporarily deferred.

Senator Gluba offered amendment S—3671 filed by Senators Gluba and Shaw:

S—3671

Amend Senate File 491, page 8, by striking lines 2 through 8 and inserting in lieu thereof the words "received for temporary care only and shall not differ from rules promulgated for these buildings when they are used by groups of persons congregating from time to time in the primary use and occupancy of the buildings. [Furthermore, such rules shall govern only portions of the building utilized for child care centers.] *However, the rules may require a fire-rated separation from the remaining portion of the building if the fire marshal determines that the separation is necessary for the protection of children from a particular hazard.*"

Senator Shaw offered amendment S—3706 to amendment S—3671 and moved its adoption:

S—3706

Amend the Gluba-Shaw amendment S—3671 to page 8 of Senate File 491 by striking in line 13 the word "particular" and inserting in lieu thereof the words "specific flammable".

Amendment S—3706 to amendment S—3671 was adopted.

On motion of Senator Gluba, amendment S—3671 as amended was adopted.

Senator Sovern offered amendment S—3699 by Senators Sovern, et al.:

S—3699

Amend Senate File 491 as follows:

Division S—3699A

1. Page 1, after line 31, by inserting the following subsection:

"*9. 'FAMILY DAY CARE HOME' means a facility which provides child day care to less than seven children.*"

2. Page 1, line 35, by inserting after the word "*center*" the words "*or registered family day care home*".

3. Page 4, after line 9, by inserting the following:

"Sec. 3. Section two hundred thirty-seven A point three (237A.3), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

237A.3 REGISTRATION OF FAMILY DAY CARE HOMES. A person who operates or establishes a family day care home may apply to the department for registration under the provisions of this chapter. The department shall issue a certificate of registration upon receipt of a statement from the family day care home that the home complies with rules promulgated by the department. The registration certificate shall be posted in a conspicuous place in the family day care home, shall state the name of the registrant, the number of individuals who may be received for care at any one time and the address of the home, and shall include a check list of registration compliances. No greater number of children than is authorized by the certificate shall be kept in the family day care home at any one time. The registration process shall be repeated on an annual basis. A facility which is not a family day care home by reason of the definition of child day care in section one (1) of this Act, but which provides care, supervision or guidance to a child may be issued a certificate of registration under the provisions of this chapter."

4. Page 5, by inserting after line 8, the following:

"*The director or a designee may periodically visit registered family day care homes for the purpose of evaluation of an inquiry into matters concerning compliance with rules promulgated under section two hundred thirty-seven A point twelve (237A.12) of the Code. Evaluation of family day care homes under this section shall include consultative services and other assistance provided pursuant to section two hundred thirty-seven A point six (237A.6) of the Code.*"

5. Page 5, line 30, by inserting after the word "center" the words "*or registered home*".

6. Page 6, line 3, by inserting after the word "license" the words "*or registration,*".

7. Page 6, line 4, by inserting after the word

Page 2

"licensed" the words "*or registered*".

8. Page 6, line 33, by inserting after the word

"license" the words "*or certificate of registration*".
9. Page 6, line 35, by inserting after the word "license" the words "*or certificate*".
10. Page 7, line 10, by inserting after the word "centers" the words "*and registered family day care homes*".

Division S—3699B

11. Page 8, line 21, by striking the words "child day care facility" and inserting in lieu thereof the word "center".
12. Page 8, line 29, by striking the words "child day care facility" and inserting in lieu thereof the word "center".

Division S—3699A (cont'd)

13. Page 9, line 22, by inserting after the word "licensing" the words "and registration".
14. Page 9, line 26, by striking the words and figures "two hundred thirty-seven A point three (237A.3),".
15. Amend the title, line 1, by inserting after the word "licensing" the words "and registration".

Senator Coleman raised the point of order that amendment S—3699 was out of order for the reason that the same subject matter had already been considered by the Senate.

The Chair ruled the point not well taken and amendment S—3699 in order.

Senator Hill of Jasper called for a division of the amendment, sections 11 and 12 on page 2 to be considered as division S—3699B; the remainder of the amendment to be considered as division S—3699A.

Senator Junkins offered amendment S—3704 to division S—3699A by Senators Junkins and Sovern and moved its adoption:

S—3704

Amend the Sovern, et al., amendment S—3699 to Senate File 419, page 1, line 29, by striking the word "shall" and inserting in lieu thereof the word "may".

Amendment S—3704 to division S—3699A was adopted.

Senator Coleman offered amendment S—3707 to division S—3699A, moved its adoption, and requested a record roll call:

S—3707

Amend the Sovern, et al., amendment S—3699 to Senate File 491, as follows:
1. Page 1, by striking lines 36 through 45.
2. By renumbering the remaining sections in accordance with this amendment.

On the question "Shall amendment S—3707 to division S—3699A be adopted?" (S.F. 491) the vote was:

Ayes, 24:

Andersen	Heying	Miller of Marshall	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Lamborn	Rabedeaux	Taylor
Coleman	Merritt	Ramsey	Tieden
Culver	Miller of Des Moines		Winkelman
Curtis			

Nays, 25:

Carr	Hansen	Nolting	Redmond
DeKoster	Hill of Polk	Nystrom	Robinson
Doderer	Junkins	Orr	Shaw
Gallagher	Kelly	Palmer	Sovern
Glenn	Kinley	Plymat	Van Gilst
Gluba	Murray	Priebe	Willits
Griffin			

Absent or not voting, 1:

Shaff

Amendment S—3707 to division S—3699A lost.

Senator Ramsey offered amendment S—3705 to division S—3699A:

S—3705

Amend the Sovern, et al., amendment S—3699 to page 5 of Senate File 491 as follows:

Division S—3705A

1. Page 1, line 43, by striking the word *"shall"* and inserting in lieu thereof the word *"may"*.

Division S—3705B

2. Page 1, lines 43 and 44, by striking the words "and other assistance".

Senator Hill of Polk called for a division of the amendment, section 1 to be considered as division S—3705A; section 2 to be considered as division S—3705B.

Senator Ramsey moved the adoption of division S—3705A of the amendment to division S—3699A.

The Chair called for a non-record roll call.

The ayes were 25, nays 24.

Division S—3705A of the amendment to division S—3699A was adopted.

On motion of Senator Ramsey, division S—3705B of the amendment to division S—3699A was adopted.

Senator Sovern moved the adoption of division S—3699A of the amendment as amended.

A record roll call was requested.

On the question "Shall division S—3699A of the amendment as amended be adopted?" (S.F. 491) the vote was:

Ayes, 42:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Nystrom	Scott
Carr	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of	Redmond	Willits
Glenn	Des Moines		
Gluba			

Nays, 7:

Coleman	Miller of	Norpel	Winkelman
Heying	Marshall	Ramsey	
Hill of Jasper			

Absent or not voting, 1:

Shaff

Division S—3699A of the amendment as amended was adopted.

On motion of Senator Sovern, division S—3699B of the amendment was adopted.

The Senate resumed consideration of amendment S—3658 as amended.

Senator Ramsey moved the adoption of amendment S—3658 as amended.

A record roll call was requested.

On the question "Shall amendment S—3658 as amended be adopted?" (S.F. 491) the vote was:

Ayes, 22:

Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hultman	Norpel	Schwengels
Burroughs	Miller of	Nystrom	Scott
Curtis	Des Moines	Plymat	Shaw
Glenn	Miller of	Rabedeaux	Tieden
Heying	Marshall	Ramsey	Winkelman

Nays, 25:

Andersen	Carr	Culver	DeKoster

Doderer	Junkins	Murray	Redmond
Gallagher	Kelly	Nolting	Robinson
Gluba	Kinley	Orr	Sovern
Griffin	Lamborn	Palmer	Van Gilst
Hansen	Merritt	Priebe	Willits
Hill of Polk			

Absent or not voting, 3:

Coleman	Shaff	Taylor

Amendment S—3658 as amended lost.

Senator Sovern moved that the bill 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. 491) the vote was:

Ayes, 37:

Andersen	Hansen	Nolin	Redmond
Burroughs	Heying	Nolting	Robinson
Carr	Hill of Polk	Nystrom	Rodgers
Culver	Junkins	Orr	Schwengels
DeKoster	Kelly	Palmer	Scott
Doderer	Kinley	Plymat	Shaw
Gallagher	Merritt	Priebe	Sovern
Glenn	Miller of	Rabedeaux	Van Gilst
Gluba	Des Moines	Ramsey	Willits
Griffin	Murray		

Nays, 9:

Bergman	Hill of Jasper	Lamborn	Tieden
Briles	Hultman	Norpel	Winkelman
Curtis			

Absent or not voting, 4:

Coleman	Miller of Marshall	Shaff	Taylor

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

MR. PRESIDENT: I move to reconsider the vote by which Senate File 491 passed the Senate on May 5, 1975.

W. R. RABEDEAUX

INTRODUCTION OF BILLS

Senate File 508, by committee on human resources, a bill for an act relating to issuance of special license plates to identify automobiles owned or operated by physically handicapped persons, and to use by automobiles so identified of specially designated parking places, and authorizing imposition of a penalty.

Read first time and **placed on calendar.**

Senate File 509, by committee on energy, a bill for an act relating to the regulation of nuclear reactors.

Read first time and referred to the committee on commerce (under Senate Rule 38).

Senate File 510, by Senator Carr, a bill for an act relating to remedies including civil penalties in class actions based upon violations of the Iowa consumer credit code.

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 on May 2, 1975, concurred in Senate amendment to and passed the following bill:

House File 127, a bill for an act to revise and repeal obsolete provisions of the railroad laws.

Also: That the House has on May 2, 1975, concurred in Senate amendment to and passed the following bill:

House File 177, a bill for an act relating to the membership of the state historical board.

Also: That the House has on May 2, 1975, concurred in Senate amendment to and passed the following bill:

House File 451, a bill for an act relating to gasoline receptacles, repealing provisions relating to illuminating oil, and having the effect of imposing a penalty for violations.

DAVID L. WRAY, Chief Clerk

MOTION TO RECONSIDER WITHDRAWN

Senator Hultman withdrew the motion to reconsider the vote by which House File 195 passed the Senate filed by him on May 2, 1975.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 2, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

H. F. 275—Relating to the date of organization of the state board of public instruction.

H. F. 287—Relating to the date of the meeting of boards of school corporations for settlement of business.

H. F. 432—Relating to the requirement that motor vehicles be inspected upon transfer and providing a penalty.

H. F. 521—Relating to the time of incurring obligations for and reversion of funds contained in legislation appropriating funds.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 378 passed the Senate on May 2, 1975.

E. KEVIN KELLY

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Dolph Pulliam of Des Moines, Polk County, Iowa, for reappointment as a member of the Council on Social Services for the State of Iowa under the provisions of Section 217.2, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends the appointment be confirmed.

JOAN ORR, Chairman
JAMES W. GRIFFIN, SR.
CHARLES P. MILLER
WILLIAM N. PLYMAT
JAMES M. REDMOND

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Neu announced the appointment of the following Senators to the Interstate Cooperation Commission for two-year terms beginning May 1, 1975, and ending April 30, 1977, in accordance with Chapter 28B.1, Code 1975: James W. Griffin, Sr., Lowell L. Junkins, William D. Palmer, W. R. Rabedeaux and Norman Rodgers.

REPORTS OF COMMITTEES

Senator Hill of Jasper submitted the following reports:

MR. PRESIDENT: Your committee on state government to which was referred House File 188, a bill for an act authorizing the director of the department of general services with approval of the state executive council to proceed with the acquisition of additional land for the extension of the state capitol grounds, begs leave to report it has had the same under consideration and recommends the same do pass.

EUGENE M. HILL, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government to which was referred House File 335, a bill for an act relating to exemptions from the state merit system, begs leave to report it has had the same under consideration and recommends the same do pass.

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Rodgers submitted the following reports:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 91**, a bill for an act to increase the tax levy for township fire protection, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 280**, a bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 748**, a bill for an act relating to sales delivered within the state for corporation tax purposes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3708

Amend Senate File 152, as follows:

1. Page 5, line 13, by inserting after the word "running" the words "or harness".

2. Page 10, line 1, by inserting after the word "running" the words "or harness".

JOAN ORR

S—3703

Amend Senate File 181 as follows:

1. Page 1, line 2, by striking the word "April" and inserting in lieu thereof the word "July".

2. Page 1, line 3, by striking the figure "1975" and inserting in lieu thereof the figure "1976".

3. Page 1, by striking line 5 and inserting in lieu thereof the words and figures "sum of two hundred five thousand two hundred eighty-one (205,281) dollars,".

4. Page 1, by striking lines 11, 12 and 13 and inserting in lieu thereof the following:

"it appears will not be available should HR two thousand nine hundred fifty-four (2954) of the Ninety-fourth Congress fail to become law. Accordingly, the amount".

5. Page 1, line 18, by striking the word "April" and inserting in lieu thereof the word "July".

6. Page 1, line 19, by striking the second figure "1975" and inserting in lieu thereof the figure "1976".

7. Page 1, by striking lines 20 through 24, inclusive.

WILLIAM GLUBA

S—3702

Amend Senate File 375 as follows:

1. Page 1, by striking lines 19 through 35.

2. Page 2, by striking lines 1 through 9.

CHARLES P. MILLER

S—3700

Amend Senate File 496 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter seven hundred twenty-six (726), Code 1975, is amended by adding sections two (2) through seventeen (17) of this Act.

Sec. 2. *NEW SECTION.* KEEPING GAMBLING HOUSES. If any person keep a house, shop, or place resorted to for the purpose of unlawful gambling, or permit or suffer any person in any house, shop, or other place under his control or care to gamble, whether lawfully or not, except as hereinafter provided, such offender shall be guilty of keeping a gambling house, a misdemeanor, and shall be punished as provided in section fourteen (14) of this Act.

Sec. 3. *NEW SECTION.* UNLAWFUL GAMBLING—PENALTY. If any person play at any game in which he directly or indirectly ventures or hazards any sum of money or other property of value for an opportunity to win a prize or other consideration, or make any bet or wager for money or other property of value, except as hereinafter provided, he shall be guilty of unlawful gambling, a misdemeanor, and punished as provided in section fourteen (14) of this Act.

Sec. 4. *NEW SECTION.* LAWFUL GAMBLING. The games or acts enumerated in this section shall be lawful as an exception to unlawful gambling if played or performed in accordance with the provisions of this Act.

1. FAIR, CARNIVAL, CHURCH AND SCHOOL GAMES. The following games which have historically and customarily been played at fairs, carnivals, churches or schools, shall be lawful when the money or other consideration to play does not exceed one dollar per game, the value of the prize does not exceed twenty-five dollars per game and the games are played only between the hours of 9:00 a.m. and 12:00 midnight, and in accordance with the limitations of this Act.

a. "Balloon dart", "darts" or "bow and arrow" games in which the player attempts to break one or more balloons or to hit a target by throwing a dart or other object or by shooting an arrow.

b. "Baseball pitch" games in which the player attempts to hit or knock off a target such as a stuffed animal, bottle or other object by throwing a ball.

c. "Basketball shoot" games in which the player attempts to throw a basketball or other ball or object

through or into a basket or hoop.

d. "Bingo", "lotto", "keno", "tic-tac-toe" or similar games in which two or more players, each with

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a card or board containing several rows with numbers or holes, attempt to line up, punch out or cover a row of holes or numbers, with corn, balls or markers, or by punching holes in the card, as the numbers are called or chosen by some lottery device or by throwing a ball on signal. The winner is the first person able to completely cover a row or other pattern, horizontally, vertically, diagonally or in another designated pattern, and to shout a designated exclamation.

e. "Cakewalk" or "musical chair" games in which several players walk or run around chairs, cakes or prizes arranged so that a winner or loser is determined by a system which stops him in a place related or adjacent to the prize or in a place where he is unable to find a chair in which to sit.

f. "Dragline" or "golddigger" games in which the player maneuvers a claw or dragline device to pick up various objects as prizes.

g. "Dunk 'em" games in which the player throws a ball at a target, which if hit releases a suspended platform causing the person sitting on the platform to fall into a tank of water.

h. "Fishbowl" games in which the player attempts to throw a pingpong ball or a similar object into a fishbowl and, if successful, wins the object located in the fishbowl.

i. "Fish pond" or "duck pond" games in which the player angles for a wooden or plastic fish or duck, or some other object.

j. "Fool the guesser" games in which a person attempts to guess another's age or weight or to guess some other physical fact such as the number of beans in a jar.

k. "Football throw" games in which the player attempts to throw a football or other object to a target or through the opening of a particular object which target or object may be moving.

l. "High striker", "binger" or "hand striker" games in which the player strikes a lever with a hammer or maul, or with his fist or other object, propelling a sliding weight up a track to ring a ball at the top.

m. "Hoop-la", "horseshoe" or "ring toss" games in which the player attempts to pitch a horseshoe, ring or hoop onto, around or over a wooden block, stake or peg device, bottle, prize or other object.

n. "Huff and puff" balloon games in which two or more contestants attempt to inflate a balloon to the breaking point, regulating the air flow by

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directing a ball into a fast or slow slot.

o. "Penny pitch", "bear pitch" or "glass pitch" games in which the player attempts to pitch coins or objects into or upon designated areas, marked spots, plates, dishes or other objects.

p. "Shooting gallery" games in which the player uses a gun in an attempt to hit a target or to shoot out a particular area of a target.

q. "Shooting waters" games in which two or more players compete, each attempting to shoot water into a tube, forcing a ball up and out of the tube.

2. TOURNAMENTS AND EXHIBITIONS. Athletic or sporting contests, competitions, races or tournaments, or cooking, hobby, livestock, animal, poultry, agricultural, vehicle or machinery exhibitions, in which the players or participants pay an entry fee or other consideration for the opportunity to win a prize, reward or other compensation, shall be lawful provided that no such event is allowed at any amusement park, carnival, or on the midway of any fair. This subsection shall not be deemed to include any of the games played at a fair, carnival, church, or school, as listed in subsection one (1) of this section.

3. SMALL WAGERS. In any golf, bowling or billiards game, tennis match, footrace or other human athletic contest or competition involving muscular coordination, strength, speed, physical stamina, endurance, agility, a keen eye or a steady hand, or in any political contest, nomination or election, amounts not to exceed five dollars per event may be lawfully wagered on the outcome provided:

a. The wager is between the players, participants, spectators or other persons interested in the outcome, any or all of whom may gain or lose the same amount from the wager, and does not directly or indirectly involve any person, or the employee of any person, required to have a gambling license on the premises, or for the event, upon which the wager is made, and

b. No player or participant may wager on any event at which spectators must pay to watch the event, except in golf, bowling and tennis tournaments the players may wager the above limited amounts upon themselves, or the teams of which they are members, to win.

An event is the entire match, contest, nomination or election, including all sequences, phases or games thereof, which are customarily played to complete the competition according to the rules thereof on or within a given day. Five dollars per event, as used herein, shall mean that no person may wager a

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total in excess of said sum on any single event, although said sum wagered may be fragmented or placed upon any one or more parts, movements, points or contestants of the event.

4. CARD AND PARLOR GAMES. Card and parlor games, including but not limited to poker, pinochle, pitch,

gin rummy, bridge, euchre, hearts, cribbage, dominos, checkers, chess, backgammon and darts, may be lawfully played for money or other stakes except that no such games shall be permitted at any amusement park, carnival or on the midway of any fair, and no gambling licensee nor his employee, may play in such games on the licensed premises of the licensee, and provided:

a. It shall nevertheless be unlawful gambling for any person to play any punchboard, slot machine, craps, chuck-a-luck, roulette, klondike, blackjack, chemin de fer, baccarat, faro, equality, three card monte, or any game except poker which is customarily played in gambling casinos and in which the house customarily provides a banker, dealer or croupier to operate the game, or a specially designed table upon which to play same.

b. In any game requiring a dealer, the players may choose to take their turn at dealing in a regular order according to the rules of the game.

c. Players may flip or match coins, cut cards, or roll dice for a high or low number for a money sum no greater than one dollar per flip, match, cut or roll, and may do so with any gambling licensee, his employee, agent or servant whether on or off the premises covered by a gambling license.

d. No player wins or loses more than a total of one hundred dollars or equivalent value in all games and activities permitted by this section at any time during any period of twelve consecutive hours, or over that entire period.

5. RAFFLES. "Lotteries", "raffles" or "drawings" in which each of several or many participants provides money or other things of value and receives a ticket, token, credit, program, or other device with a number, symbol or name thereon, which is placed in a receptacle and drawn by lot, or retained and selected by some random method, machine or computer, for a prize, shall be lawful provided:

a. The participant pays no more than one dollar therefor, or receives the ticket or device as an incidental part of the consideration provided for food, drink, service, deposit, property, attendance or activity, and the value of the prize does not exceed twenty-five dollars.

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b. The fair board of any state, county or district fair or agricultural society as defined in chapters one hundred seventy-three (173) and one hundred seventy-four (174) of the Code, may conduct not more than one raffle per calendar year at which a prize or prizes of merchandise or other personal property, except money, may be awarded if the value paid by the fair board therefor does not exceed five thousand dollars, and the participant pays no more than five dollars therefor, or receives the number or name incidentally, as in paragraph a of this subsection.

c. Any bona fide nonprofit charitable, veteran's or fraternal organization or corporation described in subsection two (2) of section eleven (11) of this Act or any bona fide religious or apostolic organization described in subsection three (3) of section eleven (11) of this Act may conduct not more than one raffle per calendar year within the same limitations as fairs under paragraph b of this subsection.

6. POOLS. Betting pools on the outcome of political or athletic contests or tournaments, or other events except races, shall be lawful provided no person wagers more than five dollars on any one event as defined in subsection three (3) of this section, and no person receives any sum or thing of value except as a participant on the same terms as other participants.

No other gambling game, contest or event not specifically excepted in this section and played or operated within the conditions and limitations of this Act, may lawfully be played for money or other thing of value. No system, doubling, building-up or pyramiding of any wager, winnings or prizes, on or in any gambling game, contest or event shall be lawful except as necessary or permissible under the rules of the card games, according to Hoyle, Scarne or other recognized authority, and as provided in subsection one (1) of section seven (7) of this Act, pertaining to jackpot bingo.

Sec. 5. *NEW SECTION.* CHEATING. Every gambling game, contest, or event played or operated for money or other thing of value must be played or operated honestly, fairly and without cheating. No concealed numbers or symbols and no conversion charts, may be used to play any of said games, except to the extent necessarily required by the rules in the card and parlor games, dominos, lotteries, raffles and bingo games described.

No game may be rigged with any control devices,

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levers, rods, wires, hydraulic, pneumatic, electrical or mechanical connections, which permit manipulation of the game by the operator to prevent or reduce a player's chance of winning or to predetermine who the winner will be. No special lights, beams or substances, and no hidden mirrors, lenses, marked cards or falsely loaded objects shall ever be used in any of said games. No operator or player shall employ any device or substance whatsoever, of any kind, calculated to give him an advantage over any player. In every such game, the goal, target or object of the game shall be attainable. It must be possible for any person permitted to play for money to perform under the rules and to win. No goal or target may be situated so that it cannot be achieved from the physical location or position a player is

required to assume, or with the equipment he must use. No prize shall be displayed which cannot be won under the rules, and within the limits, of this Act. A violation of this section shall be cheating, a misdemeanor, and punished under section fourteen (14) of this Act.

Sec. 6. *NEW SECTION.* CARNIVAL GAME RULES AND WELCHING. Any person who conducts, manages or operates any of the fair, carnival, church or school games listed in paragraphs a to q of subsection one (1) of section four (4) of this Act, shall install in a place or places observable to any player of the game a sign or signs at least thirty inches by thirty inches, with permanent-type material and lettering, stating at the top in printed letters at least three inches high: "Rules of the Game". Thereunder there shall be set forth in large, easily readable print, the name of the game, the price to play the game, the complete rules for the game and the name and permanent address of the owner of the game. No part of any such sign shall be altered or covered over with tape, paint or other substance, so as to allow the rules to be easily changed from time to time. No person shall be prevented or precluded from playing any game merely because of his skill or success therein. A violation of this section shall be welching, a misdemeanor, and punished under section fourteen (14) of this Act.

This section shall not apply to such games when played by churches, schools or parent-teacher associations on school or church premises without the services or assistance of an outside or independent lessor, carnival, amusement business or contractor.

Sec. 7. *NEW SECTION.* PRIZES. Merchandise prizes

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only, and no cash prizes, checks or instruments readily converted to cash, shall be awarded by the operators, sponsors or promoters, their employees, agents and subcontractors, in any lawfully operated gambling game, contest or event for the profit or fund raising purposes of any licensed person or organization, except:

1. Cash or other prizes, or a combination thereof, may be awarded in bingo games lawfully played at places other than at carnivals or amusement parks or on the midway of any fair, provided that the actual retail value of the prize or prizes in any game does not exceed, in the aggregate, one hundred dollars. In addition, one "jackpot" bingo game based on a system of building, doubling or pyramiding, when there are no winners after a fixed number of calls, or based on covering every number on a card, shall be permitted once each day in a licensed establishment provided the cost of play per game does not increase and the actual retail value of the prize or prizes does not exceed, in the aggregate, five hundred dollars.

2. Cash or other prizes, or a combination thereof, may be awarded without limit in any contest, race, tournament or exhibition described in subsection two (2) of section four (4) of this Act provided that the percentage of total receipts from the entry fees to be returned to the participants in prizes is publicly announced prior to the event and subsequently reported to the Iowa department of revenue in the reports required in this Act.

3. Cash or other prizes, or a combination thereof, may be awarded in any lottery, raffle or drawing lawfully conducted at places other than carnivals, amusement parks or on the midway of any fair, according to the provisions of subsection five (5) of section four (4) of this Act.

4. In "penny pitch", "bear pitch" and "glass pitch" games described in paragraph o of subsection one (1) of section four (4) of this Act, wherever lawfully played, the prize may be a coin or amount in cash equal to or greater than the coin pitched.

Sec. 8. *NEW SECTION.* GAMBLING LICENSE NOT REQUIRED. No gambling license shall be required of the following who conduct, suffer, permit, play or participate in lawful gambling as follows:

1. Any player or participant, himself, who receives no profit, remuneration or compensation, directly or indirectly, from or related to his own play, participation, bets or wagers, besides his winnings as a player or participant on the same basis as other

players or participants, and who does not play or participate on premises owned or rented by him, his employees or employers, except as provided in subsections five (5) and six (6) of this section.

2. Any state, district, or county fair board or agricultural society recognized under chapter one hundred seventy-three (173) or one hundred seventy-four (174) of the Code which employs or contracts with a licensed carnival or outdoor amusement business as specified in subsection four (4) of section eleven (11) of this Act.

3. Any bona fide public or private school or college, library or historical society either recognized in or subject to the regulations of chapters two hundred fifty-seven (257) to three hundred four (304), inclusive, of the Code, or any bona fide parent-teacher's association of such a public or private school.

4. Any county, city, or any bona fide city chamber of commerce which employs or contracts with a licensed carnival or outdoor amusement business specified in subsection four (4) of section eleven (11) of this Act or a lessor or independent contractor as specified in subsection six (6) of section eleven (11) of this Act.

5. Any person in his private home, apartment or

living quarters, provided there is no direct access through any door, entranceway, stairway or window whether or not locked, bolted or barred, connecting said dwelling to the licensed premises of any beer or liquor licensee, or to the licensed premises of a gambling licensee, or unless two or more persons in addition to the immediate residents and tenants thereof are permitted to use said dwelling for gambling more frequently than during six days of each month.

6. Any person, firm or corporation for an occasional betting pool between personnel, employers, employees, or patrons of any business or organization on the premises thereof, and subject to the provisions of subsection six (6) of section four (4) of this Act, and provided that the entire pool is distributed to the winners.

7. Any service club or other group which meets regularly or occasionally, but not more often than six times per calendar month, for breakfast, lunch, supper or dinner and conducts a lottery, raffle or drawing as described in and subject to the limitations of subsection five (5) of section four (4) of this Act, and provided that all money paid to enter is distributed to the winners.

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8. Any organization or association which conducts, not more frequently than once each calendar year, a "Las Vegas" or fun night starting after 7:00 p.m., using "toy money" or tokens for which no player or participant is permitted to venture, hazard or pay money or other consideration to a value totaling in excess of five dollars, during the entire evening, provided that all money paid by all participants to play is reconverted to cash or prizes and distributed to the winning players by the following 2:00 a.m. In such "Las Vegas" or fun nights, there shall be no limit upon the amount any player can win and, notwithstanding any other provision, blackjack and craps may be played if no unlawful gambling device or specially designed tables or equipment are used.

Sec. 9. *NEW SECTION.* GAMBLING LICENSE REQUIRED. Any person, firm, corporation or organization not excluded under section eight (8) of this Act must acquire a gambling license in order to operate, conduct, or knowingly suffer or permit lawful gambling on premises owned or rented by such person, firm, corporation or organization.

Except as hereinafter provided, the department of revenue shall issue the license for a fee of ten dollars, and for one year, to any applicant of good moral character and reputation. A gambling license heretofore issued pursuant to chapter ninety-nine B (99B) of the Code, shall remain in effect until one year from the date it was issued, unless suspended or revoked for cause, and no new license shall be required for the single premises where it is used

until it has expired. If such existing license is used for or on multiple premises, however, the licensee must elect and designate to the department of revenue the single premises on which it is to be used.

A gambling license must be acquired for each separate building, business or premises in or upon which any person, firm or corporation required to be licensed operates, conducts, suffers or permits lawful gambling. Said license shall not be transferable, sold, assigned or used by any other person, firm or corporation but it shall cover the agents, servants, landlords, tenants, employees and employers of the licensee on the licensed premises. Any person, organization or independent contractor in the business of leasing, renting or operating lawful gambling games to or for another, must acquire a license for each premises upon which such are leased, rented or operated, whether the other is required to be licensed or not.

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To acquire a license, an application blank on an affidavit form prescribed by the department of revenue must be filed with or mailed to the department of revenue, gambling license division, together with the fee, and must show under oath and penalty of perjury such information as the department requires, including the full name, age, sex, marital status, spouse's full name, address, telephone number, permanent residence and signature of the applicant and all partners, officers and business associates who will share responsibility for the license with him, all of whom shall hereinafter be referred to as the applicant. If the license is not to be issued in the applicant's name, applicant must request that the license be issued in the name of a company, organization, partnership or corporation of which applicant is an owner, manager, partner or officer authorized to make the application.

No license shall be issued to a corporation unless it is duly authorized to do business in Iowa. Applicant must show the location and a description of the premises to be licensed, and the mailing address thereof. If the premises are leased or rented from another, applicant must show the name and address of the owner and whether the owner has a gambling license for the premises.

Applicant must state whether he has ever been convicted of a felony or a gambling violation and, to the best of his knowledge, whether any of his partners, business associates, landlords or employees connected with the premises to be licensed have been so convicted; and furnish a summary of the known facts pertaining to the convictions, including the name of the crime and date and place of conviction.

Applicant must state the purpose for which the license is sought and the kind and quantity of gambling

which is expected to be conducted, suffered or permitted; the day or days of each week or month and the hours when it is expected to be conducted. Applicant must state whether he, his firm, organization, partnership or corporation, or the premises for which the gambling license is to be issued, is licensed for the sale of liquor or beer upon the same premises and, if so, the name and address of the licensee. If applicant has ever been refused, or had suspended or revoked, a gambling, beer or liquor permit in Iowa or any other state, he must so state and set forth the dates, places and reasons therefor.

Applicant must state that he is familiar with the

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gambling laws of Iowa and agrees that no moneys or other things of value will be unlawfully received, expended or used therefrom, either directly or indirectly. If applicant is a nonresident the secretary of state must be designated by applicant as agent for the service of notice and process.

No gambling license shall be issued to any applicant who does not fully and honestly complete the application form; who has ever been convicted of a felony unless he has been fully pardoned; whose Iowa gambling license issued after June 1, 1973, is under suspension or revocation; or who would be unable to qualify for a beer or liquor permit under the requirements of chapter one hundred twenty-three (123) of the Code.

Once a gambling license has been issued to a licensee, it may be renewed annually upon payment of the ten dollar fee and upon filing a renewal application, in affidavit form prescribed by the department of revenue, and showing all or any such of the foregoing information as the department may require. Said renewal application must be signed under oath and subject to penalty of perjury by such of the original applicants or partners as the department may require.

Sec. 10. *NEW SECTION.* PROFITS PROHIBITED. Except as provided in subsection two (2) of section four (4) of this Act, with reference to tournaments and exhibitions, etc., and in paragraph c of subsection four (4) of section four (4) of this Act, with reference to flipping, matching, etc., and except as provided in section eleven (11) of this Act, no gambling licensee, nor the agents, employees or contractors of such, may charge any cover charge or admission for, accept any tip or gratuity from, play or participate in, or take any drag, percentage or cut out of, any gambling game, pot, pool or wager, conducted, ventured or staked on a licensee's licensed premises, or otherwise directly profit from such as an operator, dealer, banker, shill, waiter, servant or in any other capacity whatsoever. Nor may any

player or participant do any of the foregoing things, or make any special profit, prohibited to a gambling licensee except play, participate and win or lose on the same basis as any other participant or player.

No gambling licensee, nor the agents, employees or contractors of such may receive, directly or indirectly, any profit whatsoever from the sale or rental of cards, chips, numbers, tokens or gambling paraphernalia, or rent from private rooms for gambling

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purposes, all of which if furnished by the gambling licensee must be furnished at the same cost to the players as to the licensee. A fair and reasonable charge may nevertheless be assessed the players for the use of any billiards or pool tables, bowling alleys, golf courses, tennis courts, shuffle boards, ping-pong tables, lawful pinball machines, or other devices or services not essentially of a gambling nature, if the charge is the same whether such are used by the players for gambling purposes or not. Nothing herein shall prevent the licensee from indirect profits resulting from the sale of additional food, beverages or other legally salable merchandise not directly connected to gambling, which might not be sold but for said gambling.

Sec. 11. *NEW SECTION.* PROFITS ALLOWED. In addition to the ordinary winnings allowed to players and participants from lawful gambling, the following persons and organizations may directly profit or raise funds from conducting, suffering or permitting those fair, carnival, church and school games, including bingo, enumerated in subsection one (1) of section four (4) of this Act:

1. Any state, district or county fair board or agricultural society, school, parent-teacher association, college, library, historical society, county, city, or municipal chamber of commerce specified in subsections two (2), three (3) and four (4) of section eight (8) of this Act.

2. Any bona fide nonprofit charitable, bona fide nationally chartered fraternal or military veterans' corporation or organization which was in existence and operating a clubroom, post, dining room or dance hall, as long as it continues to operate such and has a valid gambling license for the premises on which the gambling is conducted.

3. Any bona fide religious or apostolic organization maintaining an established office or place of worship in this state, and which has a valid gambling license for the premises on which the gambling is conducted.

4. Any bona fide organized traveling carnival or outdoor amusement business maintaining no fewer than five rides and operating under written contract with any organization listed in subsections one (1), two (2) or three (3) of this section, provided said

carnival or business has a valid gambling license for each location and operates at no one location in this state for more than ten days each year.

5. Any permanently located and bona fide amusement park maintaining no fewer than five rides and similar amusement devices and which has a valid gambling license.

6. Any person, firm, or corporation in the business of renting, leasing or operating lawful gambling games or equipment, as a lessor or independent contractor, to or upon the premises of another, and who acquires a license for those premises whether the person employing him is licensed or not.

Any person, firm or corporation, except carnivals, outdoor amusement businesses and amusement parks, licensed to gamble in this state may conduct for profit or fund-raising purposes any of the contests, competitions, races, tournaments or exhibitions lawful under subsection two (2) of section four (4) of this Act, by charging an entry fee to players or participants, or an admission fee to spectators, or both.

Any organization listed in subsections one (1), two (2) and three (3) of this section may conduct for profit or fund-raising purposes any of the raffles, lotteries or drawings described in subsection five (5) of section four (4) of this Act, but subject to the limitations therein contained.

Sec. 12. *NEW SECTION.* ADDITIONAL PROHIBITIONS. No person or organization not enumerated in section eleven (11) of this Act shall operate, conduct, suffer or permit any bingo or other fair, church, carnival or school games enumerated in subsection one (1) of section four (4) of this Act, or any raffles, lotteries or drawings described in subsection five (5) of section four (4) of this Act, whether or not for profit or fund-raising purposes, on any licensed premises.

Sec. 13. *NEW SECTION.* REPORTING GAMBLING PROFITS. All persons, firms or corporations licensed to gamble in this state must, on or before July fifteenth following the date of issuance of any gambling license during the year before that date, file with the department of revenue, gambling license division, a gambling profit return for each separate gambling license issued to the licensee. The return shall cover the period from the date of issuance of the license to and including May thirty-first following its issuance and any period not previously reported during which a gambling license was in effect for the premises, and shall state the period or periods covered. Said return shall be typed or printed on a form prescribed by said department, signed by the licensee and all partners thereof, or by the duly authorized officer of a licensed corporation, under oath and subject to the penalty of perjury. It must

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show the name of the corporation or the name or names and addresses of all persons to whom the license was issued, the date the license was issued, the license number issued by the department, the address, location or premises for which the license was issued and the license numbers of any other licenses issued to the same licensee for other premises. The return shall report the gross receipts directly attributable to any gambling on the licensed premises since the date of its issuance, including all entry and admission fees, an itemization of deductions claimed from said gross receipts, including the amounts distributed to employers, landlords or others, their names and addresses, and the net profit, income or funds raised. If there are no gross receipts, or no deductions, or if there is no net income, or if there is a net loss, the licensee must nevertheless file the return for the license and state the facts and amounts pertaining thereto.

The name and address of every winner, and the amount of the winnings, of every contest, competition, race, tournament, or exhibition described in subsection two (2) of section four (4) of this Act, or any pool described in subsection six (6) of section four (4) of this Act, which is conducted by a gambling licensee or his agent on the licensee's licensed premises, must be reported.

The return shall report each date on which gambling was conducted for profit or fund-raising purposes on the licensed premises during the period or periods reported, the total cost to the licensee of all prizes, if any, and what part thereof was cash, awarded to winners on each of said dates, and all such other and further information as the department of revenue may require; except that profits from flipping, matching, etc., under paragraph c of subsection four (4) of section four (4) of this Act and profits not directly related to gambling need not be reported hereunder. Nor shall any person or organization not required to have a gambling license in order to conduct, suffer, permit, play or participate in gambling, be required to file a gambling profit return.

Any licensee failing to file a return as herein required shall be guilty of a misdemeanor and shall be fined in a sum not to exceed one thousand dollars, or imprisoned in the county jail for a period not to exceed six months, or both, and his gambling license shall be suspended for a period not to exceed one year. Reports filed hereunder shall not excuse the licensee from filing any other report required by

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law.

Sec. 14. *NEW SECTION.* PENALTIES. A violation of any provision of this Act for which punishment is not otherwise prescribed, shall constitute a

misdemeanor and the violator shall be punished by a fine not to exceed five thousand dollars, or imprisonment in the county jail for a period not to exceed one year, or by both such fine and imprisonment. In addition, upon conviction, any or all state licenses issued to a licensee for any or all of the licensee's licensed premises, may be temporarily or permanently suspended or revoked by the license-issuing authority or by the hearing board thereof, if any.

Sec. 15. *NEW SECTION.* RULES. The department of revenue shall, subject to the provisions of chapter seventeen A (17A) of the Code, make such rules as necessary to administer all provisions within the guidelines of this Act.

Sec. 16. *NEW SECTION.* SUSPENSION OR REVOCATION OF GAMBLING LICENSE. Any gambling license issued under this Act may, after notice in writing to the licensee and reasonable opportunity for hearing, be temporarily or permanently suspended or revoked by the director of the department of revenue or majority action of any city council, or board of supervisors of any county if outside a city, in which the licensed premises of a gambling licensee are located, for any of the following causes:

1. Conviction of a violation of this Act.
2. Misrepresentation of any material fact in the application for such license.
3. Violation of any provisions of this Act.
4. Any change in the ownership or interest in a business operated on the premises licensed pursuant to this Act.
5. An event which would have resulted in disqualification from receiving such license when originally issued.
6. Any sale, hypothecation, or transfer of such license.
7. The failure or refusal on the part of any licensee to render any report or remit any taxes to the department under this Act when due.
8. One or more violations of this Act upon any licensed premises on three or more separate days, within any period of ninety days, by any person or persons whether or not said person or persons, or their unlawful activities hereunder, are known to the licensee or his agents.

Cities or counties shall have the power to suspend

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or revoke any gambling license for a violation of any ordinance adopted by such local authorities. Such local authorities are empowered to adopt ordinances or regulations within their respective jurisdictions for the location of premises upon which lawful gambling may be conducted and are empowered to adopt ordinances, not in conflict with the provisions of this Act and that do not diminish the hours specified herein during which lawful gambling

may be conducted, and ordinances governing any other matters which may affect the practice of lawful gambling and the health, welfare and morals of the community involved. The action of any local authorities suspending or revoking a gambling license under this section may be appealed to the hearing board established in section seventeen (17) of this Act within thirty days by notice in writing filed with the director of revenue.

Any peace officer or any employee or agent of the department of revenue may enter upon any licensed premises of any gambling licensee without a search warrant at any time said premises are being operated for business, and whether gambling is occurring or not, and may inspect said premises and the books and equipment therefor, for the purpose of enforcing any provision of this Act. A refusal by the licensee, or any officer, agent or servant of the licensee, to permit such inspection, shall be cause for temporary or permanent suspension or revocation of any or all gambling licenses of the licensee after notice and opportunity for hearing as prescribed in this section, above, and such peace officer or agent may forthwith command immediate temporary suspension of the gambling license and all gambling on the licensed premises shall cease and desist at once and until such time as inspection is permitted.

Sec. 17. *NEW SECTION.* HEARING BOARD AND APPEALS. There is hereby created a three-member hearing board for the purpose of conducting hearings relating to controversies concerning the suspension, or revocation of gambling licenses by state or local authorities.

Two members shall be appointed by the director of the department of revenue from the personnel of the department and one member shall be appointed by the director of the Iowa beer and liquor control department from the three-member hearing board of that department. The hearing board shall have the power to review de novo any suspension or revocation and to reverse, vacate, modify or affirm any action in which a gambling license is suspended or revoked.

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Said decision may be reviewed by the district court on application of the licensee, director of revenue or other suspending authority, by writ of certiorari under division fourteen (XIV) of the rules of civil procedure. The hearing board shall establish and adopt rules and procedures for conducting departmental hearings under this Act.

Sec. 18. Section four hundred twenty-two point forty-three (422.43), unnumbered paragraphs two (2) and three (3), Code 1975, are amended to read as follows:

There is hereby imposed a tax of three percent upon the gross receipts derived from the operation of all forms of amusement devices and [games of skill,

games of chance, raffles and bingo games as defined in chapter 99B, and] *upon the gross receipts derived from gambling conducted for profit by any gambling licensee in Iowa, and upon the gross receipts from any* commercial amusement enterprises operated or conducted within the state of Iowa, such tax to be collected from the operator in the same manner as is provided for the collection of taxes upon the gross receipts of tickets or admission as provided in this section.

The tax thus imposed shall cover all receipts from the operation of [games of skill, games of chance, raffles and bingo games as defined in chapter 99B,] *gambling* and musical devices, weighing machines, shooting galleries, billiard and pool tables, bowling alleys, pinball machines, slot-operated devices selling merchandise not subject to the general sales taxes and on all receipts from devices or systems where prizes are in any manner awarded to patrons and upon the receipts from fees charged for participation in any game or other form of amusement, and generally upon the gross receipts from any source of amusement operated for profit not specified herein, and upon the gross receipts from which no tax is collected for tickets or admission, but no tax shall be imposed upon any activity exempt from sales tax under the provision of section 422.45, subsection 4. Every person receiving gross receipts from the sources as defined in this section shall be subject to all provisions of this division relating to retail sales tax and such other provisions of this chapter as may be applicable.

Sec. 19. Section one hundred twenty-three point forty-nine (123.49), subsection two (2), paragraph a, Code 1975, is amended to read as follows:

a. Knowingly permit any gaming, gambling,

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solicitation for immoral purposes, or immoral or disorderly conduct on the premises covered by the license or permit. This paragraph shall not apply to [games of skill, games of chance, or raffle conducted pursuant to chapter 99B, or to devices lawful under section 99B.10 or to games lawful under section 726.12] *lawful gambling suffered or permitted on the premises covered by the license or permit if said premises are also covered by a valid gambling license.*

Sec. 20. Section ninety-nine point one (99.1), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Whoever shall erect, establish, continue, maintain, use, own, or lease any building, erection, or place used for the purpose of lewdness, assignation, prostitution or *unlawful* gambling, or pool selling [as defined by section 726.6] is guilty of a nuisance, and the building, erection, or place, or the ground itself, in or upon which such lewdness, assignation,

prostitution, or *unlawful* gambling, or pool selling [as defined by section 726.6] is conducted, permitted, or carried on, continued, or exists, and the furniture, fixtures, musical instruments, and movable property used in conducting or maintaining such nuisance, are also declared a nuisance and shall be enjoined and abated as hereinafter provided.

Sec. 21. Section ninety-nine A point one (99A.1), subsection one (1), Code 1975, is amended to read as follows:

1. "Gambling devices" means roulette wheels, klondike tables, [poker tables,] punchboards, faro layouts, [keno layouts,] slot machines, *craps tables, blackjack tables,* any ticket, sheet, or writing of any kind used or designed to be used for *unlawful* gambling purposes, and all machines and devices used for *unlawful* gambling [or with an element of chance attending operation], and all machines and devices of any nature whatsoever adapted, devised and designed for the purpose of *unlawful* gambling. Nothing in this definition shall be construed to include *dice or* ordinary playing cards *or any other device or machine which can be used for lawful gambling. And it shall be lawful for any person to own, operate, or play mechanical or electronic amusement devices even though the machine or device awards free games or one or more additional balls or shots upon attaining a certain score. But such machines and devices shall be unlawful gambling devices if they award or are played for cash or merchandise prizes or if the machines or devices are equipped with a push button*

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or other device for releasing free games which are not played off and a meter for measuring the games released or a device by which a person may increase his chances of winning free games by inserting additional coins. [Gambling device does not include any device or machine used in accordance with chapter 99B or section 726.12.]

Sec. 22. Section seven hundred twenty-six point five (726.5), Code 1975, is amended to read as follows:

726.5 POSSESSION OF GAMBLING DEVICES PROHIBITED.

No one shall, in any manner or for any purpose whatever, except under proceeding to destroy the same, have, keep, or hold in possession or control any [roulette wheel, klondike table, poker table, punchboard, faro, or keno layouts or any other machines used for gambling, or any slot machine or device with an element of chance attending such operation] *gambling device as defined in section ninety-nine A point one (99A.1) of the Code. A violation of this section by a gambling licensee or other person required to have a gambling license shall be punishable under section fourteen (14) of this Act. A violation by any person not required to have a gambling license shall be punished by a fine of not to exceed one*

hundred dollars or imprisonment in the county jail for not more than thirty days. In either case, an unlawful gambling device shall be forfeited to the state as contraband and the court shall order its destruction.

Sec. 23. Section five hundred thirty-seven A point four (537A.4), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

All promises, agreements, notes, bills, bonds, or other contracts, mortgages or other securities, when the whole or any part of the consideration thereof is for money or other valuable thing won or lost, laid, staked, or bet, at or upon any game of any kind or on any wager, are absolutely void and of no effect *except that the lawful promise of a gambling licensee or his agents conducting any lawful gambling game or activity under said license shall be valid and enforceable according to the law of contracts.*

Sec. 24. Section five hundred thirty-seven A point four (537A.4), Code 1975, is amended by striking unnumbered paragraph two (2).

Sec. 25. Chapter ninety-nine B (99B), and sections seven hundred thirteen point twenty-nine (713.29), seven hundred thirteen point thirty (713.30), seven hundred thirteen point thirty-one (713.31), seven hundred thirteen point thirty-two (713.32), seven

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hundred thirteen point thirty-three (713.33), seven hundred twenty-six point one (726.1), seven hundred twenty-six point three (726.3), seven hundred twenty-six point six (726.6), seven hundred twenty-six point eight (726.8), seven hundred twenty-six point nine (726.9), seven hundred twenty-six point ten (726.10), seven hundred twenty-six point eleven (726.11), seven hundred twenty-six point twelve (726.12) and seven hundred twenty-six point thirteen (726.13), Code 1975, are repealed. However, prosecutions for violations of any of those sections which occurred prior to the effective date of this repeal, and any appeals therefrom, may be continued and shall not be held or rendered moot by any court.

2. Amend the title by striking lines 1 and 2 and inserting in lieu thereof the following:

"An Act relating to gambling and lawful gambling as an exception thereto, and providing a tax and penalties, and providing for licensing, suspensions and revocations, and relating to reporting, profits and injunctions in connection with gambling."

PHILIP B. HILL

S—3713

Amend Senate File 496, page 2, after line 10, by adding the following new subsection:

"*NEW SUBSECTION.* 'Bona fide social relationship' as used herein means a real, genuine, unfeigned social relationship between two or more persons wherein each person has an established knowledge of

the other, which has not arisen for the purpose of gambling."

E. KEVIN KELLY
EARL M. WILLITS

S—3712

Amend Senate File 496, page 3, line 2, by adding after the word "department" the words "or a law enforcement agency".

E. KEVIN KELLY
EARL M. WILLITS

S—3696

Amend Senate File 496 as follows:

1. Page 6, line 34, by striking the words "but not more than fifty thousand dollars".

2. Page 7, by striking lines 1 through 5.

PHILIP B. HILL

S—3697

Amend Senate File 496, page 7, lines 31 and 32, by striking the words "one hundred" and inserting the word "fifty".

PHILIP B. HILL

S—3698

Amend Senate File 496, as follows:

1. Page 10, line 22, by striking the word "However" and all of lines 23 through 35.

2. Page 11, by striking lines 1 and 2.

PHILIP B. HILL

S—3694

Amend Senate File 496 as follows:

1. Page 12, by striking lines 25 through 34, and inserting in lieu thereof the following:

"99B.8 ANNUAL GAME NIGHT.

1. Games of skill, games of chance, card games and raffles lawfully may be conducted during a period of twelve consecutive hours once each year at any location, or by any person, other than one for which a license is required pursuant to sections five (5), seven (7), eight (8), or nine (9) of this Act, but only if all of the following are complied with:

a. The sponsor of the event has been issued a license pursuant to subsection two (2) of this section and prominently displays that license on the premises covered by the license."

2. Pages 12 and 13, lines 35, 2, 5, 7 and 10, by relettering the paragraphs in conformity with section one (1) of this amendment.

3. Page 13, by inserting after line 12 the following:

"2. The department may issue a license pursuant to this section only once during a calendar year to any one person or for any one location. The license may be issued only upon submission to the department of an application and a license fee of fifteen dollars."

4. Page 13, by inserting before line 18 the following heading:

"DIVISION III
GAMES FOR WHICH A LICENSE IS NOT REQUIRED"

CLIFTON C. LAMBORN
GEORGE R. KINLEY

S—3695

Amend Senate File 496, page 12, by striking lines 28 and 29, and inserting in lieu thereof the following:

"1. Raffles, and social games permitted by subsection two (2) of section".

PHILIP B. HILL

S—3710

Amend Senate File 496, as follows:

1. Page 15, line 26, by adding a period after the word "person".

2. Page 15, by striking line 27.

E. KEVIN KELLY
EARL M. WILLITS

S—3714

Amend Senate File 496, page 16, line 28, by inserting after the word "pushcard" the word ", pull-tab".

E. KEVIN KELLY
EARL M. WILLITS

S—3711

Amend Senate File 496, page 20, line 3, by striking the word "*pickles*" and inserting in lieu thereof the words "*jar tickets*" and "*pull-tabs*".

E. KEVIN KELLY
EARL M. WILLITS

S—3701

Amend the Kinley and Lamborn amendment S—3691 to Senate File 496, page 2, by inserting after line 43 the following:

4. Page 2, line 26, by inserting after the numeral "(8)" the words and numeral "or section eleven (11)".

GEORGE R. KINLEY
CLIFTON C. LAMBORN

S—3693

Amend Senate File 506, page 1, line 12, by inserting after the word "state" the following:

"and to be refunded in whole or in part to the general fund by the deposit in the general fund of such park user fees to be charged to users of selected state parks as shall be set by the state conservation commission in accord with chapter seventeen A (17A) of the Code. The appropriated amount shall be used".

LUCAS J. DeKOSTER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:45 p.m., until 9:30 a.m., Tuesday, May 6, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FOURTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MAY 6, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Sister Mary Clare Miller, Assistant Principal, Beckman High School, Dyersville, Iowa.

The Journal of Monday, May 5, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Anthony Owca, Centerville, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the day on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty students from Gerald W. Kirn Junior High School, Council Bluffs, Iowa, accompanied by Paul Rohrer and Bob Drustrup. Senator Griffin.

Sixty-two students from Anita High School, Anita, Iowa, accompanied by John Burke. Senator Nolin.

Forty-five students from Ar-We-Va Community School, Westside, Iowa, accompanied by Lou Brehend, Ruth Moelck and Robert Meyer. Senators Culver and Nolin.

Fifty-nine students from Wildwood Elementary School, Ottumwa, Iowa, accompanied by Mrs. Reid, Mrs. Milda and Mr. Roggentien. Senator Glenn.

PETITIONS

The following petitions were presented and placed on file:

By Senator Gallagher from twelve residents of Black Hawk County opposing arbitration in teachers' contract disputes and urging further limitations concerning teachers' contracts.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Hill of Jasper from one hundred seventy-seven residents of Iowa.

Senator Hill of Jasper from two thousand sixty-one residents of the Thirty-fifth Senatorial District.

Senator Sovern from four hundred one residents of the Fifteenth Senatorial District.

Senator Schwengels from one thousand one hundred twenty-eight residents of the Forty-fourth Senatorial District.

Senator Hultman from one hundred ninety-seven residents of Montgomery County and adjoining counties.

Senator Nolting from one hundred nine residents of Black Hawk County.

Senator DeKoster from four hundred forty-eight residents of Lyon, Sioux and Plymouth Counties.

Senator Doderer from two hundred forty-one residents of Johnson County.

Senator Plymat from nine hundred thirty-three residents of Polk County.

Senator Lamborn from one hundred sixty-seven residents of Jackson County and adjoining counties.

Senator Andersen from one hundred seventy-three residents of Woodbury County.

Senator Griffin from ninety-six residents of Pottawattamie County.

Senator Tieden from two hundred four residents of Clayton County.

Senator Curtis from three hundred thirty-two residents of Cherokee County and adjoining counties.

Senator Culver from fifty-eight residents of Cass County.

Senator Gallagher from one hundred fifty-three residents of the Sixteenth Senatorial District.

Senator Scott from two hundred fifty-nine residents of Cerro Gordo and Worth Counties.

Senator Miller of Marshall from five hundred seventy-two residents of Marshall County and adjoining counties.

Senator Rodgers from three hundred seventy-seven residents of Dallas County and adjoining counties.

Senator Heying from one hundred thirty-five residents of Fayette, Bremer and Chickasaw Counties.

Senator Redmond from fifty-one residents of Linn County.

Senator Hansen from two hundred thirty-three residents of Black Hawk County.

Senator Kelly from forty-three residents of Woodbury County.

Senator Orr from two hundred eighty-three residents of the Thirty-sixth Senatorial District.

Senator Shaw from eighty-three residents of Scott County.

Senator Shaff from fifty-four residents of Scott County.

MOTION TO RECONSIDER WITHDRAWN

Senator Norpel withdrew the motion reconsider the vote by which Senate File 504 passed the Senate filed by him on May 5, 1975.

MOTION TO RECONSIDER ADOPTED

House File 723

Senator Curtis called up the following motion to reconsider filed by him on April 29, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 723 passed the Senate on Friday, April 25, 1975.

On the question "Shall the motion to reconsider be adopted?" (H.F. 723) the vote was:

Ayes, 45:

Andersen	Heying	Miller of Marshall	Ramsey
Bergman	Hill of Jasper	Murray	Redmond
Briles	Hill of Polk	Nolin	Robinson
Burroughs	Hultman	Nolting	Schwengels
Carr	Junkins	Norpel	Scott
Culver	Kelly	Nystrom	Shaff
Curtis	Kinley	Orr	Shaw
DeKoster	Lamborn	Palmer	Sovern
Glenn	Merritt	Plymat	Tieden
Gluba	Miller of Des Moines	Priebe	Van Gilst
Griffin		Rabedeaux	Willits
Hansen			Winkelman

Nays, none.

Absent or not voting, 5:

Coleman	Gallagher	Rodgers	Taylor
Doderer			

The motion prevailed.

Senator Curtis moved to reconsider the vote by which House File 723 went to its last reading, which motion prevailed.

On motion of Senator Curtis, House File 723, a bill for an act correcting and clarifying provisions in the city code of Iowa, was taken up for reconsideration.

Senator Curtis moved to reconsider the vote by which amendment S—3617 was adopted by the Senate on April 25, 1975.

The motion prevailed and amendment S—3617 was taken up for reconsideration.

Senator Curtis asked and received unanimous consent to withdraw amendment S—3617.

Senator Curtis offered amendment S—3633 filed by him and moved its adoption:

S—3633

Amend House File 723, page 8, lines 21 and 22 by striking the words "[three and three-eighths] *thirteen and one-half*" and inserting in lieu thereof the words "three and three-eighths".

Amendment S—3633 was adopted.

Senator Curtis moved that the bill 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, 45:

Andersen	Hansen	Miller of	Ramsey
Bergman	Hill of Jasper	Marshall	Redmond
Briles	Hill of Polk	Murray	Robinson
Burroughs	Hultman	Nolin	Schwengels
Carr	Junkins	Nolting	Scott
Culver	Kelly	Norpel	Shaff
Curtis	Kinley	Nystrom	Shaw
DeKoster	Lamborn	Orr	Sovern
Gallagher	Merritt	Palmer	Tieden
Glenn	Miller of	Plymat	Van Gilst
Gluba	Des Moines	Priebe	Willits
Griffin		Rabedeaux	Winkelman

Nays, none.

Absent or not voting, 5:

Coleman	Heying	Rodgers	Taylor
Doderer			

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 506

On motion of Senator Kelly, Senate File 506, a bill for an act making an appropriation to the state conservation commission and divisions of the commission, was taken up for consideration.

Senator DeKoster offered amendment S—3693 filed by him and moved its adoption:

S—3693

Amend Senate File 506, page 1, line 12, by inserting after the word "state" the following: "and to be refunded in whole or in part to the general fund by the deposit in the general fund of such park user fees to be charged to users of selected state parks as shall be set by the state conservation commission in accord with chapter seventeen A (17A) of the Code. The appropriated amount shall be used".

Senator Kinley raised the point of order that amendment S—3693 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3693 out of order.

Senator Kelly moved that the bill 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. 506) the vote was:

Ayes, 42:

Andersen	Heying	Miller of Marshall	Redmond
Bergman	Hill of Jasper	Murray	Robinson
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Nystrom	Scott
Carr	Junkins	Orr	Shaff
Culver	Kelly	Palmer	Shaw
Curtis	Kinley	Plymat	Sovern
DeKoster	Lamborn	Priebe	Tieden
Glenn	Merritt	Rabedeaux	Van Gilst
Gluba	Miller of Des Moines	Ramsey	Willits
Griffin			Winkelman

Nays, 1:

Nolin

Absent or not voting, 7:

Coleman	Gallagher	Norpel	Taylor
Doderer	Hansen	Rodgers	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu 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 on April 29, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 314, a bill for an act relating to the regulation of surface coal mining, imposing additional fees and providing a penalty for violation of the Act.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 314

S—3718

Amend Senate File 314, as passed by the Senate, as follows:

1. Page 1, line 6, by striking the figure "1975" and inserting in lieu thereof the following: "1976 and, with respect to lands from which the overburden has not been removed, any coal mining operation existing on July 1, 1976".

2. Page 1, by striking lines 8 through 16 and inserting in lieu thereof the following:

"1. Spoil, debris, soil, and waste materials from the cut made to obtain access to the coal seam shall be placed according to a plan approved by the department."

3. Page 1, line 25, by inserting after the period the sentences "If the effectiveness of the revegetation requirements of this subsection cannot be determined by the department before the expiration of the twelve-month period allowed for rehabilitation pursuant to section eighty-three A point nineteen (83A.19) of the Code, the department shall extend the time for rehabilitation as necessary to meet the requirements of this subsection. The department may retain a portion of the bond or other security under this chapter as necessary to assure performance of the requirements of this subsection."

4. Page 2, line 6, by striking the word ", or" and inserting in lieu thereof the word "and".

5. Page 2, line 28, by striking the second word "the".

6. Page 2, line 29, by striking the words "latest available engineering practices" and inserting in lieu thereof the words "engineering practices approved by the department".

7. Page 3, by striking lines 7 through 11.
8. Page 6, line 12, by inserting after the period the sentence *"Nothing in this section shall require land which has been mined or from which overburden has been removed before July 1, 1976 to meet the standards in section two (2) of this Act."*

INTRODUCTION OF BILL

Senate File 511, by committee on natural resources, a **bill for** an act relating to vessels.

Read first time and **placed on calendar.**

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 496.

Senate File 496

On motion of Senator Willits, Senate File 496, a bill for an act relating to gambling, and providing penalties, was taken up for consideration.

Senator Willits asked and received unanimous consent that Larry W. Burch, Legal Counsel, Legislative Service Bureau, be permitted to remain in the Senate chamber as a consultant during consideration of the bill.

Senator Hill of Polk offered amendment S—3700 filed by him on May 5, 1975, and found on pages 1227-1244, inclusive, of the Senate Journal.

Senator Hill of Jasper offered amendment S—3732 to amendment S—3700 by Senators Hill of Jasper and Plymat, moved its adoption, and requested a non-record roll call:

S—3732
Amend the Hill amendment S—3700 to Senate File 496,
on page 4, line 33, by striking the words "one hundred"
and inserting in lieu thereof the word "fifty".

The ayes were 38, nays 8.

Amendment S—3732 to amendment S—3700 was adopted.

Senator Hill of Polk moved the adoption of amendment S—3700 as amended and requested a non-record roll call.

Rule 25 was invoked.

The ayes were 22, nays 24.

Amendment S—3700 as amended lost.

Senator Glenn offered amendment S—3720 and moved its adoption:

S—3720

Amend Senate File 496 as follows:

1. Page 1, line 25, by striking the words "specified in" and inserting in lieu thereof the words "permitted by".

2. Page 7, line 29, by inserting before the word "services" the words "goods or".

3. Page 7, line 30, by inserting before the word "services" the words "goods or".

4. Page 8, line 18, by inserting after the word "permits" the words "or engages in".

5. Page 10, line 14, by inserting after the word "raffles" the words "may be conducted on premises owned or leased by the licensee, but".

Amendment S—3720 was adopted.

Senator Kelly offered amendment S—3713 filed by Senators Kelly and Willits and moved its adoption:

S—3713

Amend Senate File 496, page 2, after line 10, by adding the following new subsection:

"*NEW SUBSECTION.* 'Bona fide social relationship' as used herein means a real, genuine, unfeigned social relationship between two or more persons wherein each person has established knowledge of the other, which has not arisen for the purpose of gambling."

Amendment S—3713 was adopted.

Senator Kelly offered amendment S—3730 by Senators Kelly and Willits:

S—3730

Amend Senate File 496, page 2, after line 10, by adding the following new subsection:

NEW SUBSECTION. "Bookmaking" as used herein means the taking or receiving of any bet or wager upon the result of any trial or contest of skill, speed, power or endurance of man, beast, fowl or motor vehicle, which is not a wager or bet pursuant to Section 14(2) (c), or which is laid off, placed, given, received or taken, by an individual who was not present when the wager or bet was undertaken, or by any publicly or privately owned enterprise where such wagers or bets may be undertaken.

Senator Kelly offered S—3736 to amendment S—3730 and moved its adoption:

S—3736

Amend the Kelly and Willits amendment S-3730 to Senate File 496 on line 8 by striking "14(2) (c)" and

inserting in lieu thereof the following: "fourteen (14), subsection two (2), paragraph a (a), of this Act".

Amendment S—3736 to amendment S—3730 was adopted.

On motion of Senator Kelly, amendment S—3730 as amended was adopted.

Senator Carr offered amendment S—3719 by Senators Carr, et al., moved its adoption and requested a record roll call:

S—3719

Amend Senate File 496 as follows:

1. Page 2, by striking lines 25 and 26, and inserting in lieu thereof the following:

"A licensee shall maintain proper books".

2. Page 6, by striking lines 22 through 35.

3. Page 7, by striking lines 1 through 5.

4. By correcting internal references in conformity with sections 1 through 3 of this amendment.

5. Page 8, by striking lines 5 through 10 and inserting in lieu thereof the following:

"2. The holder of a liquor control license or beer permit shall be strictly accountable for maintaining compliance with subsection one (1) of this section on the premises of that licensee or permittee. Proof of any violation of subsection one (1) of this section shall constitute grounds for suspension or revocation of the liquor control license or beer permit, whether or not the holder of the license or permit had knowledge of the facts constituting the violation."

6. Page 8, by striking lines 15 through 22 and inserting in lieu thereof the following:

"4. The holder of a liquor control license or beer permit and every agent of a licensee or permittee who is required by that licensee or permittee to exercise control over the use of the premises covered by the liquor control license or beer permit who knowingly permits or engages in acts or omissions which constitute a violation of subsection one (1) of this section commits a misdemeanor. A licensee or permittee has knowledge of acts or omissions if any agent of the licensee or permittee has knowledge of those acts or omissions."

7. Page 18, by adding after line 21 the following:

"Sec. ..... Section one hundred twenty-three point thirty-nine (123.39), Code 1975, is amended by adding the following new subsection:

7. *NEW SUBSECTION.* Proof of a violation of subsection one (1) of section eight (8) of this Act which occurred on the premises covered by the license or permit."

8. Page 18, by adding after line 32 the following:

"Sec. ..... Section one hundred twenty-three point

fifty (123.50), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The department or a local authority shall suspend or revoke a liquor control license or beer permit upon proof of any violation of chapter ninety-nine B (99B) of the Code, relating to gambling, which violation occurred on the premises covered by

Page 2

the liquor control license or beer permit. Suspension or revocation shall be ordered pursuant to the following:

a. Upon proof of a first violation the license or permit shall be suspended for a period of fourteen days.

b. Upon proof of a second violation within a period of two years, the license or permit shall be suspended for a period of thirty days.

c. Upon proof of a third violation within a period of five years, the license or permit shall be suspended for a period of sixty days.

d. Upon proof of a fourth violation within a period of five years, the license or permit shall be revoked."

On the question "Shall amendment S—3719 be adopted?" (S.F. 496) the vote was:

Ayes, 16:

Bergman	Griffin	Norpel	Schwengels
Carr	Heying	Priebe	Scott
Culver	Junkins	Ramsey	Tieden
Gallagher	Miller of Des Moines	Rodgers	
Gluba			

Nays, 28:

Andersen	Hill of Polk	Murray	Robinson
Burroughs	Hultman	Nolin	Shaff
Curtis	Kelly	Nolting	Sovern
DeKoster	Kinley	Nystrom	Van Gilst
Doderer	Lamborn	Orr	Willits
Glenn	Merritt	Plymat	Winkelman
Hansen	Miller of Marshall	Redmond	
Hill of Jasper			

Absent or not voting, 6:

Briles	Palmer	Shaw	Taylor
Coleman	Rabedeaux		

Amendment S—3719 lost.

Senator Kelly offered amendment S—3712 filed by Senators Kelly and Willits and moved its adoption:

S—3712

Amend Senate File 496, page 3, line 2, by adding after the word "department" the words "or a law enforcement agency".

Amendment S—3712 was adopted.

Senator Hill of Jasper offered amendment S—3666 filed by him, moved its adoption, and requested a record roll call:

S—3666

Amend Senate File 496 as follows:

1. Page 6, line 20, by striking the words "unless all of the" and inserting in lieu thereof a period.
2. Page 6, by striking lines 21 through 35.
3. Page 7, by striking lines 1 through 35.
4. Page 8, by striking lines 1 through 22.

On the question "Shall amendment S—3666 be adopted?" (S.F. 496) the vote was:

Ayes, 15:

Andersen	Merritt	Nystrom	Schwengels
DeKoster	Miller of Marshall	Plymat	Scott
Heying	Murray	Priebe	Van Gilst
Hill of Jasper		Ramsey	Winkelman

Nays, 32:

Bergman	Gluba	Lamborn	Rabedeaux
Briles	Griffin	Miller of Des Moines	Redmond
Burroughs	Hansen	Nolin	Robinson
Carr	Hill of Polk	Nolting	Rodgers
Culver	Hultman	Norpel	Shaff
Curtis	Junkins	Orr	Sovern
Doderer	Kelly	Palmer	Tieden
Gallagher	Kinley		Willits
Glenn			

Absent or not voting, 3:

Coleman	Shaw	Taylor

Amendment S—3666 lost.

Senator Griffin offered amendment S—3737 by Senators Griffin and Carr, moved its adoption, and requested a record roll call:

S—3737

Amend Senate File 496 as follows:

1. Page 6, line 24, by inserting after the word "fee" the following words: "of twenty-five dollars".
2. Page 6, line 25, by striking the word "The".
3. Page 6, by striking lines 26 through 35.
4. Page 7, by striking lines 1 through 5.

On the question "Shall amendment S—3737 be adopted?" (S.F. 496) the vote was:

Ayes, 16:

Briles	Gluba	Hill of Polk	Nystrom
Burroughs	Griffin	Hultman	Rabedeaux
Carr	Hansen	Merritt	Schwengels
Gallagher	Heying	Norpel	Tieden

Nays, 32:

Andersen	Kelly	Nolting	Rodgers
Bergman	Kinley	Orr	Scott
Culver	Lamborn	Palmer	Shaff
Curtis	Miller of Des Moines	Plymat	Shaw
DeKoster	Miller of Marshall	Priebe	Sovern
Doderer	Murray	Ramsey	Van Gilst
Glenn	Nolin	Redmond	Willits
Hill of Jasper		Robinson	Winkelman
Junkins			

Absent or not voting, 2:

Coleman	Taylor

Amendment S—3737 lost.

Senator Hill of Polk offered amendment S—3696 filed by him, moved its adoption and requested a record roll call:

S—3696

Amend Senate File 496 as follows:

1. Page 6, line 34, by striking the words "but not more than fifty thousand dollars".

2. Page 7, by striking lines 1 through 5.

On the question "Shall amendment S—3696 be adopted?" (S.F. 496) the vote was:

Ayes, 19:

Andersen	Heying	Miller of Marshall	Redmond
Briles	Hill of Polk	Nolin	Schwengels
DeKoster	Lamborn	Rabedeaux	Shaff
Doderer	Merritt	Ramsey	Tieden
Griffin	Miller of Des Moines		
Hansen			

Nays, 28:

Bergman	Hill of Jasper	Norpel	Rodgers
Carr	Hultman	Nystrom	Scott
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
Gallagher	Kinley	Plymat	Van Gilst
Glenn	Murray	Priebe	Willits
Gluba	Nolting	Robinson	Winkelman

Absent or not voting, 3:

Burroughs	Coleman	Taylor

Amendment S—3696 lost.

Senator Hill of Polk offered amendment S—3697 filed by him, moved its adoption and requested a record roll call:

S—3697

Amend Senate File 496, page 7, lines 31 and 32, by striking the words "one hundred" and inserting the word "fifty".

On the question "Shall amendment S—3697 be adopted?" (S.F. 496) the vote was:

Ayes, 32:

Andersen	Heying	Murray	Scott
Bergman	Hill of Jasper	Nolin	Shaff
Burroughs	Hill of Polk	Nystrom	Shaw
Culver	Hultman	Orr	Sovern
Curtis	Kinley	Palmer	Tieden
DeKoster	Lamborn	Plymat	Van Gilst
Doderer	Merritt	Rabedeaux	Winkelman
Glenn	Miller of Marshall	Robinson	
Hansen			

Nays, 15:

Briles	Junkins	Nolting	Redmond
Carr	Kelly	Norpel	Rodgers
Gallagher	Miller of Des Moines	Priebe	Willits
Gluba		Ramsey	
Griffin			

Absent or not voting, 3:

Coleman	Schwengels	Taylor

Amendment S—3697 was adopted.

Senator Carr offered amendment S—3739 by Senators Carr and Tieden:

S—3739

Amend Senate File 496, as follows:

Division S—3739A

1. Page 6, line 32, by striking the word "fifty" and inserting in lieu thereof the word "twenty-five".

Division S—3739B

2. Page 6, line 35, by striking the words "one hundred" and inserting in lieu thereof the word "fifty".

3. Page 7, line 3, by striking the word "two" and inserting in lieu thereof the word "one".

4. Page 7, by striking line 5, and inserting in lieu thereof the following:

"dollars but not more than two hundred fifty thousand dollars, the fee is two hundred fifty dollars.

(5) For gross receipts of more than two hundred fifty thousand dollars, the fee is five hundred dollars."

Senator Lamborn called for a division of the amendment, section 1 to be considered as division S—3739A; sections 2, 3, and 4 to be considered as division S—3739B.

On motion of Senator Carr, division S—3739A of the amendment was adopted.

Senators Carr and Tieden withdrew division S—3739B of the amendment.

Senator Kinley offered amendment S—3716 by Senators Kinley and Lamborn and moved its adoption:

S—3716

Amend Senate File 496 as follows:

1. Page 7, line 34, by inserting after the period the following sentence:

"For the purpose of this paragraph a person wins the total amount at stake in any game, wager or bet, regardless of any amount that person may have contributed to the amount at stake."

2. Page 16, line 13, by inserting after the period the following sentence:

"For the purpose of this paragraph a person wins the total amount at stake in any game, wager or bet, regardless of any amount that person may have contributed to the amount at stake."

Amendment S—3716 was adopted.

Senator Lamborn asked and received unanimous consent to withdraw amendment S—3694 filed by Senators Lamborn and Kinley on May 5, 1975, and found on pages 1245 and 1246 of the Senate Journal.

Senator Lamborn offered amendment S—3728 by Senators Lamborn and Kinley:

S—3728

Amend Senate File 496 as follows:

1. Page 8, by striking line 27, and inserting in lieu thereof the following:

"1. Except as otherwise provided in section ten (10) of this Act, games of skill, games of chance and raffles lawfully".

2. Page 12, by striking lines 25 through 34, and inserting in lieu thereof the following:

"99B.8 ANNUAL GAME NIGHT.

1. Games of skill, games of chance, card games and raffles lawfully may be conducted during a period of twelve consecutive hours once each year at any location, or by any person, except one for which a license is required pursuant to section five (5) or section seven (7) of this Act, or except a location covered by a class 'B', class 'C', or class 'D' liquor control license, or any beer permit, but only if all of the following are complied with:

a. The sponsor of the event has been issued a license pursuant to subsection two (2) of this section and prominently displays that license on the premises covered by the license."

2. Pages 12 and 13, lines 35, 2, 5, 7 and 10, by relettering the paragraphs in conformity with section one (1) of this amendment.

3. Page 13, by inserting after line 12, the following:

"2. The other provisions of this section notwithstanding, if the games or raffles are conducted by a qualified organization also licensed under section nine (9) of this Act, the sponsor may charge an entrance fee or a fee to participate in the games or raffles, and participants may wager their own funds and pay an entrance or other fee for participation, provided that a participant may not expend more than a total of fifty dollars for all fees and wagers. The provisions of paragraphs b and c of subsection three (3) of section nine (9) of this Act shall apply to games and raffles conducted by a qualified organization pursuant to this section.

3. The department may issue a license pursuant to this section only once during a calendar year to any one person or for any one location. The license may be issued only upon submission to the department of an application and a license fee of twenty-five dollars."

4. Page 13, by inserting after line 17 the following heading:

"DIVISION III
GAMES FOR WHICH A LICENSE IS NOT REQUIRED".

Senator Griffin asked and received unanimous consent that further action on amendment S—3728 be deferred.

Senator Hill of Polk offered amendment S—3698 filed by him and moved its adoption:

S—3698

Amend Senate File 496, as follows:

1. Page 10, line 22, by striking the word "However" and all of lines 23 through 35.

2. Page 11, by striking lines 1 and 2.

A record roll call was requested.

On the question "Shall amendment S—3698 be adopted?" (S.F. 496) the vote was:

Ayes, 13:

Andersen	Hill of Jasper	Orr	Van Gilst
Bergman	Hill of Polk	Plymat	Willits
DeKoster	Merritt	Shaff	Winkelman
Hansen			

Nays, 31:

Burroughs	Curtis	Glenn	Heying
Carr	Doderer	Gluba	Hultman
Culver	Gallagher	Griffin	Junkins

Kelly	Murray	Rabedeaux	Schwengels
Kinley	Nolin	Ramsey	Scott
Lamborn	Nolting	Redmond	Shaw
Miller of	Norpel	Robinson	Sovern
Des Moines	Priebe	Rodgers	Tieden

Absent or not voting, 6:

Briles	Miller of	Nystrom	Taylor
Coleman	Marshall	Palmer	

Amendment S—3698 lost.

Senator Hill of Polk offered amendment S—3695 filed by him and moved its adoption:

S—3695
1 Amend Senate File 496, page 12, by striking
2 lines 28 and 29, and inserting in lieu thereof
3 the following:
4 "1. Raffles, and social games permitted by
5 subsection two (2) of section".

Amendment S—3695 was adopted.

(Senate File 496 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 512, by committee on natural resources, a bill for an act relating to quarterly reporting by certain state agencies to certain standing committees of the general assembly.

Read first time and **placed on calendar.**

Senate File 513, by committee on energy, a bill for an act relating to the establishment and construction of large energy facilities.

Read first time and referred to the committee on **commerce** (under Senate Rule 38).

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 on April 28, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 371, a bill for an act relating to the issuance of migratory waterfowl stamps and providing a penalty.

Also: That the House has on May 2, 1975, 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 488, a bill for an act to allow the state conservation commission to gather or remove certain plant life from parks.

Also: That the House has on May 1, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 584, a bill for an act relating to competition between business, commercial, or professional entities, prohibiting unreasonable restraints of economic activities, providing for enforcement, and providing criminal and civil penalties.

Also: That the House has on May 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 811, a bill for an act relating to the military service tax exemption and making the Act retroactive.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 584, a bill for an act relating to competition between business, commercial, or professional entities, prohibiting unreasonable restraints of economic activities, providing for enforcement, and providing criminal and civil penalties.

Read first time and **passed on file.**

House File 811, a bill for an act relating to the military service tax exemption and making the Act retroactive.

Read first time and **passed on file.**

HOUSE AMENDMENT TO SENATE FILE 371

S—3727

Amend Senate File 371, as amended and passed by the Senate, as follows:

Page 1, line 33, by striking the word and numeral "December 31" and inserting in lieu thereof the following: "[December 31] *the last day of February*".

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 488

S—3726

Amend the Senate amendment H—3707 to House File 488, as passed by the House, as follows:

By striking lines 8 through 13 of the amendment.

RETURNED TO CALENDAR

Senator Kinley asked and received unanimous consent that **House File 185** be placed on the regular **calendar** for the purpose of reconsideration and amendment.

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

S. F. 510 Judiciary

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 5

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 5, a bill for an act relating to the membership of the board of review, respectfully make the following recommendations:

1. That the House recede from the House amendment, S—3188, to Senate File 5, as amended and passed by the Senate.

2. That the Senate recede from its amendments, S—3054, S—3050, and S—3048A, to Senate File 5.

3. That Senate File 5 be amended to read as follows:

1. Page 1, line 28, by inserting after the word *"review"* the words *"prior to December 31, 1975,"*.

2. Page 1, by adding after line 32 the following new section:

"Sec. 2. Section four hundred forty-one point thirty-three (441.33), Code 1975, is amended to read as follows:

441.33 SESSIONS BOARD OF REVIEW. The board of review shall be in session from May 1 to May 31, [both inclusive,] each year and for such additional period as may be required under section 441.37 and shall hold as many meetings as are necessary to discharge its duties. *A majority of the members shall be present before the board may conduct any of its business.* On June 1 in any year in which a session has not been extended as required under section 441.37, said board shall return all books, records and papers to the assessor except undisposed of protests and records pertaining thereto. If it has not completed its work prior to June 1, in those years in which the session has not been extended under section 441.37 the director of revenue may authorize the board of review to continue in session for such period as is necessary to complete its work, but in no event shall the director of revenue approve a continuance extending beyond August 1. On June 1 or on the final day of any extended session required under section 441.37 or authorized by the director of revenue as herein provided the board of review shall be adjourned until May 1 of the following year. It shall adopt its own rules of procedure, elect its own chairman from its membership, and keep minutes of its meetings. The board shall appoint a clerk who may be a member of such board or any other qualified person, except the assessor or any member of his staff. It may be reconvened by the director of revenue. All undisposed protests in its hands on August 1 shall be automatically overruled and returned to the assessor together with its other records.

Within fifteen days following the adjournment of any regular or special session, the board of review shall submit to the director of revenue, on forms prescribed by the director, a report of any actions taken during that session."

3. Amend the title, line 1, by striking the words "membership of the".

On the Part of the Senate:	On the Part of the House:
BASS VAN GILST, Chairman	JAY MENNENGA, Chairman
WARREN E. CURTIS	WAYNE BENNETT
CHARLES P. MILLER	EDGAR H. BITTLE
JOHN S. MURRAY	EMIL S. PAVICH
JAMES M. REDMOND	RUSSELL L. WYCKOFF

EXPLANATION OF VOTE

MR. PRESIDENT: I was not present in the Senate on Monday morning, May 5, 1975, when the votes were taken on several bills. Had I been present, I would have voted "aye" on House Files 780, 760, and 424, Senate Files 504 and 505, and Senate Joint Resolution 6. I was also necessarily absent from the Senate chamber when the vote was taken on Senate File 506. Had I been present, I would have voted "aye".

WILLARD R. HANSEN

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Neu, in accordance with Section 17A.2, Code 1973, announced the appointment of the following Senators to the Departmental Rules Review Committee for interim terms beginning May 1, 1975, and ending June 30, 1975: E. Kevin Kelly, Minnette F. Doderer and Berl E. Priebe.

REPORTS OF COMMITTEES

Senator Robinson submitted the following reports:

MR. PRESIDENT: Your committee on labor and industrial relations to which was referred **Senate File 382**, a bill for an act relating to the payment of pay to correctional employees for work performed in excess of eight hours per day, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLOYD E. ROBINSON, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on labor and industrial relations to which was referred **House File 243**, a bill for an act relating to absences of public employees for medically-related disability, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLOYD E. ROBINSON, Chairman

Ordered passed on file.

Senator Heying submitted the following reports:

MR. PRESIDENT: Your committee on natural resources to which was referred **Senate File 73**, a bill for an act relating to development of a

program by the state conservation commission in regards to persons who have moved or constructed dwellings on land owned by the state, 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:**

S—3723

Amend Senate File 73 as follows:

1. Page 1, line 2, by striking the figure "1.".

2. Page 1, line 4, by striking the words "a third party or" and inserting the words "the Chicago, Milwaukee, St. Paul and Pacific Railroad Company and".

3. Page 1, line 5, after the word "located" insert the words "was abandoned and".

4. Page 1, line 9, by striking the word "land." and inserting the words "undeveloped land which is presently not in a park preserve, forest, or other maintained area until July 1, 1978. The actual vacating of the land shall be complete by August 31, 1978.".

5. Page 1, by striking lines 10 through 35.

6. Page 2, by striking lines 1 and 2.

7. Title page, lines 1 and 2, by striking the words "the development of a program by the state conservation commission in regard to".

HILARIUS L. HEYING, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on natural resources to which was referred **House File 59**, a bill for an act exempting military personnel from obtaining a hunting or fishing license, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HILARIUS L. HEYING, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on natural resources to which was referred **House File 156**, a bill for an act relating to the disposition of certain game by the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HILARIUS L. HEYING, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on natural resources to which was referred **House File 497**, a bill for an act relating to the conservation management and protection of fish, plant life, and wildlife species endangered

or threatened with extinction and prescribing penalties, begs leave to **report it has had the same under consideration** and recommends the same **do pass.**

HILARIUS L. HEYING, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3729

Amend Senate File 104 as follows:

1. Page 1, lines 3, 4 and 5, by striking the words "from the United States civil service retirement and disability trust fund" and inserting in lieu thereof the words ", a pension or benefits under a retirement plan, whether public or private, any of which are approved by the commissioner of internal revenue".

2. Page 1, by striking lines 12 and 13 and inserting in lieu thereof the words ", a pension or benefits received under a retirement plan, whether public or private, any of which are approved by the commissioner of internal revenue, and which are not already excluded in".

3. Amend the title, lines 1 and 2, by striking the words "United States civil service retirement and disability annuities" and inserting in lieu thereof the words "annuities, pensions, and benefits received under retirement plans".

WARREN E. CURTIS
ELIZABETH SHAW

S—3717

Amend the Norpel, et al., amendment S—3616 to Senate File 228 as follows:

1. By striking lines 13 through 15 on page 1.

2. By striking lines 30 through 50 on page 1 and lines 1 through 3 on page 2, and inserting in lieu thereof the following:

"Sec. 3. *NEW SECTION.* OPERATION AND MAINTENANCE MANUAL. Every new bicycle sold in Iowa shall include an instruction manual tied to the frame or included in the packaging. This manual shall include, but not be limited to, the following information:

a. Operating and safety instructions including all applicable state laws or summaries thereof;

b. Maintenance instructions for proper maintenance of brakes, control cables, bearing adjustments, lubrication, reflectors, tires, and handlebar and seat adjustments.

If in the judgment of the manufacturer certain maintenance is beyond the capability of the consumer, the maintenance instruction manual shall include a list of the locations of service facilities where such maintenance can be obtained.

Sec. 4. *NEW SECTION.* ASSEMBLY REQUIREMENTS. Any bicycle sold to a consumer in the state of Iowa in less than fully assembled condition shall include a manual and a description of the tools with detailed instructions on how to assemble the bicycle. The list of tools necessary to assemble and adjust the bicycle shall be disclosed clearly on promotional display material and on the shipping carton.

Sec. 5. *NEW SECTION.* ASSEMBLY CHARGE. If a bicycle is sold to a consumer in less than fully assembled condition, the charge for completely assembling the bicycle must be clearly posted on any promotional material and at the same place as the price of the bicycle is displayed."

RICHARD J. NORPEL, SR.

S—3740

Amend Senate File 432, page 5, by striking lines 2 through 9, inclusive, and inserting in lieu thereof the following:

"Sec. 11. *NEW SECTION.* POWERS MAY BE EXERCISED BY NATIONAL BANKS, SAVINGS AND LOAN ASSOCIATIONS. The powers which state banks are authorized by sections five hundred twenty-four point one thousand two hundred one (524.1201), five hundred twenty-four point one thousand two hundred two (524.1202) of the Code, and sections six (6) through ten (10) of this Act may also be exercised by national banks which are so authorized by applicable federal law and by savings and loan associations licensed under chapter five hundred thirty-four (534) of the Code, but only upon the same terms and conditions as are required of state banks by this Act."

CALVIN O. HULTMAN

S—3741

Amend Senate File 496 as follows:

1. Page 6, line 35, by striking the words "one hundred" and inserting in lieu thereof the word "fifty".

2. Page 7, line 3, by striking the word "two" and inserting in lieu thereof the word "one".

3. Page 7, by striking line 5, and inserting in lieu thereof the following:

"dollars but not more than two hundred fifty thousand dollars, the fee is two hundred fifty dollars.

(5) For gross receipts of more than two hundred fifty thousand dollars, the fee is five hundred dollars."

W. R. RABEDEAUX

S—3745

Amend Senate File 496, page 8, by inserting after line 22, the following:

"5. Notwithstanding any other provisions of this Act, no license shall be issued pursuant to this section to the holder of a liquor control license or beer permit covering premises located within the boundary of any county unless the proposition to permit gambling in licensed beer or liquor establishments has been approved by a majority vote of the qualified electors of that county voting at a general or special election held in accordance with the election laws of this state.

The state commissioner of elections shall adopt rules and regulations for such elections, including but not limited to the procedure for calling and setting the date of the election, the form of the ballot, and all other necessary procedures not specified by law."

RICHARD R. RAMSEY
WARREN E. CURTIS
WILLIAM P. WINKELMAN
FORREST V. SCHWENGELS

S—3734

Amend Senate File 496 as follows:

1. Page 15, line 15, by striking the word "or".

2. Page 15, line 16, by inserting after the number "(10)" the words ", or section fourteen (14)".

3. Page 17, by inserting after line 12, the following:

"Sec. 14. Chapter ninety-nine B (99B), Code 1975, is amended by adding the following new section:

Sec. ..... *NEW SECTION.* GAMBLING IN PRIVATE RESIDENCE.

Individuals lawfully may participate in gambling without limitation as to the type of game or activity, and without limitation as to the amount wagered, bet, won or lost, but only if all of the following are complied with:

a. The gambling occurs only within the living quarters of the bona fide residence of a participant in the gambling.

b. All participants in the gambling are individuals, and no participant participates as the agent of another person who is not a participant.

c. The gambling shall be fair and honest, and shall not be designed, devised or adapted to permit predetermination of the winner, or to prevent a participant from winning.

d. The gambling is incidental to a bona fide social relationship between all participants.

e. No person receives or has any fixed or contingent right to receive, directly or indirectly, any profit, remuneration, or compensation from or as a result of the gambling, except any amount which the person may win as a participant on the same basis as every other participant.

f. In any game requiring a dealer or operator, the participants must be given the right to take their turn at dealing or operating the game in a regular order according to the standard rules of the game.

4. By renumbering the remaining sections of the bill in accordance with this amendment.

NORMAN RODGERS

S—3733

Amend Senate File 496, page 16, line 11, by striking the words "in any game", and inserting in lieu thereof the words "in one or more games or activities".

WILLIAM P. WINKELMAN
EARL M. WILLITS

S—3731

Amend Senate File 496, page 18, by inserting after line 21 the following:

"NEW SECTION. GAMBLING ON CREDIT UNLAWFUL. A person who tenders and a person who receives any promise, agreement, note, bill, bond, contract, mortgage or other security, or any negotiable instrument, as consideration for any wager or bet, whether or not lawfully conducted or engaged in pursuant to this chapter, commits a misdemeanor. This section shall not prohibit the payment by check of an entry or participation fee assessed by the sponsor of a contest lawful under section thirteen (13) of this Act.

RICHARD R. RAMSEY
LUCAS J. DeKOSTER
NORMAN RODGERS
WILLIAM P. WINKELMAN
RICHARD J. NORPEL, SR.

S—3722

Amend Senate File 496, page 20, line 3, by striking the words *"and 'pickles' "* and inserting in lieu thereof the words *", jar tickets and pull-tabs"*.

E. KEVIN KELLY
EARL M. WILLITS

S—3725

Amend Senate File 496, page 20, line 12 by inserting following the word "public" the words *"with the intent to promote or further"*.

ROBERT M. CARR

S—3744

Amend Senate File 496, page 21, by inserting after line 4 the following:

"Sec. ..... Chapter seven hundred twenty-six (726), Code 1975, is amended by adding the following new sections:

NEW SECTION. PROTECTION MONEY PROHIBITED.

Any officer or employee of this state, or of a county, city, or judicial district who asks for, receives or collects any money or other consideration for and with the understanding that the officer or employee will aid, exempt, or otherwise protect another person from detection, arrest or conviction of any violation of this chapter or chapter ninety-nine B (99B) of the Code commits a felony punishable by a fine not to exceed five thousand dollars or by imprisonment in the state penitentiary for a term not to exceed two years, or by both fine and imprisonment.

NEW SECTION. COLLECTION SERVICE PROHIBITED.

Any person who knowingly offers, gives or sells his or her services for use in collecting or enforcing any debt arising from gambling, whether or not lawful gambling, commits a felony, punishable by a fine not to exceed five thousand dollars or by imprisonment in the state penitentiary for a term not to exceed two years, or by both fine and imprisonment."

RICHARD R. RAMSEY
NORMAN RODGERS
JAMES V. GALLAGHER
CALVIN O. HULTMAN
CLIFTON C. LAMBORN
LOWELL L. JUNKINS

S—3721

Amend the Kinley and Lamborn amendment, S—3691, to Senate File 496, as follows:

1. Page 1, line 14, by striking the words "as owner," and inserting in lieu thereof the words "as an owner or tenant".

2. Page 1, line 15, by striking the words "lessee or other".

3. Page 2, line 40, by striking the word and numeral "Page 17" and inserting in lieu thereof the word and numeral "Page 13".

GEORGE R. KINLEY
CLIFTON C. LAMBORN

S—3715

Amend the Kinley and Lamborn amendment, S—3691, to Senate File 496, page 2, line 5, by inserting after the period the following sentence:

"For the purpose of this paragraph, a person wins the total amount at stake in any game, wager or bet, regardless of any amount that person may have contributed to the amount at stake."

GEORGE R. KINLEY
CLIFTON C. LAMBORN

S—3724

Amend the Kinley and Lamborn amendment S—3691, page 2, line 37, by striking the words "or sponsor of".

JAMES M. REDMOND

S—3743

Amend the Lamborn-Kinley amendment S—3728 to Senate File 496 by striking from line 16 the words "class 'B',".

JAMES W. GRIFFIN, SR.

S—3738

Amend the Kelly and Willits amendment, S—3730, to Senate File 496 on line 8 by striking "14(2)(c)" and inserting in lieu thereof the following: "fourteen (14), subsection two (2), paragraph c (c), of this Act".

E. KEVIN KELLY

S—3742

Amend Senate File 501 as follows:

1. Page 1, line 6, by inserting after the word "of" the words "special purpose".

2. Page 1, line 9, by inserting after the word "comparable" the words "special purpose".

3. Page 1, line 10, by inserting after the word "such" the words "special purpose".

4. Page 1, line 14, by inserting before the word "industrial" the words "special purpose".

5. Amend the title, line 2, by inserting before the word "industrial" the words "special purpose".

E. KEVIN KELLY
CLOYD E. ROBINSON

S—3735

Amend Senate File 511 as follows:

1. Page 2, by striking lines 19 through 35 and striking lines 1 through 5 on page 3 and inserting in lieu thereof the following:

"Sec. 3. Section one hundred six point five (106.5), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. If the owner of a registered vessel places such vessel in storage, he shall return the registration certificate to the county recorder with an affidavit stating that the vessel is placed in storage and the effective date of such storage. The county recorder shall notify the commission of each registered vessel placed in storage. When the owner of a stored vessel desires to renew the vessel's registration, he shall make application to the county recorder and pay the registration fees as provided in subsections one (1) and three (3) of

this section without penalty. No refund of registration fees shall be allowed for a stored vessel."

COMMITTEE ON NATURAL RESOURCES
HILARIUS L. HEYING, Chairman

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Wednesday, May 7, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MAY 7, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Samuel F. Hochstater, pastor of the First Baptist Church, Des Moines, Iowa.

The Journal of Tuesday, May 6, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Boeke, Osage, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kelly for the day on request of Senator Lamborn.

DISTINGUISHED GUEST

President pro tempore Doderer welcomed the Honorable Robert D. Fulton who served as Lieutenant Governor from 1965 through 1968 and Governor in 1969. He also served as a member of the Senate and the House of Representatives from Black Hawk County.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Joe N. Wilson, former member of the Senate from Appanoose County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fourteen students from the United Community School, Boone, Iowa, accompanied by Marvin Hanson. Senator Nystrom.

Thirteen students from Burlington High School, Burlington, Iowa, accompanied by their instructor, Dick Wagner, and Dave Bliven. Senator Miller of Des Moines.

PETITIONS

The following petitions were presented and placed on file:

By Senator Shaw from one hundred thirty-three residents of Scott County favoring improvements in the Iowa Public Employees Retirement System.

By Senator Sovern from forty-three employees of the Linn County Department of Social Services favoring consideration of sixteen years as the minimum age requirement for securing a high school equivalency certificate.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Van Gilst from six hundred ninety-eight residents of Mahaska, Marion and Warren Counties.

Senator Nolin from four hundred seventy-nine residents of the Twenty-eighth Senatorial District.

Senator Taylor from three hundred eighty-five residents of Hardin and adjoining counties.

Senator Willits from four hundred thirty-five residents of Polk County.

Senator Ramsey from eight hundred two residents of the Forty-seventh Senatorial District.

Senator Bergman from seven hundred forty-three residents of the Second Senatorial District.

Senator Norpel from thirty-six residents of Jackson and adjoining counties.

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 on May 5, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 121, a bill for an act relating to compensation of the clerk of the grand jury.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 193, a bill for an act to amend chapter 135C of the Code so as to change the defined term "adult foster home" to "adult foster family home" and to make certain related changes in the use of that term.

Also: That the House has on May 5, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 214, a bill for an act relating to the membership of the energy policy council.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 329, a bill for an act relating to the disbursement of costs in actions on appeal to the supreme court.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 383, a bill for an act to authorize name changes for school districts.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 283, a bill for an act relating to interest payments to customers of public utilities.

Also: That the House has on May 6, 1975, concurred in Senate amendment to and passed the following bill:

House File 351, a bill for an act relating to the payment of wages and expenses by an employer and providing a civil money penalty.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 782, a bill for an act relating to providing Codes to separate offices of the clerk of the district court and sheriff substations.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 814, a bill for an act relating to the purchase and use of state motor vehicles and use of private motor vehicles for state business.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 816, a bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations.

Also: That the House has on May 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 835, a bill for an act providing that certain ammunition and firearms shall be deposited with the state criminalistics laboratory.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 121

S—3746

Amend Senate File 121 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section seven hundred seventy point nineteen (770.19), Code 1975, is amended to read as follows:

770.19 COMPENSATION. Such clerk shall receive compensation at the rate [of eight dollars per day

for time actually and necessarily employed in the performance of the duties prescribed in this chapter] *set by the court subject to the approval of the board of supervisors.*

Sec. 2. Sections seven hundred seventy point twenty (770.20) and seven hundred seventy point twenty-one (770.21), Code 1975, are repealed."

HOUSE AMENDMENT TO SENATE FILE 214

S—3747

Amend Senate File 214 as passed by the Senate as follows:

Page 1, line 20, by inserting after the period the sentence "*If an ex officio nonvoting member is unable to attend a meeting of the council, the member shall designate a replacement who shall be authorized to represent the member at the meeting.*"

HOUSE MESSAGES CONSIDERED

House File 283, a bill for an act relating to interest payments to customers of public utilities.

Read first time and **passed on file.**

House File 782, a bill for an act relating to providing codes to separate offices of the clerk of the district court and sheriff substations.

Read first time and **passed on file.**

House File 814, a bill for an act relating to the purchase and use of state motor vehicles and use of private motor vehicles for state business.

Read first time and **passed on file.**

House File 816, a bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations.

Read first time and **passed on file.**

House File 835, a bill for an act providing that certain ammunition and firearms shall be deposited with the state criminalistics laboratory.

Read first time and **passed on file.**

CONSIDERATION OF BILLS

Senate File 488

On motion of Senator Glenn, Senate File 488, a bill for an act relating to the political affiliation of persons serving on state

boards, commissions, and councils, was taken up for consideration.

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?" (S.F. 488) the vote was:

Ayes, 31:

Andersen	Heying	Murray	Robinson
Carr	Hill of Jasper	Nolin	Rodgers
Coleman	Junkins	Nolting	Scott
Culver	Kinley	Norpel	Sovern
Curtis	Lamborn	Orr	Tieden
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	
Hansen			

Nays, 15:

Bergman	Hill of Polk	Nystrom	Shaff
Briles	Hultman	Plymat	Shaw
Burroughs	Miller of Marshall	Ramsey	Winkelman
DeKoster		Schwengels	
Griffin			

Absent or not voting, 4:

Doderer	Kelly	Rabedeaux	Taylor

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 488 passed the Senate on Wednesday, May 7, 1975.

CLIFTON C. LAMBORN

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Orr called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Dolph Pulliam of Des Moines, Polk County, Iowa, for reappointment as a member of the Council on Social Services for the State of Iowa under the provisions of Section 217.2, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends the appointment be confirmed.

JOAN ORR, Chairman
JAMES W. GRIFFIN, SR.
CHARLES P. MILLER
WILLIAM N. PLYMAT
JAMES M. REDMOND

The motion prevailed and the report was adopted.

Senator Orr moved the appointment of Dolph Pulliam as a member of the Council on Social Services be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kinley	Orr	Shaw
Culver	Lamborn	Palmer	Sovern
Curtis	Merritt	Plymat	Tieden
DeKoster	Miller of Des Moines	Priebe	Van Gilst
Glenn	Miller of Marshall	Rabedeaux	Willits
Gluba		Ramsey	Winkelman
Griffin		Redmond	
Hansen			

Nays, none.

Absent or not voting, 4:

Doderer	Gallagher	Kelly	Taylor

President Neu declared the appointment of Dolph Pulliam as a member of the Council on Social Services confirmed for the regular six-year term ending June 30, 1981.

Senator Scott called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Gretchen N. Schreffler, D.C., of Iowa City, Johnson County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of Sections 147.12 through 147.20, Code 1975, for the regular one-year term beginning July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
CLIFF BURROUGHS
MINNETTE DODERER
WILLIAM E. GLUBA
WILLARD R. HANSEN

The motion prevailed and the report was adopted.

Senator Scott moved the appointment of Gretchen N. Schreffler, D.C., as a member of the State Board of Chiropractic Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolting	Rodgers
Briles	Hill of Jasper	Norpel	Schwengels
Burroughs	Hill of Polk	Nystrom	Scott
Carr	Hultman	Orr	Shaff
Coleman	Junkins	Palmer	Shaw
Culver	Lamborn	Plymat	Sovern
Curtis	Merritt	Priebe	Tieden
DeKoster	Miller of	Rabedeaux	Van Gilst
Glenn	Des Moines	Ramsey	Willits
Gluba	Miller of	Redmond	Winkelman
Griffin	Marshall		

Nays, none.

Absent or not voting, 6:

Doderer	Kelly	Nolin	Taylor
Gallagher	Kinley		

President Neu declared the appointment of Gretchen N. Schreffler as a member of the State Board of Chiropractic Examiners confirmed for the regular one-year term ending June 30, 1976.

On motion of Senator Kinley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 514, by Senator Schwengels, a bill for an act relating to the establishment and functions of the Iowa police radio system.

Read first time and passed on file.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

Senate File 496

The Senate resumed consideration of Senate File 496, a bill for an act relating to gambling, and providing penalties.

Senator Rodgers withdrew amendment S—3688 filed by him on April 2, 1975, and found on page 1207 of the Senate Journal.

Senator Rodgers offered amendment S—3734 filed by him:

S—3734

Amend Senate File 496 as follows:

1. Page 15, line 15, by striking the word "or".

2. Page 15, line 16, by inserting after the number "(10)" the words ", or section fourteen (14)".

3. Page 17, by inserting after line 12, the following:

"Sec. 14. Chapter ninety-nine B (99B), Code 1975, is amended by adding the following new section:

Sec. ..... *NEW SECTION.* GAMBLING IN PRIVATE RESIDENCE.

Individuals lawfully may participate in gambling without limitation as to the type of game or activity, and without limitation as to the amount wagered, bet, won or lost, but only if all of the following are complied with:

a. The gambling occurs only within the living quarters of the bona fide residence of a participant in the gambling.

b. All participants in the gambling are individuals, and no participant participates as the agent of another person who is not a participant.

c. The gambling shall be fair and honest, and shall not be designed, devised or adapted to permit predetermination of the winner, or to prevent a participant from winning.

d. The gambling is incidental to a bona fide social relationship between all participants.

e. No person receives or has any fixed or contingent right to receive, directly or indirectly, any profit, remuneration, or compensation from or as a result of the gambling, except any amount which the person may win as a participant on the same basis as every other participant.

f. In any game requiring a dealer or operator, the participants must be given the right to take their turn at dealing or operating the game in a regular order according to the standard rules of the game.

4. By renumbering the remaining sections of the bill in accordance with this amendment.

Action on amendment S—3734 was temporarily deferred.

Senator Willits offered amendment S—3710 filed by Senators Kelly and Willits and moved its adoption:

S—3710

Amend Senate File 496, as follows:

1. Page 15, line 26, by adding a period after

the word "person".

2. Page 15, by striking line 27.

Amendment S—3710 was adopted.

Senator Lamborn offered amendment S—3690 filed by Senators Lamborn and Kinley and moved its adoption:

S—3690

Amend Senate File 496, page 16, lines 9 and 10, by striking the words "one hundred" and inserting in lieu thereof the word "fifty".

Amendment S—3690 was adopted.

Senator Winkelman offered amendment S—3733 filed by Senators Winkelman and Willits and moved its adoption:

S—3733

Amend Senate File 496, page 16, line 11, by striking the words "in any game", and inserting in lieu thereof the words "in one or more games or activities".

Amendment S—3733 was adopted.

Senator Willits offered amendment S—3714 filed by Senators Kelly and Willits and moved its adoption:

S—3714

Amend Senate File 496, page 16, line 28, by inserting after the word "pushcard" the word ", pull-tab".

Amendment S—3714 was adopted.

Senator Ramsey offered amendment S—3731 filed by Senators Ramsey, et al.:

S—3731

Amend Senate File 496, page 18, by inserting after line 21 the following:

"*NEW SECTION.* GAMBLING ON CREDIT UNLAWFUL. A person who tenders and a person who receives any promise, agreement, note, bill, bond, contract, mortgage or other security, or any negotiable instrument, as consideration for any wager or bet, whether or not lawfully conducted or engaged in pursuant to this chapter, commits a misdemeanor. This section shall not prohibit the payment by check of an entry or participation fee assessed by the sponsor of a contest lawful under section thirteen (13) of this Act.

President pro tempore Doderer took the chair at 2:45 p.m.

Senator Ramsey moved the adoption of amendment S—3731.

A record roll call was requested.

On the question "Shall amendment S—3731 be adopted?" (S.F. 496) the vote was:

Ayes, 38:

Andersen	Hill of Jasper	Norpel	Schwengels
Bergman	Hill of Polk	Nystrom	Scott
Burroughs	Hultman	Orr	Shaff
Culver	Junkins	Palmer	Shaw
Curtis	Kinley	Plymat	Sovern
DeKoster	Lamborn	Priebe	Taylor
Doderer	Miller of Marshall	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Hansen	Murray	Robinson	Winkelman
Heying	Nolin	Rodgers	

Nays, 9:

Briles	Gluba	Miller of Des Moines	Redmond
Carr	Merritt	Nolting	Tieden
Gallagher			

Absent or not voting, 3:

Coleman	Griffin	Kelly

Amendment S—3731 was adopted.

The Senate resumed consideration of amendment S—3734 previously deferred.

Senator Rodgers offered amendment S—3752 to amendment S—3734 and moved its adoption:

S—3752

Amend the Rodgers amendment S—3734 to Senate File 496, as follows:

1. Line 4, by striking "fourteen (14)" and inserting in lieu thereof "fifteen (15)".

2. Line 7, by striking the number "14" and inserting in lieu thereof the number "15".

Amendment S—3752 to amendment S—3734 was adopted.

Senator Rodgers moved the adoption of amendment S—3734 as amended.

A record roll call was requested.

On the question "Shall amendment S—3734 as amended be adopted?" (S.F. 496) the vote was:

Ayes, 10:

Carr	Gluba	Priebe	Rodgers
Curtis	Nolting	Ramsey	Tieden
Gallagher	Norpel		

Nays, 39:

Andersen	Heying	Miller of Marshall	Robinson
Bergman	Hill of Jasper	Murray	Schwengels
Briles	Hill of Polk	Nolin	Scott
Burroughs	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Redmond	Willits
Griffin			Winkelman
Hansen			

Absent or not voting, 1:

Kelly

Amendment S—3734 as amended lost.

Senator Willits asked and received unanimous consent to withdraw amendment S—3711 filed by Senators Kelly and Willits on May 5, 1975, and found on page 1246 of the Senate Journal.

Senator Willits offered amendment S—3722 filed by Senators Kelly and Willits and moved its adoption:

S—3722

Amend Senate File 496, page 20, line 3, by striking the words *"and 'pickles' "* and inserting in lieu thereof the words *", jar tickets and pull-tabs"*.

Amendment S—3722 was adopted.

Senator Carr offered amendment S—3725 filed by him and moved its adoption:

S—3725

Amend Senate File 496, page 20, line 12 by inserting following the word "public" the words *"with the intent to promote or further"*.

A record roll call was requested.

On the question "Shall amendment S—3725 be adopted?" (S.F. 496) the vote was:

Rule 25 was invoked.

Ayes, 23:

Carr	Hill of Polk	Murray	Redmond
Coleman	Junkins	Nolting	Rodgers
Culver	Kinley	Norpel	Shaw
Gallagher	Merritt	Orr	Sovern
Glenn	Miller of Des Moines	Palmer	Tieden
Gluba		Priebe	
Griffin			

Nays, 25:

Andersen	Hansen	Nystrom	Scott
Bergman	Heying	Plymat	Shaff
Briles	Hill of Jasper	Rabedeaux	Taylor
Burroughs	Hultman	Ramsey	Van Gilst
Curtis	Lamborn	Robinson	Willits
DeKoster	Miller of Marshall	Schwengels	Winkelman
Doderer			

Absent or not voting, 2:

Kelly	Nolin

Amendment S—3725 lost.

Senator Ramsey offered amendment S—3744 filed by Senators Ramsey, et al., and moved its adoption:

S—3744

Amend Senate File 496, page 21, by inserting after line 4 the following:

"Sec. ..... Chapter seven hundred twenty-six (726), Code 1975, is amended by adding the following new sections:

NEW SECTION. PROTECTION MONEY PROHIBITED.

Any officer or employee of this state, or of a county, city, or judicial district who asks for, receives or collects any money or other consideration for and with the understanding that the officer or employee will aid, exempt, or otherwise protect another person from detection, arrest or conviction of any violation of this chapter or chapter ninety-nine B (99B) of the Code commits a felony punishable by a fine not to exceed five thousand dollars or by imprisonment in the state penitentiary for a term not to exceed two years, or by both fine and imprisonment.

NEW SECTION. COLLECTION SERVICE PROHIBITED.

Any person who knowingly offers, gives or sells his or her services for use in collecting or enforcing any debt arising from gambling, whether or not lawful gambling, commits a felony, punishable by a fine not to exceed five thousand dollars or by imprisonment in the state penitentiary for a term not to exceed two years, or by both fine and imprisonment."

Amendment S—3744 was adopted.

Senator Willits moved to reconsider the vote by which amendment S—3730 as amended was adopted by the Senate on May 6, 1975.

The motion prevailed and amendment S—3730 as amended was taken up for reconsideration.

Senator Willits moved to reconsider the vote by which amendment S—3736 to amendment S—3730 was adopted by the Senate on May 6, 1975.

The motion prevailed and amendment S—3736 to amendment S—3730 was taken up for reconsideration.

Senator Willits asked and received unanimous consent to withdraw amendment S—3736 to amendment S—3730.

Senator Willits offered amendment S—3738 to amendment S—3730 filed by Senator Kelly and moved its adoption:

S—3738

Amend the Kelly and Willits amendment, S—3730, to Senate File 496 on line 8 by striking "14(2)(c)" and inserting in lieu thereof the following: "fourteen (14), subsection two (2), paragraph c (c), of this Act".

Amendment S—3738 to amendment S—3730 was adopted.

On motion of Senator Willits, amendment S—3730 as amended was adopted.

Senator Willits offered amendment S—3750 and moved its adoption:

S—3750

Amend Senate File 496, page 7, by striking lines 31 through 34 and inserting in lieu thereof the following:

"h. No participant wins or loses more than a total of fifty dollars or other consideration equivalent thereto in one or more games or activities permitted by this section at any time during any period of twenty-four consecutive hours or over that entire period."

Amendment S—3750 was adopted.

Senator Ramsey offered amendment S—3745 filed by Senators Ramsey, et al., moved its adoption and requested a record roll call:

S—3745

Amend Senate File 496, page 8, by inserting after line 22, the following:

"5. Notwithstanding any other provisions of this Act, no license shall be issued pursuant to this section to the holder of a liquor control license or beer permit covering premises located within the boundary of any county unless the proposition to permit gambling in licensed beer or liquor establishments has been approved by a majority vote of the qualified electors of that county voting at a general or special election held in accordance with the election laws of this state.

The state commissioner of elections shall

adopt rules and regulations for such elections, including but not limited to the procedure for calling and setting the date of the election, the form of the ballot, and all other necessary procedures not specified by law."

On the question "Shall amendment S—3745 be adopted?" (S.F. 496) the vote was:

Ayes, 14:

Bergman	Hultman	Plymat	Taylor
Curtis	Miller of Marshall	Ramsey	Van Gilst
Doderer	Murray	Schwengels	Winkelman
Hill of Jasper		Scott	

Nays, 33:

Briles	Griffin	Miller of Des Moines	Redmond
Burroughs	Hansen	Nolting	Robinson
Carr	Heying	Norpel	Rodgers
Coleman	Hill of Polk	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Gallagher	Lamborn	Priebe	Tieden
Glenn	Merritt	Rabedeaux	Willits
Gluba			

Absent or not voting, 3:

Andersen	Kelly	Nolin

Amendment S—3745 lost.

Amendment S—3728, offered and deferred on May 6, 1975, was taken up for further consideration.

Senator Griffin offered amendment S—3743 to amendment S—3728 filed by him and moved its adoption:

S—3743

Amend the Lamborn-Kinley amendment S—3728 to Senate File 496 by striking from line 16 the words "class 'B',".

A record roll call was requested.

On the question "Shall amendment S—3743 to amendment S—3728 be adopted?" (S.F. 496) the vote was:

Ayes, 30:

Bergman	Griffin	Merritt	Ramsey
Briles	Hansen	Miller of Des Moines	Redmond
Burroughs	Heying	Nolting	Rodgers
Carr	Hill of Polk	Norpel	Schwengels
Coleman	Hultman	Palmer	Shaw
Culver	Junkins	Priebe	Sovern
Gallagher	Kinley	Rabedeaux	Tieden
Gluba	Lamborn		

Nays, 17:

Andersen	Hill of Jasper	Orr	Taylor
Curtis	Miller of Marshall	Plymat	Van Gilst
DeKoster	Murray	Robinson	Willits
Doderer	Nystrom	Scott	Winkelman
Glenn			

Absent or not voting, 3:

Kelly	Nolin	Shaff

Amendment S—3743 to amendment S—3728 was adopted.

Action on amendment S—3728 was temporary deferred.

Senator Ramsey offered amendment S—3751 by Senators Ramsey and Miller of Marshall:

S—3751

Amend Senate File 496, page 8, by inserting after line 4, the following:

"k. No person under eighteen years of age is admitted to the premises covered by the liquor control license or beer permit during any time that gambling is engaged in on the premises."

President Neu took the chair at 4:55 p.m.

Senator Plymat offered amendment S—3757 to amendment S—3751 and moved its adoption:

S—3757

Amend the Ramsey and Miller of Marshall amendment S—3751 to **Senate File 496, on line 6, after the word "premises" by inserting the following words: ", unless gambling activities are confined to a room or enclosure to which persons under eighteen years of age are not given access."**

A record roll call was requested.

On the question "Shall amendment S—3757 to amendment S—3751 be adopted?" (S.F. 496) the vote was:

Ayes, 27:

Andersen	Griffin	Orr	Scott
Bergman	Hill of Jasper	Plymat	Shaff
Coleman	Hultman	Priebe	Shaw
Culver	Miller of Marshall	Ramsey	Sovern
DeKoster	Murray	Redmond	Van Gilst
Doderer	Nolin	Robinson	Willits
Glenn		Schwengels	Winkelman

Nays, 17:

Briles	Heying	Miller of Des Moines	Nystrom
Burroughs	Hill of Polk	Nolting	Palmer
Gallagher	Kinley	Norpel	Rodgers
Gluba	Lamborn		Tieden
Hansen	Merritt		

Absent or not voting, 6:

Carr	Junkins	Rabedeaux	Taylor
Curtis	Kelly		

Amendment S—3757 to amendment S—3751 was adopted.

Senator Ramsey moved the adoption of amendment S—3751 as amended.

A record roll call was requested.

On the question "Shall amendment S—3751 as amended be adopted?" (S.F. 496) the vote was:

Ayes, 21:

Andersen	Miller of	Ramsey	Shaw
Burroughs	Marshall	Redmond	Sovern
DeKoster	Murray	Robinson	Taylor
Doderer	Nystrom	Schwengels	Van Gilst
Glenn	Orr	Scott	Winkelman
Hill of Jasper	Plymat		

Nays, 20:

Coleman	Heying	Miller of	Palmer
Culver	Hill of Polk	Des Moines	Priebe
Gallagher	Kinley	Nolin	Rodgers
Gluba	Lamborn	Nolting	Tieden
Griffin	Merritt	Norpel	Willits
Hansen			

Absent or not voting, 9:

Bergman	Curtis	Junkins	Rabedeaux
Briles	Hultman	Kelly	Shaff
Carr			

Amendment S—3751 as amended was adopted.

Senator Kinley offered amendment S—3691 filed by Senators Kinley and Lamborn:

S—3691

Amend Senate File 496 as follows:

1. Page 13, by striking line 14 and inserting in lieu thereof the following:

"1975, is amended by striking the section and inserting in lieu thereof the following:

99B.9 GAMBLING IN PUBLIC PLACES. 1. Except as otherwise permitted by sections five (5), seven (7), eight (8), nine (9), ten (10), or thirteen (13), of this Act, it is unlawful to permit gambling on any premises owned, leased, rented, or otherwise occupied by a person other than a government, governmental agency or subdivision, unless all of the following are complied with:

a. The person occupying the premises as owner, lessee or other has submitted an application for a license and an application fee of twenty-five dollars, and has been issued a license for those premises, and prominently displays the license on the premises.

b. The holder of the license or any agent or

employee of the license holder does not participate in, sponsor, conduct or promote, or act as cashier or banker for any gambling activities.

c. Gambling other than social games is not engaged in on the premises covered by the license or permit.

d. Concealed numbers or conversion charts are not used to play any game, and a game is not adapted with any control device to permit manipulation of the game by the operator in order to prevent a player from winning or to predetermine who the winner will be, and the object of the game is attainable and possible to perform under the rules stated from the playing position of the player.

e. The game must be conducted in a fair and honest manner.

f. No person receives or has any fixed or contingent right to receive, directly or indirectly, any amount wagered or bet or any portion of amounts wagered or bet, except an amount which the person wins as a participant while playing on the same basis as every other participant.

g. No cover charge, participation charge or other charge is imposed upon a person admitted to the premises, whether or not the person participates in gambling, and no rebate, discount, credit, or other method is used to discriminate between the charge for goods or services to participants in gambling and the charge for goods or services to nonparticipants.

Page 2

h. No participant wins or loses more than a total of fifty dollars or other consideration equivalent thereto in all games and activities at any one time during any period of twenty-four consecutive hours or over that entire period.

i. No participant is participating as an agent of another person.

j. A representative of the department of revenue or a law enforcement agency is immediately admitted, upon request, to the premises with or without advance notice.

2. The holder of a license issued pursuant to this section shall be strictly accountable for maintaining compliance with subsection one (1) of this section, and proof of any violation shall constitute grounds for revocation of license issued pursuant to this section, whether or not the holder of the license had knowledge of the facts constituting the violation.

3. A participant in a social game which is not in compliance with this section shall be liable for a criminal penalty only if that participant has knowledge of or reason to know the facts constituting the violation.

4. The holder of a license issued pursuant to this section and every agent of that licensee who is required by the licensee to exercise control over the use of the premises who knowingly permits acts or omissions which constitute a violation of subsection one (1) of this section commits a misdemeanor. A licensee has knowledge of acts or omissions if any agent of the licensee has knowledge of those acts or omissions.

5. This section shall not apply to premises or portions of premises constituting the living quarters of the actual residence of an individual if that individual is a participant in or sponsor of the activities permitted by this section."

2. Page 12, by striking lines 25 and 26.

3. Page 17, by inserting after line 17 the following heading:

"DIVISION III
GAMES FOR WHICH A LICENSE IS NOT REQUIRED".

Senator Kinley offered amendment S—3721 to amendment S—3691 filed by Senators Kinley and Lamborn and moved its adoption:

S—3721

Amend the Kinley and Lamborn amendment, S—3691, to Senate File 496, as follows:

1. Page 1, line 14, by striking the words "as owner," and inserting in lieu thereof the words "as an owner or tenant".

2. Page 1, line 15, by striking the words "lessee or other".

3. Page 2, line 40, by striking the word and numeral "Page 17" and inserting in lieu thereof the word and numeral "Page 13".

Amendment S—3721 to amendment S—3691 was adopted.

Senator Kinley offered amendment S—3715 to amendment S—3691 by Senators Kinley and Lamborn and moved its adoption:

S—3715

Amend the Kinley and Lamborn amendment, S—3691, to Senate File 496, page 2, line 5, by inserting after the period the following sentence:

"For the purpose of this paragraph, a person wins the total amount at stake in any game, wager or bet, regardless of any amount that person may have contributed to the amount at stake."

Amendment S—3715 to amendment S—3691 was adopted.

Senator Redmond offered amendment S—3724 to amendment S—3691 filed by him and moved its adoption:

S—3724

Amend the Kinley and Lamborn amendment S—3691, page 2, line 37, by striking the words "or sponsor of".

Amendment S—3724 to amendment S—3691 was adopted.

Senator Kinley offered amendment S—3701 to amendment S—3691 filed by Senators Kinley and Lamborn and moved its adoption:

S—3701

Amend the Kinley and Lamborn amendment S—3691 to Senate File 496, page 2, by inserting after line 43 the following:

4. Page 2, line 26, by inserting after the numeral "(8)" the words and numeral "or section eleven (11)".

Amendment S—3701 to amendment S—3691 was adopted.

On motion of Senator Kinley, amendment S—3691 as amended was adopted.

Senator Redmond withdrew the following amendment S—3754:

S—3754

Amend Senate File 496, page 13, by inserting after line 12 the following:

"2. Notwithstanding the prohibitions contained in paragraph a of subsection two (2) of section fourteen (14) of this Act, it shall be lawful pursuant to this section to play craps, chuck-a-luck, roulette, klondike, dice games, black-jack, chemin de fer, baccarat, faro, equality and any other card game customarily played in gambling casino.

Senator Redmond offered amendment S—3759 and moved its adoption:

S—3759

Amend Senate File 496, page 13, by inserting after line 12 the following:

"2. Notwithstanding the prohibitions contained in paragraph a of subsection two (2) of section fourteen (14) and section twenty (20) of this Act, it shall be lawful pursuant to this section to play craps, chuck-a-luck, roulette, klondike, dice games, black-jack, chemin de fer, baccarat, faro, equality and any other card game customarily played in gambling casinos."

A record roll call was requested.

On the question "Shall amendment S—3759 be adopted?" (S.F. 496) the vote was:

Ayes, 14:

Bergman	Griffin	Norpel	Redmond
Doderer	Heying	Palmer	Rodgers
Gallagher	Hill of Polk	Ramsey	Willits
Gluba	Murray		

Nays, 27:

Andersen	Kinley	Nolin	Scott
Burroughs	Lamborn	Nolting	Shaw
Coleman	Merritt	Nystrom	Sovern
Culver	Miller of	Orr	Taylor
DeKoster	Des Moines	Plymat	Tieden
Glenn	Miller of	Priebe	Van Gilst
Hansen	Marshall	Schwengels	Winkelman
Hill of Jasper			

Absent or not voting, 9:

Briles	Hultman	Kelly	Robinson
Carr	Junkins	Rabedeaux	Shaff
Curtis			

Amendment S—3759 lost.

Senator Ramsey offered amendment S—3756 by Senators Ramsey, Hill of Jasper and Rodgers:

S—3756

Amend Senate File 496, page 21, by inserting after line 4, the following:

"Sec. ..... Chapter seven hundred twenty-six (726), Code 1975, is amended by adding the following new section:

NEW SECTION. No profit-making business establishment engaged in the sale of food items for human consumption shall conduct any drawing for, or otherwise give away cash or merchandise, other than trading stamps given on the basis of the quantity of food or merchandise purchased, where the purpose of the drawing or give away of cash or merchandise is to increase the number of customers or potential customers."

Senator Willits raised the point of order that amendment S—3756 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3756 in order.

Senator Ramsey moved the adoption of amendment S—3756.

A record roll call was requested.

On the question "Shall amendment S—3756 be adopted?" (S.F. 496) the vote was:

Ayes, 19:

Andersen	DeKoster	Hill of Jasper	Miller of
Bergman	Gluba	Merritt	Marshall

Nolin	Ramsey	Rodgers	Taylor
Plymat	Redmond	Schwengels	Van Gilst
Priebe	Robinson	Scott	Winkelman

Nays, 24:

Burroughs	Hansen	Miller of	Orr
Coleman	Heying	Des Moines	Palmer
Culver	Hill of Polk	Murray	Shaw
Doderer	Hultman	Nolting	Sovern
Gallagher	Kinley	Norpel	Tieden
Glenn	Lamborn	Nystrom	Willits
Griffin			

Absent or not voting, 7:

Briles	Curtis	Kelly	Shaff
Carr	Junkins	Rabedeaux	

Amendment S—3756 lost.

Senator Tieden offered amendment S—3741 filed by Senator Rabedeaux and called for a division of the amendment as follows:

S—3741

Amend Senate File 496 as follows:

Division S—3741A

1. Page 6, line 35, by striking the words "one hundred" and inserting in lieu thereof the word "fifty".

2. Page 7, line 3, by striking the word "two" and inserting in lieu thereof the word "one".

3. Page 7, by striking line 5, and inserting in lieu thereof the following:

"dollars but not more than two hundred fifty thousand dollars, the fee is two hundred fifty dollars.

Division S—3741B

(5) For gross receipts of more than two hundred fifty thousand dollars, the fee is five hundred dollars."

Senator Tieden withdrew division S—3741B of the amendment.

Senator Tieden moved the adoption of division S—3741A of the amendment, and requested a non-record roll call.

The ayes were 15, nays 26.

Division S—3741A of the amendment lost.

The Senate resumed consideration of amendment S—3728 previously deferred.

Senator Lamborn offered amendment S—3762 to amendment S—3728 and moved its adoption:

S—3762

Amend the Lamborn and Kinley amendment S—3728, to Senate File 496, as follows:

1. Line 21, by striking the word and numeral "two (2)", and inserting in lieu thereof the word and numeral "three (3)".

2. Line 24, by striking the numeral "2." and inserting in lieu thereof the numeral "3.".

3. Line 27, by striking the numeral "3." and inserting in lieu thereof the numeral "4.".

4. Line 47, by striking the numeral "4." and inserting in lieu thereof the numeral "5".

Amendment S—3762 to amendment S—3728 was adopted.

Senator Lamborn moved the adoption of amendment S—3728 as amended.

A record roll call was requested.

On the question "Shall amendment S—3728 as amended be adopted?" (S.F. 496) the vote was:

Ayes, 30:

Bergman	Heying	Nolting	Robinson
Burroughs	Hultman	Norpel	Rodgers
Coleman	Kinley	Nystrom	Schwengels
Culver	Lamborn	Orr	Shaff
Gallagher	Merritt	Palmer	Sovern
Gluba	Miller of Des Moines	Priebe	Tieden
Griffin	Nolin	Ramsey	Willits
Hansen		Redmond	

Nays, 14:

Andersen	Hill of Jasper	Murray	Taylor
DeKoster	Hill of Polk	Plymat	Van Gilst
Doderer	Miller of Marshall	Scott	Winkelman
Glenn		Shaw	

Absent or not voting, 6:

Briles	Curtis	Kelly	Rabedeaux
Carr	Junkins		

Amendment S—3728 as amended was adopted.

Senator Priebe offered amendment S—3763 by Senators Priebe, et al., moved its adoption and requested a record roll call:

S—3763

Amend Senate File 496 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section seven hundred twenty-six point twelve (726.12), paragraph seven (7), Code 1975, is amended by striking the paragraph and inserting in lieu thereof the following:

7. No participant wins or loses more than a total

of fifty dollars or other consideration equivalent thereto in all games and activities at any one time during any period of twenty-four consecutive hours or over that entire period.

Sec. 2. Chapter seven hundred twenty-six (726) of the Code is amended by adding the following new section:

NEW SECTION. BLACK-JACK AND CRAPS PROHIBITED. No person shall play the dice game of 'craps' or the card game of 'black-jack'. Any person found guilty of violating this section shall be guilty of a misdemeanor.

Sec. 3. Section ninety-nine B point two (99B.2), of the Code is amended by adding the following new paragraph:

NEW PARAGRAPH. Each licensee shall maintain proper books of account and records showing, in addition to any other information required by the department of revenue, gross receipts and the amount of gross receipts, taxes collected or accrued, all expenses, charges, fees and other deductions, and the cash amounts, or the cost of goods or other noncash valuables, distributed to participants in the licensed activity. If the licensee is a qualified organization, the amounts dedicated and the name and address of the person to whom dedicated also shall be kept in the books and records. The books of account and records shall be made available to the department of revenue for inspection at reasonable times, with or without notice. A failure to permit inspection shall constitute grounds for revocation of the license.

Sec. 4. Chapter ninety-nine B (99B), Code 1975, is amended by adding the following new sections:

NEW SECTION. ADMINISTRATIVE RULES.

1. The director of revenue may adopt, amend and repeal rules, pursuant to chapter seventeen A (17A) of the Code, to carry out the provisions of this chapter.

2. Rules adopted by the director may include but are not limited to the following:

a. Descriptions of the books, records and accounting procedures required.

b. Requirements for qualified organizations.

Page 2

c. Methods of displaying costs and explanations of games and rules.

d. Defining unfair or dishonest acts or practices.

NEW SECTION. REVOCATION OF GAME LICENSE.

1. The director of revenue shall revoke a license issued pursuant to this chapter if the licensee or any agent of the licensee violates any of the provisions of this chapter or any rules adopted, or if any cause exists for which the director would have been justified in refusing to issue a license.

2. Revocation proceedings shall be held only after giving notice and an opportunity for hearing

to the licensee. Notice shall be given at least ten days in advance of the date set for hearing. If the director finds cause for revocation, the license shall be revoked and thereafter no license may be issued to that licensee, or to any agent of the licensee if the agent was found to be in violation of this chapter."

On the question "Shall amendment S—3763 be adopted?" (S.F. 496) the vote was:

Ayes, 14:

Briles	Griffin	Miller of Des Moines	Norpel
Culver	Heying	Nolin	Priebe
Gallagher	Merritt	Nolting	Rodgers
Gluba			Tieden

Nays, 29:

Andersen	Hill of Jasper	Orr	Scott
Bergman	Hill of Polk	Palmer	Shaw
Burroughs	Hultman	Plymat	Sovern
Coleman	Kinley	Ramsey	Taylor
DeKoster	Lamborn	Redmond	Van Gilst
Doderer	Murray	Robinson	Willits
Glenn	Nystrom	Schwengels	Winkelman
Hansen			

Absent or not voting, 7:

Carr	Junkins	Miller of Marshall	Rabedeaux
Curtis	Kelly		Shaff

Amendment S—3763 lost.

Senator Willits moved that the bill 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. 496) the vote was:

Ayes, 33:

Andersen	Heying	Nolting	Scott
Bergman	Hill of Jasper	Nystrom	Shaff
Burroughs	Hill of Polk	Orr	Shaw
Coleman	Hultman	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Redmond	Van Gilst
Glenn	Merritt	Robinson	Willits
Griffin	Murray	Schwengels	Winkelman
Hansen			

Nays, 11:

Briles	Gluba	Nolin	Ramsey
Culver	Miller of Des Moines	Norpel	Rodgers
Gallagher		Priebe	Tieden

Absent or not voting, 6:

Carr	Junkins	Miller of Marshall	Rabedeaux
Curtis	Kelly		

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 515, by committee on county government, a bill for an act relating to certain capital expenditures by counties of over two hundred fifty thousand population.

Read first time and **placed on calendar.**

Senate File 516, by committee on county government (committee on county government), a bill for an act relating to the establishment and operation of sanitary disposal projects.

Read first time and referred to the committee on **ways and means** (under Senate Rule 38).

Senate File 517, by committee on county government, a bill for an act relating to the repair and maintenance of certain private roads by the county.

Read first time and **placed on calendar.**

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 on April 29, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 625, a bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties.

Also: That the House has on May 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 628, a bill for an act relating to school bus transportation requirements.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 625, a bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties.

Read first time and **passed on file.**

House File 628, a bill for an act relating to school bus transportation requirements.

Read first time and **passed on file.**

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 499 S. F. 489 H. F. 395
S. F. 228 S. F. 507

C. JOSEPH COLEMAN, Chairman

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

H. F. 584 Judiciary

H. F. 811 Ways and means

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on May 6, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 425—Appropriating funds to the department of general services, capitol planning commission, the executive council and the Iowa merit employment department and relating to a permanent revolving fund used for printing purposes.

H. F. 348—Relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties.

REPORTS OF COMMITTEES

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred House File 36, a bill for an act relating to discrimination in the renewal of automobile insurance, begs leave to report it has had the same under consideration and recommends the same do pass.

LOWELL L. JUNKINS, Chairman

Ordered passed on file.

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred House File 264, a bill for an act to allow the destruction of abandoned animals by veterinarians, boarding and commercial kennels, begs leave to report it has had the same under consideration and recommends the same be amended in accordance with Gluba amendment S—3279, filed March 6, 1975, and found on pages 581 and 582 of the Senate Journal and when so amended the bill do pass.

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Senator Glenn submitted the following reports:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 192**, a bill for an act relating to age requirements of applicants for marriage licenses, and to legitimacy of children born of certain marriages, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 741**, a bill for an act to legalize and validate the proceedings for the organization and operation of the Western Iowa Municipal Electric Cooperative Association and declaring said cooperative association to be legally established and its acts to have been legally taken, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 728**, a bill for an act to legalize proceedings taken by the county supervisors of Buchanan County relating to the purchase of certain land, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 317**, a bill for an act relating to the definitions of cigarette and package of cigarettes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3748

Amend the committee on agriculture amendment S—3496 to Senate File 421, line 18, by inserting after the word "funds" the words "or if any of the debt of the dealer or broker is currently rated 'A'

or higher by Moody's Investors Service, Inc., payment may be made by bank draft".

ELIZABETH SHAW

S—3749

Amend Senate File 432 as follows:

1. Page 2, line 29, by striking the word and figure "eleven (11)" and inserting in lieu thereof the word and figure "twelve (12)".

2. Page 5, by inserting after line 9 the following:

"Sec. 12. *NEW SECTION.* SUPERINTENDENT TO MAKE RULES. The superintendent of banking shall make appropriate rules and regulations for the implementation of this Act. If applicable federal laws and regulations governing utilization of satellite facilities by national banks in Iowa are more restrictive than the provisions of this Act, the rules of the superintendent of banking governing utilization of satellite facilities by state banks shall conform to such federal regulations rather than to this Act."

CALVIN O. HULTMAN

S—3764

Amend Senate File 507 as follows:

1. Page 1, lines 1 and 2 by striking the words and figure "subsection six (6)" and inserting in lieu thereof the words and figures "subsections one (1) and six (6)".

2. Page 1, by inserting the following after line 2:

"1. Every member of the general assembly except the speaker of the house and majority and minority floor leaders of the senate and house shall receive an annual salary of eight thousand dollars for each year while serving as a member of the general assembly. The majority and minority floor leaders of the senate and house shall receive an annual salary of nine thousand five hundred dollars for each year which serving in such capacity. In addition, each such member shall receive the sum of [twenty] ***thirty*** dollars per day for expenses of office, except travel, for each day the general assembly is in session commencing with the first day of a legislative session and ending with the day of final adjournment of each legislative session as indicated by the journals of the house and senate. However, members from Polk County shall receive ten dollars per day. Travel expenses shall be paid at the rate established by section 79.9 for actual travel in going to and returning from the seat of government by the nearest traveled route for not more than one time per week during a legislative session. However, any increase from time to time in the mileage rate established by section 79.9 shall not become effective for members

of the general assembly until the convening of the next general assembly until the convening of the next general assembly following the session in which the increase is adopted; and this provision shall prevail over any inconsistent provision of any present or future statute."

3. Page 10, by inserting the following after line 13:

"Sec. 20. Paragraph one (1) of Section one (1) of this Act shall become effective upon the convening of the next general assembly following the session in which this Act is adopted."

JAMES V. GALLAGHER

S—3760

Amend House File 625, as amended and passed by the House, as follows:

1. Page 2, line 30, by striking the word "twice".
2. Page 3, line 5, by striking the word "twice".
3. Page 3, line 15, by striking the word "twice".

ROGER J. SHAFF
WILLARD R. HANSEN
FRED W. NOLTING
WARREN E. CURTIS
C. JOSEPH COLEMAN

S—3755

Amend House File 625 as amended and passed by the House, page 7, by striking lines 17 through 21C and inserting in lieu thereof the following:

"1. If livestock is purchased on a basis other than yield or grade and yield, a dealer or broker shall transmit or deliver to the seller or the seller's duly authorized agent the full amount of the purchase price before the close of the next business day following such purchase. If livestock is bought on a yield or grade and yield basis, a dealer or broker shall transmit or deliver to the seller or the seller's duly authorized agent before the close of the next business day following such purchase at least eighty per cent of the estimated purchase price, and pay the balance on the next business day following the determination of the purchase price. Partial payments made by a dealer or broker when purchasing livestock on a yield or grade and yield basis shall be recoverable from the seller in cases where animals are not accepted for slaughter by federal or state meat inspectors."

WARREN E. CURTIS
PHILIP B. HILL

S—3761

Amend House File 625, as amended and passed by the House, as follows:

1. Page 7, line 21c, by inserting after the word "price" the words "when expressly requested by the seller".

2. Page 7, line 21f, by striking the words "this state" and inserting in lieu thereof the words "Iowa or in any state bordering on Iowa".

ROGER J. SHAFF
KENNETH D. SCOTT
C. JOSEPH COLEMAN
WARREN E. CURTIS

S—3758

Amend House File 625 as amended and passed by the House, page 7, line 21e, by inserting after the word "funds" the words "or if any of the debt of the dealer or broker is currently rated 'A' or higher by Moody's Investors Service, Inc., payment may be made by bank draft".

ELIZABETH SHAW

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 8:00 p.m., until 9:30 a.m., Thursday, May 9, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MAY 8, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Jack Dilley, pastor of the First Presbyterian Church, Fairfield, Iowa.

The Journal of May 7, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fritz Viner, Leon, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Junkins for the day, Senator Carr for the day, Senator Rabedeaux for the day and Senator Curtis for the day on request of Senator Kinley; Senator Kelly for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty students from St. Joseph's Catholic Elementary School, Earling, Iowa, accompanied by Richard Powell and Ralph Bistline. Senator Nolin.

Seventy students from the East Buchanan Community Schools, accompanied by Mrs. Quint and Mr. Foster. Senator Gallagher.

Forty-six students from Ventura Elementary School, Ventura, Iowa. Senator Scott.

Seventy-six students from Garner-Hayfield Community School, Garner, Iowa, accompanied by instructors, Sandy Stille, Sarah O'Brien and Becky Sweers. Senator Taylor.

Thirty students from CAL Community School, Latimer, Iowa, accompanied by Mick West. Senator Taylor.

PETITIONS

The following petitions were presented and placed on file:

By Senator Gluba from fifty-two residents of Iowa favoring legislation which provides that a person cannot be required to participate in medical procedures which will result in an abortion if it is against his religious beliefs or moral convictions.

By Senator Sovern from nine residents of Linn County favoring legislation which allows the district judges of each judicial election district to set the salaries of the clerks of the district court and their deputies and clerks.

By Senator Taylor from fourteen residents of Hancock County favoring annual payments for easements for power lines and pipelines and changing the capitalization rate for assessments of agricultural land.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Briles from seventy-one residents of Adams County.

Senator Gluba from fifty-two residents of Scott County.

Senator Junkins from six hundred fourteen residents of Lee, Henry and Des Moines Counties.

Senator Winkelman from three hundred thirty-four residents of the Twenty-fourth Senatorial District.

Senator Miller of Des Moines from two hundred seventy residents of Des Moines, Henry and Louisa Counties.

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 on April 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 724, a bill for an act relating to motor vehicles providing for registration of trailers and semitrailers for a three-year period and trip permits for commercial vehicles and the authority of the state department of transportation to negotiate vehicle registration apportionment agreements and providing a penalty.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 724, a bill for an act relating to motor vehicles providing for registration of trailers and semitrailers for a three-

year period and trip permits for commercial vehicles and the authority of the state department of transportation to negotiate vehicle registration apportionment agreements and providing a penalty.

Read first time and **passed on file.**

On motion of Senator Kinley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

INTRODUCTION OF BILL

Senate File 518, by committee on human resources, a bill for an act creating a child support recovery unit within the department of social services, prescribing the powers and duties thereof, and providing for the assignment of rights to child support payments by any person who receives public assistance and providing a penalty.

Read first time and **placed on calendar.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File** 487 be deferred and that the bill **retain its place on the calendar.**

Senator Kinley asked and received unanimous consent that action on **Senate File 421** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 499

On motion of Senator Murray, Senate File 499, a bill for an act relating to hospitalization of the mentally ill, was taken up for consideration.

Senator Ramsey offered amendment S—3773:

S—3773
Amend Senate File 499 as follows:

Division S—3773A

1. Page 4, line 30, by inserting after the word "open" the words "unless the period of time is extended by order of a district court judge for good cause shown".

Division S—3773B

2. Page 10, lines 14 through 16 by striking the sentence "Such discovery as is permitted under the Iowa rules of civil procedure shall be available to the respondent." and inserting in lieu thereof the sentence: "Upon application to the district court and good cause shown therefore, the court shall order such discovery as is necessary and within a time limit stated in the court's order."

Division S—3773A (cont'd)

3. Page 13, line 6, by striking the letter "y" and insert in lieu thereof the word "by".

4. Page 15, line 1, by striking "pro- ceedings" and inserting in lieu thereof the word "proceedings".

Senator Redmond called for a division of the amendment, sections 1, 3 and 4 to be considered as division S—3773A; section 2 to be considered as division S—3773B.

On motion of Senator Ramsey, division S—3773A of the amendment was adopted.

Senator Ramsey moved the adoption of division S—3773B of the amendment.

A non-record roll call was requested.

The ayes were 17, nays 19.

Division S—3773B of the amendment lost.

Senator Murray offered amendment S—3774 and called for a division of the amendment as follows:

S—3774
Amend Senate File 499 as follows:

Division S—3774A

1. Page 13, line 6, by striking the single letter "y" and inserting in lieu thereof the word "by".

Division S—3774B

2. Page 13, line 16, by striking the word "hospitalzied" and inserting in lieu thereof the word "hospitalized".

3. Page 28, line 3, by striking the word and figures *"twenty-three (23)"* and inserting in lieu thereof the word and figures *"twenty-seven (27)"*.

Senator Murray withdrew division S—3774A of the amendment.

On motion of Senator Murray, division S—3774B of the amendment was adopted.

Senator Ramsey offered amendment S—3768 by Senators Ramsey and Murray:

S—3768

Amend Senate File 499 as follows:

Page 15, by inserting after line 17 the following:

"Any such appeal to the supreme court shall be by the discretionary review prescribed by subsections two (2) through nine (9) of section six hundred thirty-one point sixteen (631.16) of the Code."

Senator Briles took the chair at 5:00 p.m.

Senator Ramsey moved the adoption of amendment S—3768 and requested a record roll call.

On the question "Shall amendment S—3768 be adopted?" (S.F. 499) the vote was:

Ayes, 13:

Andersen	DeKoster	Murray	Schwengels
Bergman	Merritt	Nystrom	Tieden
Briles	Miller of Marshall	Ramsey	Van Gilst
Burroughs			

Nays, 29:

Coleman	Hill of Jasper	Orr	Scott
Culver	Hill of Polk	Palmer	Shaff
Gallagher	Kinley	Plymat	Shaw
Glenn	Miller of Des Moines	Priebe	Sovern
Gluba	Nolin	Redmond	Taylor
Griffin	Nolting	Robinson	Willits
Hansen	Norpel	Rodgers	Winkelman
Heying			

Absent or not voting, 8:

Carr	Doderer	Junkins	Lamborn
Curtis	Hultman	Kelly	Rabedeaux

Amendment S—3768 lost.

Senator Ramsey offered amendment S—3772 by Senators Ramsey and Murray and moved its adoption:

S—3772

Amend Senate File 499, page 25, by inserting after line 23 the following new subsection, and renumbering the succeeding subsection accordingly:

"4. Upon petitioning the court for a finding that a respondent is incompetent by reason of mental

illness, the applicant may also request the court to appoint a conservator for the respondent. The court may appoint a temporary conservator as provided by section six hundred thirty-three point five hundred seventy-three (633.573) of the Code, or may defer a decision on the appointment of a conservator until a report is received under section thirteen (13) of this Act if the respondent is hospitalized for evaluation pursuant to that section."

Amendment S—3772 was adopted.

Senator Murray offered amendment S—3767 and moved its adoption:

S—3767

Amend Senate File 499 as follows:

Page 49, after line 17 by inserting the following:

"Sec. ..... This Act shall be effective January 1, 1976."

A non-record roll call was requested.

The ayes were 40, nays 3.

Amendment S—3767 was adopted.

Senator Murray moved that the bill 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. 499) the vote was:

Ayes, 45:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of Des Moines	Priebe	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman
Griffin		Robinson	

Nays, none.

Absent or not voting, 5:

Carr	Junkins	Kelly	Rabedeaux
Curtis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 519, by committee on cities, a bill for an act relating to registration of motor vehicles.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 39
By Committee on Energy

Whereas, the marketing, distribution and pricing of petroleum products by producers, refiners, distributors, subsidiary companies, service station retailers, leased and company-operated service stations, is complex; and

Whereas, there is limited time during the legislative session to explore all facets of the marketing, distribution, pricing, and sale of petroleum products necessary to formulate recommendations for legislation on any one aspect; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Legislative Council is urged to create a study committee to consist of members of both houses of the general assembly and both political parties and including citizen members knowledgeable in petroleum distribution to conduct a study of the marketing, pricing and distribution of petroleum; and

Be It Further Resolved, That the study committee shall make a report to the Legislative Council and the members of the general assembly meeting in the year 1976.

Read first time and **placed on calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 514 State government

H. F. 283 Commerce

H. F. 628 Education

H. F. 782 State government

H. F. 814 State government

H. F. 816 Judiciary

H. F. 835 Judiciary

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Herbert L. Notch, of Newton, Jasper County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners under the provisions of Section 147.14(7), Code 1975, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

NORMAN G. RODGERS, Chairman
IRVIN L. BERGMAN
EUGENE M. HILL
MILO MERRITT
ELIZABETH SHAW

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Larry E. Phipps, D.C., of Grinnell, Poweshiek County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of Sections 147.12 through 147.20, 1975 Code of Iowa, for an initial term beginning July 1, 1975 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

NORMAN RODGERS, Chairman
JAMES E. BRILES
LUCAS J. DeKOSTER
MILO MERRITT
JOAN ORR

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Anthony Paul Untz, D.C., of Dyersville, Dubuque County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of sections 147.12 through 147.20, Code 1975, for an initial term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOAN ORR, Chairman
ELIZABETH R. MILLER
RICHARD J. NORPEL, SR.
WILLIAM D. PALMER
RICHARD R. RAMSEY

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 8th day of May, 1975: Senate Files 114, 193, 329, 383 and 426.

CLARK R. RASMUSSEN
Secretary of the Senate

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate from:

OFFICE FOR PLANNING AND PROGRAMMING

A report for the fiscal year 1974, with a section of this report in accordance with Section 7A.3, Code 1975.

REPORTS OF COMMITTEES

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **House File 670**, a bill for an act relating to the salaries of juvenile court employees, 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:**

S—3777

Amend House File 670, as passed by the House, as follows:

1. Page 1, line 10, by striking the words "the [judge or] judges" and inserting in lieu thereof the words "[the judge or judges]".

2. Page 1, lines 14 and 15, by striking the words "*of the judicial district in which the county is situated*" and inserting in lieu thereof the words "*a probation officer committee of three district court judges appointed by the chief judge of the judicial district. One member of the committee shall be a juvenile court judge.*"

3. Page 1, line 18, by striking the words "the judges" and inserting in lieu thereof the words "[the judges] *the probation officer committee of district court judges appointed by the chief judge.*"

4. Page 1, line 22, by striking the word "judges" and inserting in lieu thereof the words "[judges] *committee of district court judges appointed by the chief judge*".

5. Page 1, line 27, by striking the word "judges" and inserting in lieu thereof the words "[judges] *probation officer committee appointed by the chief judge*".

6. Page 2, lines 2 and 3, by striking the words "[who may fix their salaries, subject to the approval of the board of supervisors,]" and inserting in lieu thereof the words "who may fix their salaries, subject to the approval of the board of supervisors".

7. Page 2, by striking lines 5 through 10.

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 398**, a bill for an act to allow ambulance attendants to use a flashing amber light, begs leave to report it has had the same under consideration and recommends the same **do pass**.

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 91**, a bill for an act relating to fees for posting business signs on specific information panels and advertising permits, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3769

Amend Senate File 228 as follows:

1. Page 1, by adding after line 8, the following:

"3. 'Tricycle' means a vehicle with three wheels usually propelled by pedals.

4. 'Toy' means an object designed for the amusement and enjoyment of children."

2. Page 1, by adding after line 22, the following:

"Sec. ..... *NEW SECTION.* SALE OF TOYS. Any toy sold to a consumer in the state of Iowa which has a retail value of not less than nine dollars and ninety-five cents and in less than fully assembled condition shall include a manual and a description of the tools with detailed instruction on how to assemble the toy. The list of tools necessary to assemble and adjust the toy shall be disclosed clearly on promotional display material and on the shipping carton.

Sec. ..... *NEW SECTION.* ASSEMBLY CHARGE. If a tricycle, bicycle or toy of a retail value not less than nine dollars and ninety-five cents is sold to a consumer in less than fully assembled condition, the charge for completely assembling the bicycle, tricycle, or toy must be clearly posted on any promotional material and at the same place as the price of the bicycle, tricycle, or toy is displayed."

3. Amend the title by striking lines 1 and 2 and inserting in lieu thereof the following:

"An Act relating to the use of bicycles upon public roads and highways, the use and sale of toys, and providing penalties for violations."

CALVIN O. HULTMAN

S—3771

Amend the Norpel, et al., amendment S—3616 to Senate File 228 as follows:

1. By striking lines 13 through 15 on page 1.

2. By striking lines 30 through 50 on page 1 and lines 1 through 3 on page 2, and inserting in lieu thereof the following:

"Sec. 3. *NEW SECTION.* OPERATION AND MAINTENANCE MANUAL. Every new bicycle sold in Iowa shall include an instruction manual tied to the frame or included in the packaging. This manual shall include, but

not be limited to, the following information:

a. Operating and safety instructions.

b. Maintenance instructions for proper maintenance of brakes, control cables, bearing adjustments, lubrication, reflectors, tires, and handlebar and seat adjustments.

If in the judgment of the manufacturer certain maintenance is beyond the capability of the consumer, the maintenance instruction manual shall include a list of the locations of service facilities where such maintenance can be obtained.

Sec. 4. *NEW SECTION.* ASSEMBLY REQUIREMENTS. Any bicycle sold to a consumer in the state of Iowa in less than fully assembled condition shall include a manual and a description of the tools with detailed instructions on how to assemble the bicycle. The list of tools necessary to assemble and adjust the bicycle shall be disclosed clearly on promotional display material and on the shipping carton.

Sec. 5. *NEW SECTION.* ASSEMBLY CHARGE. If a bicycle is sold to a consumer in less than fully assembled condition, the charge for completely assemblying the bicycle must be clearly posted on any promotional material and at the same place as the price of the bicycle is displayed."

RICHARD J. NORPEL, SR.

S—3776

Amend Senate File 484, page 1, line 4, by inserting following the word "from" the word "licensed".

BASS VAN GILST

S—3770

Amend Senate File 484, page 1, line 5, by inserting after the word "vehicles" the words "except trucks having a gross weight of twelve tons or more".

C. JOSEPH COLEMAN
KARL NOLIN

S—3766

Amend the Gallagher amendment S—3764 to Senate File 507 as follows:

1. Line 15 by striking the word "which" and inserting the word "while".

2. Lines 32 and 33 by striking the words "until the convening of the next general assembly".

JAMES V. GALLAGHER

S—3765

Amend House File 700 as amended, passed and reprinted by the House, page 90, line 34, by striking the word "nine" and inserting in lieu thereof the word "thirty-two".

WILLIAM E. GLUBA

S—3775

Amend House File 811 as amended by the House as follows:

1. Lines 18 and 19 by striking the words "on active duty".

2. Lines 20 and 21 by striking the words ", and as defined in section thirty-five C point two (35C.2) of the Code".

3. By adding after line 21 the words "National Guardsmen and Reservists who served under either section 672 (d) title 10, U. S. Code, or section 502 through 505, title 32, U. S. Code, during any of the above enumerated dates shall be entitled to the provisions of this subsection."

ELIZABETH SHAW

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:35 p.m., until 9:30 a.m., Friday, May 9, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 9, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Edwin Mack, pastor of the Decorah Assembly of God Church, Decorah, Iowa.

The Journal of Thursday, May 8, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Glenn Hruska, Belmond, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Curtis for the day, Senator Kelly for the day, Senator Hultman for the day and Senator Rabedeaux for the day on request of Senator Lamborn; Senator Junkins for the day, Senator Carr for the day and Senator Sovern for the day on request of Senator Kinley; Senator Nystrom for the day on request of Senator Hansen.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighty students from East Elementary School, Ankeny, Iowa, accompanied by Anna Nelson. Senator Willits.

Ninety students from Moravia Community School, Moravia, Iowa, accompanied by Mr. Stehn, Mrs. Walters, Mrs. Hayden and Mr. Gray. Senator Ramsey.

Forty-six students from Fellows Elementary School, Ames, Iowa, accompanied by Mrs. Ely, Mrs. Saxton, Mrs. Boyd and Mrs. Haas. Senator Murray.

Forty students from New Providence Elementary School, New Providence, Iowa, accompanied by Miss Johansen, Mrs. Sparks, Mr. Martin and Mr. Lampman. Senator Miller of Marshall.

Thirty students from St. Benedict's Catholic School, Wesley, Iowa, accompanied by Mary Bellinghausen. Senator Priebe.

PETITIONS

The following petitions were presented and placed on file:

By Senator Scott from thirty Pages of the Sixty-sixth general assembly favoring legislation which prohibits smoking in certain public areas and provides a penalty.

By Senator Gallagher from sixteen residents of Buchanan County favoring improvements in the Iowa Public Employees Retirement System.

By Senator Hill of Jasper from fifty-eight residents of Iowa urging rescission of the Equal Rights Amendment.

By Senator Redmond from twenty-seven residents of Linn County requesting a public hearing to discuss rescission of the Equal Rights Amendment.

The following petitions opposing pari-mutuel betting were presented and placed on file by:

Senator Hill of Jasper from twenty-three residents of Jasper County.

Senator Kinley from one hundred seventy-nine residents of Polk County.

Senator Briles from twenty-seven residents of Adair County.

Senator Briles from nineteen residents of Adams County.

Senator Briles from sixty-six residents of Cass County.

Senator Briles from fifty-one residents of Guthrie County.

Senator Briles from ninety-seven residents of Page County.

Senator Briles from forty-six residents of Taylor County.

Senator Briles from one hundred twenty-seven residents of Union County.

Senator Coleman from six hundred thirty-nine residents of the Twenty-third Senatorial District.

HOUSE FILE 185 RECONSIDERED

House File 185

Senator Burroughs asked and received unanimous consent that Senate Rule 26 be suspended for the purpose of reconsidering House File 185.

Senator Burroughs moved to reconsider the vote by which House File 185 passed the Senate on May 2, 1975.

A non-record roll call was requested.

The ayes were 33, nays, none.

The motion prevailed.

Senator Burroughs moved to reconsider the vote by which House File 185 went to its last reading, which motion prevailed.

On motion of Senator Burroughs, House File 185, a bill for an act relating to the transporting of livestock, and providing penalties, was taken up for reconsideration.

Senator Burroughs moved to reconsider the vote by which amendment S—3623 as amended was adopted by the Senate.

The motion prevailed, and amendment S—3623 as amended was taken up for reconsideration.

Senator Burroughs moved to reconsider the vote by which amendment S—3684 to amendment S—3623 was adopted by the Senate.

The motion prevailed, and amendment S—3684 to amendment S—3623 was taken up for reconsideration.

Senator Burroughs asked and received unanimous consent to withdraw amendment S—3684 to amendment S—3623.

On motion of Senator Burroughs, amendment S—3623 was adopted.

Senator Burroughs moved to reconsider the vote by which amendment S—3624 as amended was adopted by the Senate.

The motion prevailed, and amendment S—3624 as amended was taken up for reconsideration.

Senator Burroughs moved to reconsider the vote by which amendment S—3681 to amendment S—3624 was adopted by the Senate.

The motion prevailed, and amendment S—3681 to amendment S—3624 was taken up for reconsideration.

Senator Burroughs asked and received unanimous consent to withdraw amendment S—3681 to amendment S—3624.

On motion of Senator Burroughs, amendment S—3624 was adopted.

Senator Burroughs moved that the bill 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. 185) the vote was:

Ayes, 34:

Andersen	Gluba	Murray	Schwengels
Bergman	Hansen	Nolin	Scott
Briles	Heying	Norpel	Shaw
Burroughs	Hill of Polk	Palmer	Taylor
Coleman	Kinley	Plymat	Tieden
Culver	Lamborn	Priebe	Van Gilst
DeKoster	Merritt	Redmond	Willits
Gallagher	Miller of Marshall	Robinson	Winkelman
Glenn		Rodgers	

Nays, 2:

Nolting	Ramsey

Absent or not voting, 14:

Carr	Hill of Jasper	Miller of Des Moines	Rabedeaux
Curtis	Hultman	Nystrom	Shaff
Doderer	Junkins	Orr	Sovern
Griffin	Kelly		

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 271

On motion of Senator Willits, Senate File 271, a bill for an act relating to reducing speeds when approaching slow moving vehicles and allowing garbage collection vehicles to display slow moving vehicle reflective devices, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 271) the vote was:

Ayes, 34:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Scott
Burroughs	Hill of Polk	Nolting	Shaw
Coleman	Kinley	Palmer	Taylor
Culver	Lamborn	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			Winkelman

Nays, none.

Absent or not voting, 16:

Carr	Hill of Jasper	Norpel	Ramsey
Curtis	Hultman	Nystrom	Schwengels
Doderer	Junkins	Orr	Shaff
Griffin	Kelly	Rabedeaux	Sovern

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 Willits, Senate File 484, a bill for an act relating to the regulation of noise emission from motor vehicles by cities, was taken up for consideration.

Senator Van Gilst offered amendment S—3776 filed by him:

S—3776

Amend Senate File 484, page 1, line 4, by inserting following the word "from" the word "licensed".

DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 484** be deferred and that the bill be placed on the calendar under **unfinished business.**

CONSIDERATION OF BILLS

Senate File 494

On motion of Senator Robinson, Senate File 494, a bill for an act authorizing the county recorder to combine separate index books, was taken up for consideration.

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?" (S.F. 494) the vote was:

Ayes, 36:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolting	Schwengels
Briles	Hill of Polk	Norpel	Scott
Burroughs	Kinley	Palmer	Shaw
Coleman	Lamborn	Plymat	Taylor
Culver	Merritt	Priebe	Tieden
DeKoster	Miller of Des Moines	Ramsey	Van Gilst
Gallagher		Redmond	Willits
Glenn	Miller of Marshall	Robinson	Winkelman
Gluba			

Nays, none.

Absent or not voting, 14:

Carr	Hill of Jasper	Nolin	Rabedeaux
Curtis	Hultman	Nystrom	Shaff
Doderer	Junkins	Orr	Sovern
Griffin	Kelly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 76

On motion of Senator Redmond, House File 76, a bill for an act relating to the signature of persons with physical disabilities and providing penalties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond moved that the bill 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. 76) the vote was:

Ayes, 37:

Andersen	Gluba	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Kinley	Norpel	Scott
Coleman	Lamborn	Orr	Shaw
Culver	Merritt	Palmer	Taylor
DeKoster	Miller of Des Moines	Plymat	Tieden
Doderer		Priebe	Willits
Gallagher	Miller of Marshall	Ramsey	Winkelman
Glenn		Redmond	

Nays, 1:

Hill of Polk

Absent or not voting, 12:

Carr	Hill of Jasper	Kelly	Shaff
Curtis	Hultman	Nystrom	Sovern
Griffin	Junkins	Rabedeaux	Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Redmond asked and received unanimous consent that Senate File 60 be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 335

On motion of Senator Nolin, House File 335, a bill for an act relating to exemptions from the state merit system, with report

of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolin moved that the bill 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. 335) the vote was:

Ayes, 37:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Coleman	Kinley	Orr	Shaw
Culver	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Ramsey	Van Gilst
Gallagher		Redmond	Willits
Glenn			Winkelman

Nays, none.

Absent or not voting, 13:

Carr	Hultman	Norpel	Rabedeaux
Curtis	Junkins	Nystrom	Shaff
Griffin	Kelly	Palmer	Sovern
Hill of Jasper			

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 371

Senator Miller of Des Moines called up for consideration Senate File 371, a bill for an act relating to the issuance of migratory waterfowl stamps and providing a penalty, amended by the House, and moved that the Senate concur in the following amendment:

S—3727

Amend Senate File 371, as amended and passed by the Senate, as follows:

Page 1, line 33, by striking the word and numeral "December 31" and inserting in lieu thereof the following: "[December 31] *the last day of February*".

The motion prevailed and the Senate concurred in House amendment S—3727.

Senator Miller of Des Moines 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. 371) the vote was:

Ayes, 37:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hill of Polk	Orr	Shaw
Coleman	Kinley	Palmer	Taylor
Culver	Lamborn	Plymat	Tieden
DeKoster	Miller of	Priebe	Van Gilst
Doderer	Des Moines	Ramsey	Willits
Glenn	Miller of	Redmond	Winkelman
Gluba	Marshall	Robinson	

Nays, 1:

Merritt

Absent or not voting, 12:

Carr	Griffin	Kelly	Rabedeaux
Curtis	Hultman	Norpel	Shaff
Gallagher	Junkins	Nystrom	Sovern

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 121

Senator Shaw called up for consideration Senate File 121, a bill for an act relating to compensation of the clerk of the grand jury, amended by the House, and moved that the Senate concur in the following amendment:

S—3746

Amend Senate File 121 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section seven hundred seventy point nineteen (770.19), Code 1975, is amended to read as follows:

770.19 COMPENSATION. Such clerk shall receive compensation at the rate [of eight dollars per day for time actually and necessarily employed in the performance of the duties prescribed in this chapter] *set by the court subject to the approval of the board of supervisors.*

Sec. 2. Sections seven hundred seventy point twenty (770.20) and seven hundred seventy point twenty-one (770.21), Code 1975, are repealed."

The motion prevailed and the Senate concurred in House amendment S—3746.

Senator Shaw 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. 121) the vote was:

Ayes, 35:

Andersen	Hill of Polk	Nolting	Rodgers
Bergman	Kinley	Norpel	Schwengels
Briles	Merritt	Orr	Scott
Burroughs	Miller of	Palmer	Shaw
Coleman	Des Moines	Plymat	Taylor
Culver	Miller of	Priebe	Tieden
Glenn	Marshall	Ramsey	Van Gilst
Hansen	Murray	Redmond	Willits
Heying	Nolin	Robinson	Winkelman
Hill of Jasper			

Nays, none.

Absent or not voting, 15:

Carr	Gallagher	Junkins	Rabedeaux
Curtis	Gluba	Kelly	Shaff
DeKoster	Griffin	Lamborn	Sovern
Doderer	Hultman	Nystrom	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 214

Senator Robinson called up for consideration Senate File 214, a bill for an act relating to the membership of the energy policy council, amended by the House, and moved that the Senate concur in the following amendment:

S—3747

Amend Senate File 214 as passed by the Senate as follows:

Page 1, line 20, by inserting after the period the sentence "*If an ex officio nonvoting member is unable to attend a meeting of the council, the member shall designate a replacement who shall be authorized to represent the member at the meeting.*"

The motion prevailed and the Senate concurred in House amendment S—3747.

Senator Robinson 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. 214) the vote was:

Ayes, 38:

Andersen	Gallagher	Kinley	Murray
Bergman	Glenn	Lamborn	Nolin
Briles	Gluba	Merritt	Nolting
Burroughs	Hansen	Miller of	Norpel
Coleman	Heying	Des Moines	Orr
Culver	Hill of Jasper	Miller of	Plymat
DeKoster	Hill of Polk	Marshall	Priebe

Ramsey	Rodgers	Shaw	Van Gilst
Redmond	Schwengels	Taylor	Willits
Robinson	Scott	Tieden	Winkelman

Nays, none.

Absent or not voting, 12:

Carr	Griffin	Kelly	Rabedeaux
Curtis	Hultman	Nystrom	Shaff
Doderer	**Junkins**	Palmer	Sovern

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 488

Senator Heying called up for consideration House File 488, a bill for an act to allow the state conservation commission to gather or remove certain plant life from parks, 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:

S—3726
Amend the Senate amendment H—3707 to House File 488, as passed by the House, as follows:
By striking lines 8 through 13 of the amendment.

The Chair requested a non-record roll call.

The ayes were 23, nays 12.

The motion prevailed and the Senate concurred in the House amendment S—3726 to the Senate amendment.

Senator Heying 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. 488) the vote was:

Ayes, 35:

Andersen	Hansen	Murray	Schwengels
Bergman	Heying	Nolin	Scott
Burroughs	Hill of Jasper	Norpel	Shaw
Coleman	Hill of Polk	Orr	Taylor
Culver	Kinley	Palmer	Tieden
DeKoster	Merritt	Plymat	Van Gilst
Doderer	Miller of	Priebe	Willits
Gallagher	Des Moines	Redmond	Winkelman
Glenn	Miller of	Robinson	
Gluba	Marshall		

Nays, 4:

Lamborn	Nolting	Ramsey	Rodgers

Absent or not voting, 11:

Briles	Griffin	Kelly	Shaff
Carr	Hultman	Nystrom	Sovern
Curtis	Junkins	Rabedeaux	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 748.

House File 748

On motion of Senator Hill of Jasper, House File 748, a bill for an act relating to sales delivered within the state for corporation tax purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Jasper moved that the bill 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. 748) the vote was:

Ayes, 34:

Andersen	Hansen	Nolting	Schwengels
Bergman	Hill of Jasper	Norpel	Scott
Burroughs	Hill of Polk	Orr	Shaw
Coleman	Kinley	Palmer	Taylor
Culver	Merritt	Plymat	Tieden
DeKoster	Miller of Marshall	Priebe	Van Gilst
Doderer	Murray	Ramsey	Willits
Glenn	Nolin	Redmond	Winkelman
Gluba		Rodgers	

Nays, 1:

Heying

Absent or not voting, 15:

Briles	Griffin	Lamborn	Rabedeaux
Carr	Hultman	Miller of Des Moines	Robinson
Curtis	Junkins	Nystrom	Shaff
Gallagher	Kelly		Sovern

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 317.

House File 317

On motion of Senator Lamborn, House File 317, a bill for an act relating to the taxation of cigarettes by providing for the sale and exchange of cigarette stamps and defining cigarette and package of cigarettes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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 bill pass?" (H.F. 317) the vote was:

Ayes, 36:

Andersen	Hill of Jasper	Nolting	Rodgers
Bergman	Hill of Polk	Norpel	Schwengels
Burroughs	Kinley	Orr	Scott
Coleman	Lamborn	Palmer	Shaw
Culver	Merritt	Plymat	Taylor
DeKoster	Miller of	Priebe	Tieden
Doderer	Marshall	Ramsey	Van Gilst
Gallagher	Murray	Redmond	Willits
Glenn	Nolin	Robinson	Winkelman
Gluba			

Nays, 1:

Heying

Absent or not voting, 13:

Briles	Hansen	Miller of	Rabedeaux
Carr	Hultman	Des Moines	Shaff
Curtis	Junkins	Nystrom	Sovern
Griffin	Kelly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Rodgers asked and received unanimous consent that **Senate File 174** be **withdrawn** from further consideration of the Senate.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senate File 5

Senator Van Gilst called up the following conference committee report and moved its adoption:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 5

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representa-

tives on Senate File 5, a bill for an act relating to the membership of the board of review, respectfully make the following recommendations:

1. That the House recede from the House amendment, S—3188, to Senate File 5, as amended and passed by the Senate.

2. That the Senate recede from its amendments, S—3054, S—3050, and S—3048A, to Senate File 5.

3. That Senate File 5 be amended to read as follows:

1. Page 1, line 28, by inserting after the word *"review"* the words *"prior to December 31, 1975,"*.

2. Page 1, by adding after line 32 the following new section:

"Sec. 2. Section four hundred forty-one point thirty-three (441.33), Code 1975, is amended to read as follows:

441.33 SESSIONS BOARD OF REVIEW. The board of review shall be in session from May 1 to May 31, [both inclusive,] each year and for such additional period as may be required under section 441.37 and shall hold as many meetings as are necessary to discharge its duties. *A majority of the members shall be present before the board may conduct any of its business.* On June 1 in any year in which a session has not been extended as required under section 441.37, said board shall return all books, records and papers to the assessor except undisposed of protests and records pertaining thereto. If it has not completed its work prior to June 1, in those years in which the session has not been extended under section 441.37 the director of revenue may authorize the board of review to continue in session for such period as is necessary to complete its work, but in no event shall the director of revenue approve a continuance extending beyond August 1. On June 1 or on the final day of any extended session required under section 441.37 or authorized by the director of revenue as herein provided the board of review shall be adjourned until May 1 of the following year. It shall adopt its own rules of procedure, elect its own chairman from its membership, and keep minutes of its meetings. The board shall appoint a clerk who may be a member of such board or any other qualified person, except the assessor or any member of his staff. It may be reconvened by the director of revenue. All undisposed protests in its hands on August 1 shall be automatically overruled and returned to the assessor together with its other records.

Within fifteen days following the adjournment of any regular or special session, the board of review shall submit to the director of revenue, on forms prescribed by the director, a report of any actions taken during that session."

3. Amend the title, line 1, by striking the words "membership of the".

On the Part of the Senate:	On the Part of the House:
BASS VAN GILST, Chairman	JAY MENNENGA, Chairman
WARREN E. CURTIS	WAYNE BENNETT
CHARLES P. MILLER	EDGAR H. BITTLE
JOHN S. MURRAY	EMIL S. PAVICH
JAMES M. REDMOND	RUSSELL L. WYCKOFF

The motion prevailed and the conference committee report and the recommendations and amendments contained therein were 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?" (S.F. 5) the vote was:

Ayes, 28:

Andersen	Hansen	Nolin	Redmond
Bergman	Hill of Jasper	Nolting	Robinson
Coleman	Kinley	Norpel	Rodgers
Culver	Miller of	Orr	Shaw
DeKoster	Des Moines	Palmer	Taylor
Doderer	Miller of	Plymat	Van Gilst
Glenn	Marshall	Priebe	Willits
Gluba	Murray		

Nays, 9:

Heying	Merritt	Schwengels	Tieden
Hill of Polk	Ramsey	Scott	Winkelman
Lamborn			

Absent or not voting, 13:

Briles	Gallagher	Junkins	Rabedeaux
Burroughs	Griffin	Kelly	Shaff
Carr	Hultman	Nystrom	Sovern
Curtis			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 728.

House File 728

On motion of Senator Hill of Polk, House File 728, a bill for an act to legalize proceedings taken by the county supervisors of Buchanan County relating to the purchase of certain land, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Polk moved that the bill 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, 33:

Andersen	Coleman	Gallagher	Hansen
Bergman	Culver	Glenn	Heying
Burroughs	Doderer	Gluba	Hill of Jasper

Hill of Polk	Murray	Priebe	Scott
Kinley	Nolin	Ramsey	Taylor
Merritt	Nolting	Redmond	Tieden
Miller of Des Moines	Norpel	Rodgers	Van Gilst
Miller of Marshall	Orr	Schwengels	Willits
	Plymat		

Nays, 4:

DeKoster	Lamborn	Robinson	Winkelman

Absent or not voting, 13:

Briles	Hultman	Nystrom	Shaff
Carr	Junkins	Palmer	Shaw
Curtis	Kelly	Rabedeaux	Sovern
Griffin			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 741.

House File 741

On motion of Senator Ramsey, House File 741, a bill for an act to legalize and validate the proceedings for the organization and operation of the Western Iowa Municipal Electric Cooperative Association and declaring said cooperative association to be legally established and its acts to have been legally taken, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ramsey moved that the bill 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, 36:

Andersen	Heying	Nolting	Rodgers
Bergman	Hill of Jasper	Norpel	Schwengels
Coleman	Kinley	Orr	Scott
Culver	Merritt	Palmer	Shaw
DeKoster	Miller of Des Moines	Plymat	Taylor
Doderer	Miller of Marshall	Priebe	Tieden
Gallagher	Murray	Ramsey	Van Gilst
Glenn	Nolin	Redmond	Willits
Gluba		Robinson	Winkelman
Hansen			

Nays, 2:

Hill of Polk	Lamborn

Absent or not voting, 12:

Briles	Curtis	Junkins	Rabedeaux
Burroughs	Griffin	Kelly	Shaff
Carr	Hultman	Nystrom	Sovern

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ADOPTION OF CONCURRENT RESOLUTIONS

Senator Kinley asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 33.

Senate Concurrent Resolution 33

On motion of Senator Coleman, the following concurrent resolution was taken up for reconsideration:

SENATE CONCURRENT RESOLUTION 33
By Committee on Transportation

Whereas, the Mississippi River Locks and Dam 26 at Alton, Illinois are a vital link in the mid-continent waterway system; and

Whereas, over twenty million tons of coal, petroleum, grain, fertilizer, salt, molasses and other commodities are transported to Iowa via the Mississippi waterway, and it provides clear economic benefits to all of Iowa and, indirectly, the nation; and

Whereas, the locks and dam have deteriorated over the past 37 years and structural failure is now threatened by settlement and riverbed scour, and lock failure could halt navigation on both the Upper Mississippi and Illinois Rivers; and

Whereas, the Corps of Engineers began examining alternate solutions in 1957, proceeded with project development and advertised for initial construction bids in August, 1974; and

Whereas, the United States district court granted a preliminary injunction to stop the project until consent of Congress was obtained and defects in the environmental impact statement were remedied; and

Whereas, the Iowa state department of transportation has reviewed the General Design Memorandum, Final Environmental Statement, and litigation documents relating to the Alton Locks and Dam 26 project proposal; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the general assembly urges that the federal government and its agencies make no further delays in the construction of the new Alton Lock and Dam in order to insure continued navigation, remove capacity constraints on the present lock and dam, avoid further increases in construction cost, and maintain the economic competitiveness of the water transportation alternative; and

Be It Further Resolved, That copies of this resolution be

Page 2

forwarded to the Iowa congressional delegation and the Iowa department of transportation and their support for the principles and objectives of this resolution is urged; and

Be It Further Resolved, That other midwestern states dependent upon water transportation on the Upper Mississippi

and Illinois Rivers be urged to unite in uniformly opposing further delay in this critical project.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.C.R. 33) the vote was:

Ayes, 37:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Coleman	Kinley	Norpel	Shaw
Culver	Lamborn	Orr	Taylor
DeKoster	Merritt	Palmer	Tieden
Doderer	Miller of	Priebe	Van Gilst
Gallagher	Des Moines	Ramsey	Willits
Glenn	Miller of	Redmond	Winkelman
Hansen	Marshall	Robinson	

Nays, 2:

Gluba	Plymat

Absent or not voting, 11:

Briles	Griffin	Kelly	Shaff
Carr	Hultman	Nystrom	Sovern
Curtis	Junkins	Rabedeaux	

The motion prevailed and the resolution was adopted.

Senator Kinley asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 24.

Senate Concurrent Resolution 24

On motion of Senator Murray, the following concurrent resolution, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted:

SENATE CONCURRENT RESOLUTION 24
By Murray

Whereas, energy waste is evident in most aspects of our industrial and residential environment; and

Whereas, energy conservation is an immediate remedy for impending energy shortages; and

Whereas, Iowa's energy consumption rose only two percent instead of the expected four percent increase for 1974, primarily because of decreased highway speeds; and

Whereas, significant energy savings can be achieved in other sectors of our economy without detracting from Iowa's economic well-being; and

Whereas, leadership and clearly defined state objectives are lacking in the area of energy and energy use; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That Iowa initiate a comprehensive energy program to inform the public of the need and intent to promote energy conservation as a state policy with the goal of achieving and maintaining a level of zero energy growth; and

Be It Further Resolved, That the governor, the Iowa Energy Policy Council and all other state agencies be instructed to evaluate their programs and policies in light of a zero energy growth objective and that they immediately initiate such measures as are required, within their current authority, to achieve a zero energy growth rate by January 1, 1976.

Senator Gallagher offered amendment S—3501 by the committee on energy and moved its adoption:

S—3501

Amend Senate Concurrent Resolution 24, as found on page 647 of the Senate Journal, as follows:

1. Line 10, by striking the word "and" and inserting in lieu thereof the words "*Now Therefore*".

2. By striking all of lines 11 through 13.

Amendment S—3501 was adopted.

Senator Rodgers offered amendment S—3498 filed by him and moved its adoption:

S—3498

Amend Senate Concurrent Resolution 24, line 23, by striking the words "within their current authority" and inserting in lieu thereof the words "through conservation and the development of renewable energy resources, including sun, wind, and wastes".

Amendment S—3498 was adopted.

Senator Murray moved the adoption of the resolution as amended.

The motion prevailed and the resolution as amended was adopted.

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

H. F. 724 Transportation

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on May 8, 1975, the Governor approved and transmitted to the Secretary of State the following bill:

H.F. 43—Permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 12
Appropriations
Junkins, Chairman
Plymat
Sovern

Senate File 462
Transportation
Orr, Chairman
Gallagher
Murray

Senate File 468
Appropriations
Van Gilst, Chairman
Sovern
Bergman

Senate File 473
Appropriations
Hill of Jasper, Chairman
Van Gilst
Lamborn

Senate File 497
State Government
Nolin, Chairman
Curtis
Winkelman

Senate File 500
Commerce
Rabedeaux, Chairman
Rodgers
Briles

Senate File 502
Ways and Means
Nolting, Chairman
Gluba
Schwengels

Senate File 509
Commerce
Priebe, Chairman
Junkins
Curtis

Senate File 510
Judiciary
Redmond, Chairman
Willits
Shaw

Senate File 513
Commerce
Glenn, Chairman
Gallagher
Rabedeaux

Senate File 516
Ways and Means
Rodgers, Chairman
Van Gilst
Curtis

Senate Concurrent Resolution 28
Rules and Administration
Palmer, Chairman
Van Gilst
Lamborn

Senate Concurrent Resolution 29
Rules and Administration
Kinley, Chairman
Van Gilst
Lamborn

Senate Concurrent Resolution 30
Rules and Administration
Palmer, Chairman
Van Gilst
Lamborn

Senate Concurrent Resolution 31
Rules and Administration
Junkins, Chairman
Van Gilst
Rabedeaux

Senate Concurrent Resolution 35
Rules and Administration
Palmer, Chairman
Junkins
Rabedeaux

Senate Concurrent Resolution 36
Rules and Administration
Junkins, Chairman
Van Gilst
Rabedeaux

Senate Concurrent Resolution 37
Rules and Administration
Junkins, Chairman
Palmer
Rabedeaux

House File 324
Transportation
Orr, Chairman
Gallagher
Murray

House File 362
Commerce
Glenn, Chairman
Bergman
Rabedeaux

House File 584
Judiciary
Redmond, Chairman
Shaw
Willits

House File 628
Education
Carr, Chairman
Griffin
Sovern

House File 700
State Government
Doderer, Chairman
Redmond
Nystrom

House File 753
State Government
Coleman, Chairman
Nolin
Andersen

House File 765
Commerce
Rodgers, Chairman
Carr
Briles

House File 766
Judiciary
Doderer, Chairman
Ramsey
Hill of Polk

House File 792
Commerce
Carr, Chairman
Gallagher
Briles

House File 798
Human Resources
Orr, Chairman
Plymat
Ramsey

House File 811
Ways and Means
Lamborn, Chairman
Junkins
Van Gilst

House Concurrent Resolution 26
Transportation
Nolin, Chairman
Doderer
Shaff

AMENDMENTS FILED

S—3781

Amend the human resources committee amendment, S—3313, to Senate File 106 as follows:

1. Page 1, by inserting after line 36 the following new subsection:

"..... Any room of a health care facility as defined in section one hundred thirty-five C point one (135C.1) of the Code, hospital, clinic, or other medical facility used for the recuperation or care of patients, except in rooms designated by the person in custody or control of the facility as smoking rooms. The person in custody or control of the facility shall provide a sufficient number of rooms in which smoking is not permitted to accommodate those persons who desire such rooms."

2. By renumbering the remaining subsections, sections, and internal references to accord with this amendment.

RAY TAYLOR
KENNETH D. SCOTT

S—3779

Amend Senate File 472, page 1, by striking lines 4 through 18 and inserting in lieu thereof the following:

NEW SUBSECTION. Approve any ordinance or resolution adopted by a political subdivision of this state which relates to the speed of a train in an area within the jurisdiction of the political subdivision. Any such speed ordinance or resolution adopted by a political subdivision of the state prior to July 1, 1975 which has not been approved by the Iowa State Commerce Commission shall be referred to the board by the political subdivision and shall be in full force and effect upon approval of the ordinance or resolution by the board. Nothing in this subsection shall be construed to abrogate, modify, or alter any historical or contractual agreement between a political subdivision of the state and a railroad corporation in existence on the effective date of this Act.

CLOYD E. ROBINSON

S—3783

Amend Senate File 508, page 1, line 23, by striking the words: "A city or other political subdivision", and insert in lieu thereof, "A city or other political subdivision which provides on-street parking areas or off-street parking facilities".

KENNETH D. SCOTT

S—3784

Amend Senate File 508, page 1, lines 32 and 33, by striking the words: "the city or other political subdivision may impose a fine not to", and insert in lieu thereof, "a fine shall not".

KENNETH D. SCOTT

S—3780

Amend Senate File 517, page 1, line 6, by inserting after the word "road" the words "not to exceed 200 feet".

BERL E. PRIEBE

S—3778

Amend House File 450 as amended and passed by the House and reprinted, page 5, by inserting after line 26 the following new section:

"Sec. ..... Section three hundred twenty-one point thirty-four (321.34) unnumbered paragraph three (3), Code 1975, is amended to read as follows:

In lieu of issuing new registration plates [each year] for a vehicle renewing *a* registration *which expires prior to the first day of January, 1978,* the department may reassign the registration plates previously issued to such vehicle and may adopt and prescribe an annual validation sticker indicating payment of registration fee, which annual validation sticker shall be attached to said registration plates bearing the numerals indicating the year for which the original plates are validated. *Thereafter new registration plates shall be issued for a vehicle renewing* registration."

KARL NOLIN

S—3782

Amend House File 625 as amended and passed by the House, page 7, by striking in line 21a the words ", or, if the livestock" and by striking all of lines 21b and 21c and inserting in lieu thereof the following: ". If livestock is bought on a yield or grade and yield basis, a dealer or broker shall upon the express request of the seller, transmit or deliver to the seller or the seller's duly authorized agent before the close of the next business day following such purchase or delivery, whichever is later, up to eighty per cent of the estimated purchase price, and pay the remaining balance on the next business day following the determination of the purchase price.".

KENNETH D. SCOTT
KARL NOLIN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 12:10 p.m., until 10:00 a.m., Monday, May 12, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MAY 12, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Paul Hart, pastor of the St. Patrick's Catholic Church, Ottumwa, Iowa.

The Journal of Friday, May 9, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Kim Peterson, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Curtis for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Nine students, members of the Camp Fire Girls from Cedar Rapids, Iowa, accompanied by their leader, Mrs. Phelps. Included in the group was Senator Robinson's daughter, Shelly. Senator Robinson.

Thirty-six students from Valley High School of Clermont, Elgin and Wadena, Iowa, accompanied by Derryl Leonhart. Senators Tieden and Heying.

Fifty-two students from Adair-Casey Community School, accompanied by their principal, Mr. Boelman, Mrs. Marckmann and Mrs. Bassett. Senator Rodgers.

Fifty-two students from Carlisle High School, Carlisle, Iowa, accompanied by Gary Sinclair. Senator Hill of Jasper.

Thirty-five students from Schaller Community School, Schaller, Iowa, accompanied by Mrs. Dillon and Mr. Taylor. Senator Winkelman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Hill of Jasper from six hundred thirty-eight residents of Iowa urging rescission of the Equal Rights Amendment.

By Senator Briles from thirty-seven residents of Taylor County favoring legislation which establishes area agencies and makes an appropriation to the Department on Aging.

By Senator Hill of Polk from two hundred ninety-one residents of Warren and Polk Counties opposing pari-mutuel betting.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Norpel called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Arthur Earnest Dahl of Muscatine, Muscatine County, Iowa, for appointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System (IPERS) under the provisions of Section 97B.8, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD J. NORPEL, SR., Chairman
JAMES V. GALLAGHER
JOAN ORR
JOHN N. NYSTROM
W. R. RABEDEAUX

The motion prevailed and the report was adopted.

Senator Norpel moved the appointment of Arthur Earnest Dahl as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Nolting	Schwengels
Briles	Hill of Polk	Norpel	Scott
Burroughs	Hultman	Nystrom	Shaff
Carr	Junkins	Orr	Shaw
Coleman	Kelly	Palmer	Sovern
Culver	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman
Hansen		Robinson	

Nays, 2:

Doderer Merritt

Absent or not voting, 3:

Curtis Griffin Nolin

President pro tempore Doderer declared the appointment of Arthur Earnest Dahl as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System confirmed for the regular six-year term ending June 30, 1981.

Senator Rodgers called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Herbert L. Notch, of Newton, Jasper County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners under the provisions of Section 147.14(7), Code 1975, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

NORMAN G. RODGERS, Chairman
IRVIN L. BERGMAN
EUGENE M. HILL
MILO MERRITT
ELIZABETH SHAW

The motion prevailed and the report was adopted.

Senator Rodgers moved the appointment of Herbert L. Notch as a member of the Iowa State Board of Psychology Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Doderer	Merritt	Plymat	Taylor
Gallagher	Miller of Des Moines	Priebe	Tieden
Glenn	Miller of Marshall	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Hansen		Redmond	Winkelman

Nays, 1:

Coleman

Absent or not voting, 3:

Curtis Griffin Lamborn

President pro tempore Doderer declared the appointment of Herbert L. Notch as a member of the Iowa State Board of Psychology Examiners confirmed for the regular three-year term ending June 30, 1978.

Senator Orr called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Anthony Paul Untz, D.C., of Dyersville, Dubuque County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of sections 147.12 through 147.20, Code 1975, for an initial term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOAN ORR, Chairman
ELIZABETH R. MILLER
RICHARD J. NORPEL, SR.
WILLIAM D. PALMER
RICHARD R. RAMSEY

The motion prevailed and the report was adopted.

Senator Orr moved the appointment of Anthony Paul Untz, D.C., as a member of the State Board of Chiropractic Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Andersen	Hultman	Nolting	Rodgers
Bergman	Junkins	Norpel	Schwengels
Briles	Kelly	Nystrom	Scott
Burroughs	Kinley	Orr	Shaff
Carr	Lamborn	Palmer	Shaw
DeKoster	Miller of	Plymat	Sovern
Glenn	Des Moines	Priebe	Taylor
Gluba	Miller of	Rabedeaux	Tieden
Hansen	Marshall	Ramsey	Van Gilst
Heying	Murray	Redmond	Willits
Hill of Jasper	Nolin	Robinson	Winkelman
Hill of Polk			

Nays, 5:

Coleman	Doderer	Gallagher	Merritt
Culver			

Absent or not voting, 2:

Curtis	Griffin

President pro tempore Doderer declared the appointment of Anthony Paul Untz, D.C., as a member of the State Board of Chiropractic Examiners confirmed for an initial term ending June 30, 1976.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 228.

Senate File 228

On motion of Senator Murray, Senate File 228, a bill for an act relating to the use of bicycles upon the public roads and highways and providing penalties for violations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel offered amendment S—3616 filed by Senators Norpel, et al., on April 24, 1975, and found on pages 1100-1102, inclusive, of the Senate Journal.

Senator Murray offered amendment S—3785 to amendment S—3616:

S—3785
Amend the Norpel, et al., amendment S—3616 to Senate File 228 as follows:
Division S—3785A
1. Page 1, line 8, by inserting after the word "two" the words "or more".
Division S—3785B
2. By striking lines 30 through 50 on page 1 and lines 1 through 3 on page 2.

Senator Redmond called for a division of amendment S—3785 to amendment S—3616, section 1 to be considered as division S—3785A; section 2 to be considered as division S—3785B.

Division S—3785A of the amendment to amendment S—3616 was temporarily deferred.

On motion of Senator Murray, division S—3785B of the amendment to amendment S—3616 was adopted.

Senator Norpel withdrew amendment S—3717 to amendment S—3616 filed by him on May 6, 1975, and found on pages 1267 and 1268 of the Senate Journal.

Senator Norpel offered amendment S—3771 to amendment S—3616 filed by him and called for a division of the amendment as follows:

S—3771
Amend the Norpel, et al., amendment S—3616 to Senate File 228 as follows:
Division S—3771A
1. By striking lines 13 through 15 on page 1.

Division S—3771B

2. By striking lines 30 through 50 on page 1 and lines 1 through 3 on page 2, and inserting in lieu thereof the following:

"Sec. 3. *NEW SECTION.* OPERATION AND MAINTENANCE MANUAL. Every new bicycle sold in Iowa shall include an instruction manual tied to the frame or included in the packaging. This manual shall include, but not be limited to, the following information:

a. Operating and safety instructions.

b. Maintenance instructions for proper maintenance of brakes, control cables, bearing adjustments, lubrication, reflectors, tires, and handlebar and seat adjustments.

If in the judgment of the manufacturer certain maintenance is beyond the capability of the consumer, the maintenance instruction manual shall include a list of the locations of service facilities where such maintenance can be obtained.

Sec. 4. *NEW SECTION.* ASSEMBLY REQUIREMENTS. Any bicycle sold to a consumer in the state of Iowa in less than fully assembled condition shall include a manual and a description of the tools with detailed instructions on how to assemble the bicycle. The list of tools necessary to assemble and adjust the bicycle shall be disclosed clearly on promotional display material and on the shipping carton.

Sec. 5. *NEW SECTION.* ASSEMBLY CHARGE. If a bicycle is sold to a consumer in less than fully assembled condition, the charge for completely assembling the bicycle must be clearly posted on any promotional material and at the same place as the price of the bicycle is displayed."

On motion of Senator Norpel, division S—3771A of the amendment to amendment S—3616 was adopted.

Division S—3771B of the amendment to amendment S—3616 was temporarily deferred.

Senator Norpel offered amendment S—3619 to amendment S—3616 filed by him and moved its adoption:

S—3619

Amend the Norpel, et al., amendment S—3616 to Senate File 228, page 2, by striking lines 40 through 46 and inserting in lieu thereof the following:

"Sec. 9. *NEW SECTION.* APPROVED REFLECTIVE DEVICES. The director of the state department of transportation shall issue rules establishing standards and performance requirements for reflective devices and publish lists of approved reflective surfaces."

Amendment S—3619 to amendment S—3616 **lost.**

The Senate resumed consideration of division S—3785A of the amendment to amendment S—3616, previously deferred.

Senator Murray withdrew division S—3785A of the amendment to amendment S—3616.

Senator Murray offered amendment S—3787 to amendment S—3616 and moved its adoption:

S—3787

Amend the Norpel, et al., amendment S—3616 to Senate File 228, page 1, line 8, by striking the words "tandem wheels, either" and inserting in lieu thereof the words "or more wheels, any one".

Amendment S—3787 to amendment S—3616 was adopted.

Senator Norpel offered amendment S—3786 to amendment S—3616:

S—3786

Amend the Norpel, et al., amendment S—3616 to Senate File 228, by inserting after line 29 the following new sections:

"Sec. 3. *NEW SECTION.* OPERATION AND MAINTENANCE MANUAL. Every new bicycle sold in Iowa shall include an instruction manual tied to the frame or included in the packaging. This manual shall include, but not be limited to, the following information:

a. Operating and safety instructions.

b. Maintenance instructions for proper maintenance of brakes, control cables, bearing adjustments, lubrication, reflectors, tires, and handlebar and seat adjustments.

If in the judgment of the manufacturer certain maintenance is beyond the capability of the consumer, the maintenance instruction manual shall include a list of the locations of service facilities where such maintenance can be obtained.

Sec. 4. *NEW SECTION.* ASSEMBLY REQUIREMENTS. Any bicycle sold to a consumer in the state of Iowa in less than fully assembled condition shall include a manual and a description of the tools with detailed instructions on how to assemble the bicycle. The list of tools necessary to assemble and adjust the bicycle shall be disclosed clearly on promotional display material and on the shipping carton.

Sec. 5. *NEW SECTION.* ASSEMBLY CHARGE. If a bicycle is sold to a consumer in less than fully assembled condition, the charge for completely assembling the bicycle must be clearly posted on any promotional material and at the same place as the price of the bicycle is displayed."

Senator Hill of Polk raised the point of order that amendment S—3786 to amendment S—3616 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3786 to amendment S—3616 out of order.

The Senate resumed consideration of division S—3771B of the amendment to amendment S—3616.

Senator Hill of Polk raised the point of order that division S—3771B of the amendment to amendment S—3616 was not germane to the bill.

The Chair ruled the point well taken and division S—3771B of the amendment to amendment S—3616 out of order.

Senator Norpel moved the adoption of amendment S—3616 as amended.

A record roll call was requested.

On the question "Shall amendment S—3616 as amended be adopted?" (S.F. 228) the vote was:

Ayes, 26:

Andersen	Heying	Nystrom	Schwengels
Carr	Hill of Polk	Orr	Shaw
DeKoster	Junkins	Priebe	Sovern
Doderer	Kinley	Redmond	Tieden
Glenn	Murray	Robinson	Van Gilst
Gluba	Nolting	Rodgers	Willits
Hansen	Norpel		

Nays, 16:

Bergman	Kelly	Miller of	Ramsey
Burroughs	Lamborn	Marshall	Scott
Gallagher	Miller of	Nolin	Taylor
Hill of Jasper	Des Moines	Plymat	Winkelman
Hultman		Rabedeaux	

Absent or not voting, 8:

Briles	Culver	Griffin	Palmer
Coleman	Curtis	Merritt	Shaff

Amendment S—3616 as amended was adopted.

Amendment S—3500 by the committee on transportation and amendment S—3769 filed by Senator Hultman were ruled out of order with the adoption of amendment S—3616 as amended.

Senator Murray moved that the bill 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. 228) the vote was:

Ayes, 28:

Andersen	Hansen	Nystrom	Scott
Carr	Heying	Orr	Shaff
DeKoster	Hill of Polk	Priebe	Shaw
Doderer	Junkins	Redmond	Sovern
Gallagher	Kinley	Robinson	Tieden
Glenn	Murray	Rodgers	Van Gilst
Gluba	Norpel	Schwengels	Willits

Nays, 15:

Bergman	Lamborn	Nolin	Ramsey
Burroughs	Miller of Des Moines	Nolting	Taylor
Hill of Jasper		Plymat	Winkelman
Hultman	Miller of Marshall	Rabedeaux	
Kelly			

Absent or not voting, 7:

Briles	Culver	Griffin	Palmer
Coleman	Curtis	Merritt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

COMMUNICATION

The following communication was presented:

"We shall always remember with deep gratitude your comforting expression of sympathy.

THE FAMILY OF GILBERT RULE"

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 on May 9, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 864, a bill for an act providing for and making appropriations for financing state postsecondary education programs including programs

under the state board of regents, the higher education facilities commission, and the department of public instruction.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 864, a bill for an act providing for and making appropriations for financing state postsecondary education programs including programs under the state board of regents, the higher education facilities commission, and the department of public instruction.

Read first time and **passed on file.**

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 507.

Senate File 507

On motion of Senator Coleman, Senate File 507, a bill for an act relating to the funding, compensation, expenses and membership of legislative members of committees and certain statutory or appointive boards, commissions, and councils, was taken up for consideration.

Senator Hill of Jasper offered amendment S—3685 filed by the committee on state government:

S—3685
Amend Senate File 507 as follows:
1. Page 1, line 14, by striking the words "*However, if*" and inserting in lieu thereof the words "*Members of the general assembly may be authorized by the legislative council to receive expenses only incurred in attending meetings of statutory boards, commissions and councils. If*".

Action on amendment S—3685 was temporarily deferred.

Senator Gallagher offered amendment S—3764 filed by him:

S—3764
Amend Senate File 507 as follows:
1. Page 1, lines 1 and 2 by striking the words and figure "subsection six (6)" and inserting in lieu thereof the words and figures "subsections one (1) and six (6)".
2. Page 1, by inserting the following after line 2:
"1. Every member of the general assembly except the speaker of the house and majority and minority floor leaders of the senate and house shall receive an annual salary of eight thousand dollars for each

year while serving as a member of the general assembly. The majority and minority floor leaders of the senate and house shall receive an annual salary of nine thousand five hundred dollars for each year which serving in such capacity. In addition, each such member shall receive the sum of [twenty] *thirty* dollars per day for expenses of office, except travel, for each day the general assembly is in session commencing with the first day of a legislative session and ending with the day of final adjournment of each legislative session as indicated by the journals of the house and senate. However, members from Polk County shall receive ten dollars per day. Travel expenses shall be paid at the rate established by section 79.9 for actual travel in going to and returning from the seat of government by the nearest traveled route for not more than one time per week during a legislative session. However, any increase from time to time in the mileage rate established by section 79.9 shall not become effective for members of the general assembly until the convening of the next general assembly until the convening of the next general assembly following the session in which the increase is adopted; and this provision shall prevail over any inconsistent provision of any present or future statute."

3. Page 10, by inserting the following after line 13:

"Sec. 20. Paragraph one (1) of Section one (1) of this Act shall become effective upon the convening of the next general assembly following the session in which this Act is adopted."

Senator Gallagher offered amendment S—3766 to amendment S—3764:

S—3766

Amend the Gallagher amendment S—3764 to Senate File 507 as follows:

1. Line 15 by striking the word "which" and inserting the word "while".

2. Lines 32 and 33 by striking the words "until the convening of the next general assembly".

Senator Rabedeaux raised the point of order that amendment S—3764 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3764 and amendment S—3766 to amendment S—3764 out of order.

The Senate resumed consideration of amendment S—3685 previously deferred.

Senator Ramsey offered amendment S—3788 to amendment S—3685 by Senators Ramsey and Hultman and moved its adoption:

S—3788
Amend the state government committee's amendment S—3685 to Senate File 507, line 7, by inserting after the word "councils" the words *"and then only if authorized in advance of the meeting"*.

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 22, nays 23.

Amendment S—3788 to amendment S—3685 lost.

On motion of Senator Hill of Jasper, amendment S—3685 was adopted.

Senator Gluba took the chair at 3:00 p.m.

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. 507) the vote was:

Ayes, 42:

Andersen	Hill of Polk	Nolting	Rodgers
Bergman	Hultman	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Scott
Carr	Kelly	Orr	Shaff
Coleman	Kinley	Palmer	Shaw
Culver	Miller of Des Moines	Plymat	Sovern
Doderer	Miller of Marshall	Priebe	Taylor
Glenn	Murray	Rabedeaux	Tieden
Gluba	Nolin	Ramsey	Van Gilst
Heying		Redmond	Willits
Hill of Jasper		Robinson	Winkelman

Nays, 4:

Briles	DeKoster	Lamborn	Merritt

Voting present, 1:

Gallagher

Absent or not voting, 3:

Curtis	Griffin	Hansen

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 314

Senator Gallagher called up for consideration Senate File 314, a bill for an act relating to the regulation of surface coal mining,

imposing additional fees and providing a penalty for violation of the act, amended by the House, and moved that the Senate concur in the following amendment:

S—3718

Amend Senate File 314, as passed by the Senate, as follows:

1. Page 1, line 6, by striking the figure "1975" and inserting in lieu thereof the following: "1976 and, with respect to lands from which the overburden has not been removed, any coal mining operation existing on July 1, 1976".

2. Page 1, by striking lines 8 through 16 and inserting in lieu thereof the following:

"1. Spoil, debris, soil, and waste materials from the cut made to obtain access to the coal seam shall be placed according to a plan approved by the department."

3. Page 1, line 25, by inserting after the period the sentences "If the effectiveness of the revegetation requirements of this subsection cannot be determined by the department before the expiration of the twelve-month period allowed for rehabilitation pursuant to section eighty-three A point nineteen (83A.19) of the Code, the department shall extend the time for rehabilitation as necessary to meet the requirements of this subsection. The department may retain a portion of the bond or other security under this chapter as necessary to assure performance of the requirements of this subsection."

4. Page 2, line 6, by striking the word ", or" and inserting in lieu thereof the word "and".

5. Page 2, line 28, by striking the second word "the".

6. Page 2, line 29, by striking the words "latest available engineering practices" and inserting in lieu thereof the words "engineering practices approved by the department".

7. Page 3, by striking lines 7 through 11.

8. Page 6, line 12, by inserting after the period the sentence "*Nothing in this section shall require land which has been mined or from which overburden has been removed before July 1, 1976 to meet the standards in section two (2) of this Act.*"

The motion prevailed and the Senate concurred in House amendment S—3718.

Senator Gallagher 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. 314) the vote was:

Ayes, 43:

Andersen	Hill of Polk	Nolin	Robinson
Bergman	Hultman	Nolting	Rodgers
Briles	Junkins	Norpel	Schwengels
Burroughs	Kelly	Nystrom	Scott
Carr	Kinley	Orr	Shaff
Culver	Lamborn	Palmer	Shaw
DeKoster	Merritt	Plymat	Sovern
Doderer	Miller of	Priebe	Taylor
Gallagher	Des Moines	Rabedeaux	Tieden
Glenn	Miller of	Ramsey	Van Gilst
Gluba	Marshall	Redmond	Willits
Heying			

Nays, none.

Voting present, 1:

Coleman

Absent or not voting, 6:

Curtis	Hansen	Murray	Winkelman
Griffin	Hill of Jasper		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Doderer took the chair at 3:25 p.m.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 501.

Senate File 501

On motion of Senator Shaff, Senate File 501, a bill for an act relating to the assessment and equalization of certain industrial property, was taken up for consideration.

Senator Kelly offered amendment S—3742 filed by Senators Kelly and Robinson and moved its adoption:

S—3742

Amend Senate File 501 as follows:

1. Page 1, line 6, by inserting after the word "of" the words "special purpose".

2. Page 1, line 9, by inserting after the word "comparable" the words "special purpose".

3. Page 1, line 10, by inserting after the word "such" the words "special purpose".

4. Page 1, line 14, by inserting before the word "industrial" the words "special purpose".

5. Amend the title, line 2, by inserting before the word "industrial" the words "special purpose".

A non-record roll call was requested.

The ayes were 19, nays 25.

Amendment S—3742 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. 501) the vote was:

Ayes, 44:

Andersen	Hill of Jasper	Nolting	Rodgers
Bergman	Hill of Polk	Norpel	Schwengels
Briles	Hultman	Nystrom	Scott
Burroughs	Junkins	Orr	Shaff
Carr	Kelly	Palmer	Shaw
Coleman	Kinley	Plymat	Sovern
Culver	Lamborn	Priebe	Taylor
DeKoster	Merritt	Rabedeaux	Tieden
Doderer	Miller of	Ramsey	Van Gilst
Gallagher	Marshall	Redmond	Willits
Glenn	Murray	Robinson	Winkelman
Heying			

Nays, none.

Absent or not voting, 6:

Curtis	Griffin	Miller of	Nolin
Gluba	Hansen	Des Moines	

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 367

Senator Priebe called up the following motion to reconsider Senate File 367, a bill for an act relating to the location and operation of livestock feed lots, and defining nuisance as the term relates thereto, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 367 failed to pass the Senate on May 2, 1975.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 367) the vote was:

Ayes, 27:

Andersen	Heying	Nolin	Schwengels
Bergman	Hultman	Norpel	Scott
Briles	Lamborn	Nystrom	Shaff
Burroughs	Merritt	Priebe	Taylor
Coleman	Miller of	Rabedeaux	Tieden
Culver	Marshall	Ramsey	Van Gilst
Griffin	Murray	Robinson	Winkelman

Nays, 21:

Carr	Hill of Jasper	Miller of	Redmond
DeKoster	Hill of Polk	Des Moines	Rodgers
Doderer	Junkins	Nolting	Shaw
Gallagher	Kelly	Orr	Sovern
Glenn	Kinley	Palmer	Willits
Gluba		Plymat	

Absent or not voting, 2:

Curtis	Hansen

The motion prevailed.

Senator Gallagher moved to reconsider the vote by which Senate File 367 went to its last reading.

A record 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?" (S.F. 367) the vote was:

Rule 25 was invoked.

Ayes, 21:

Carr	Hill of Jasper	Miller of	Redmond
DeKoster	Hill of Polk	Des Moines	Robinson
Doderer	Junkins	Nolting	Shaw
Gallagher	Kelly	Orr	Sovern
Glenn	Kinley	Palmer	Willits
Gluba		Plymat	

Nays, 26:

Andersen	Heying	Nolin	Scott
Bergman	Hultman	Norpel	Shaff
Briles	Lamborn	Nystrom	Taylor
Burroughs	Merritt	Priebe	Tieden
Coleman	Miller of	Rabedeaux	Van Gilst
Culver	Marshall	Ramsey	Winkelman
Griffin	Murray	Schwengels	

Absent or not voting, 3:

Curtis	Hansen	Rodgers

The motion lost.

On the question "Shall the bill pass?" (S.F. 367) the vote was:

Ayes, 29:

Andersen	Griffin	Murray	Schwengels
Bergman	Heying	Nolin	Scott
Briles	Hultman	Norpel	Shaff
Burroughs	Junkins	Nystrom	Taylor
Coleman	Lamborn	Priebe	Tieden
Culver	Merritt	Rabedeaux	Van Gilst
DeKoster	Miller of	Ramsey	Winkelman
Gallagher	Marshall		

Nays, 18:

Carr	Hill of Polk	Nolting	Robinson
Doderer	Kelly	Orr	Shaw
Glenn	Kinley	Palmer	Sovern
Gluba	Miller of	Plymat	Willits
Hill of Jasper	Des Moines	Redmond	

Absent or not voting, 3:

Curtis	Hansen	Rodgers

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 Taylor withdrew the motion to reconsider the vote by which Senate File 367 failed to pass the Senate filed by him on May 2, 1975.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 367 passed the Senate on May 12, 1975.

JAMES V. GALLAGHER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 367 passed the Senate on May 12, 1975.

BASS VAN GILST

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

H. F. 864 Appropriations

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on May 12, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 114—Relating to payment by the executive council of court related costs and expenses.

S. F. 193—Amending chapter 135C of the Code so as to change defined term "adult foster home" to "adult foster family home" and to make certain related changes in the use of that term.

S. F. 329—Relating to the disbursement of costs in actions on appeal to the supreme court.

S. F. 383—Authorizing name changes for school districts.

S. F. 426—Making an appropriation to the department of environmental quality, providing for the issuance of temporary permits for certain solid waste disposal sites, and providing a civil penalty for violations.

H. F. 99—Relating to temporary closing of highways.

H. F. 332—Establishing a service program for the deaf within the department of health.

H. F. 398—Relating to the board of psychology examiners.

H. F. 463—Relating to remedial eye care.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Helen J. Gleeson, Sioux City, Woodbury County, Iowa, for appointment to the Air Quality Commission of the Department of Environmental Quality for the State of Iowa pursuant to Section 455B.4, 1975 Code of Iowa, for an unexpired term ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
E. KEVIN KELLY
CHARLES P. MILLER
JAMES M. REDMOND
ROGER J. SHAFF

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Clifford Welcher of Greenfield, Adair County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under the provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for the regular three-year term beginning July 1, 1974 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

NORMAN G. RODGERS, Chairman
MILO MERRITT
FORREST V. SCHWENGELS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Irene Wiemers, Ph.D., of Cherokee, Cherokee County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975 Code of Iowa, for an initial three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
ROBERT M. CARR
WARREN E. CURTIS
GENE W. GLENN
W. R. RABEDEAUX

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was absent from the Senate chamber on Monday, May 12, 1975, when the vote was taken on Senate File 228. Had I been present, I would have voted "aye".

LOUIS P. CULVER

MR. PRESIDENT: I was absent from the Senate on May 7, 8 and 9, 1975, attending a malpractice conference in Washington, D. C. Had I been present, I would have voted on amendments and bills as follows:

May 7: "Nay" on amendments S—3757, S—3751, S—3759, S—3756 and S—3763 to Senate File 496. "Aye" on amendment S—3728 to Senate File 496 and "aye" on final passage of Senate File 496.

May 8: "Nay" on amendment S—3768 to Senate File 499 and "aye" on final passage of Senate File 499.

May 9: "Aye" on final passage of Senate Files 271, 494, 371, 121, 214, and 5, on House Files 185, 76, 335, 488, 748, 317, 728, 741 and on Senate Concurrent Resolution 33.

LOWELL JUNKINS

AMENDMENTS FILED

S—3789

Amend the human resources committee amendment S—3313 to Senate File 106, page 2, by inserting after line 29 the following new section:

"Sec. ..... Section two hundred seventy-nine point nine (279.9), Code 1975, is amended to read as follows:

279.9 USE OF TOBACCO, *ALCOHOL AND CONTROLLED SUBSTANCES.* Such rules [shall] *may* prohibit the use of tobacco, *or may regulate its use in the manner contemplated by sections two (2) through five (5) of this Act,* and *shall prohibit* the use or possession of alcoholic liquor or beer or any controlled substance as defined in section 204.101, subsection 6, by any student of such schools and the board may suspend or expel, *or provide for other appropriate disciplinary measures to be taken against,* any student for any violation of [such rule] *these rules.*"

JAMES M. REDMOND

S—3792

Amend Senate File 367 as follows:

1. Page 1, by striking lines 3 through 5.
2. Page 2, by striking lines 19 through 24.
3. Page 3, by striking lines 15 through 35.
4. Page 4, by striking lines 1 through 14.
5. By renumbering the remaining sections to conform with this amendment.

EARL M. WILLITS

Not considered—Filed after final reading.

S—3794

Amend Senate File 367 as follows:

1. Page 1, by striking lines 6 through 8 and 22 through 29.
2. Page 2, by striking lines 4 through 9 and 31 through 35.
3. Page 3, by striking lines 1 through 14.

4. By renumbering the remaining sections to conform with this amendment.

EARL M. WILLITS

Not considered—Filed after final reading.

S—3790

Amend Senate File 367, page 1, by striking lines 30 through 35 and inserting in lieu thereof the following:

"6. 'Feedlot' means any parcel of land or premises on which the principal use is concentrated feeding within a confined area of 500 head of cattle, hogs or sheep or 5,000 fowl."

JAMES V. GALLAGHER

Not considered—Filed after final reading.

S—3791

Amend Senate File 367, page 2, by striking lines 25 through 30.

JAMES M. REDMOND

Not considered—Filed after final reading.

S—3793

Amend Senate File 367, page 2, line 30, by adding after the word "Act," the following:

"or upon pleading and proof that the number of livestock in a feedlot exceeds the number of livestock in the feedlot on the established date of operation".

EARL M. WILLITS

Not considered—Filed after final reading.

S—3795

Amend Senate File 367 as follows:

1. Page 3, line 10 by striking the word "ten" and inserting in lieu thereof the word "five".
2. Page 3, line 29, by striking the word "ten" and inserting in lieu thereof the word "five".
3. Page 4, line 8, by striking the word "ten" and inserting in lieu thereof the word "five".
4. Page 4, line 13, by striking the word "ten" and inserting in lieu thereof the word "five".

EARL M. WILLITS

Not considered—Filed after final reading.

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:15 p.m., until 9:30 a.m., Tuesday, May 13, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MAY 13, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by Sister Mary Philomenia, R.S.M., from the St. Nicholas Catholic Church, Evansdale, Iowa.

The Journal of Monday, May 12, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stan Haugland, Des Moines, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Ninety-five students from Lawn Hill Elementary School, Webster City, Iowa, including thirty American Field Service students from Canada, accompanied by Ken Harfst and Joe Molek. Senator Nystrom.

Sixteen students from Marshalltown High School, Marshalltown, Iowa, accompanied by Francis Burnham. Senator Miller of Marshall.

Fourteen students from All Saints School, Cedar Rapids, Iowa, accompanied by Judy Stava. Senator Redmond.

Forty students from Baxter Elementary School, Baxter, Iowa, accompanied by Donna Henningsen and Colleen Hill. Senator Miller of Marshall.

PETITIONS

The following petitions were presented and placed on file:

By Senator Robinson from three hundred thirty-six residents of Iowa favoring legislation to regulate the use of beverage containers.

By Senator Hill of Jasper from ninety-seven residents of Cerro Gordo County urging rescission of the Equal Rights Amendment.

By Senator Tieden from six residents of Dubuque County favoring stringent pornography laws at the state level.

CONSIDERATION OF BILLS

Senate File 487

On motion of Senator Curtis, Senate File 487, a bill for an act relating to the regulation of savings and loan associations organized under the laws of the state of Iowa, was taken up for consideration.

Senator Glenn took the chair at 9:55 a.m.

Senator Hill of Polk offered amendment S—3679 filed by him on May 2, 1975, and found on pages 1204 and 1205 of the Senate Journal, and moved its adoption.

Amendment S—3679 was adopted.

Senator Curtis moved that the bill 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, 48:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

Gluba	Hansen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 421

On motion of Senator Scott, Senate File 421, a bill for an act relating to persons engaged in the business of soliciting, pur-

chasing, or receiving live animals for slaughter, and providing penalties, was taken up for consideration.

Senator Scott asked and received unanimous consent that **House File 625** be **substituted** for **Senate File 421.**

House File 625

On motion of Senator Scott, House File 625, a bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties, was taken up for consideration.

Senator Shaff offered amendment S—3760 filed by Senators Shaff, et al., and moved its adoption:

S—3760
Amend House File 625, as amended and passed by the House, as follows:
1. Page 2, line 30, by striking the word "twice".
2. Page 3, line 5, by striking the word "twice".
3. Page 3, line 15, by striking the word "twice".

A record roll call was requested.

On the question "Shall amendment S—3760 be adopted?" (H.F. 625) the vote was:

Ayes, 33:

Andersen	Glenn	Miller of Marshall	Robinson
Bergman	Gluba	Nolting	Rodgers
Burroughs	Hansen	Norpel	Schwengels
Carr	Heying	Nystrom	Shaff
Coleman	Hill of Polk	Plymat	Shaw
Curtis	Junkins	Rabedeaux	Sovern
DeKoster	Kelly	Redmond	Tieden
Doderer	Kinley		Willits
Gallagher	Lamborn		

Nays, 17:

Briles	Merritt	Orr	Scott
Culver	Miller of Des Moines	Palmer	Taylor
Griffin	Murray	Priebe	Van Gilst
Hill of Jasper	Nolin	Ramsey	Winkelman
Hultman			

Amendment S—3760 was adopted.

Senator Curtis offered amendment S—3755 filed by Senators Curtis and Hill of Polk and moved its adoption:

S—3755
Amend House File 625 as amended and passed by the House, page 7, by striking lines 17 through 21C and inserting in lieu thereof the following:
"1. If livestock is purchased on a basis other than

yield or grade and yield, a dealer or broker shall transmit or deliver to the seller or the seller's duly authorized agent the full amount of the purchase price before the close of the next business day following such purchase. If livestock is bought on a yield or grade and yield basis, a dealer or broker shall transmit or deliver to the seller or the seller's duly authorized agent before the close of the next business day following such purchase at least eighty per cent of the estimated purchase price, and pay the balance on the next business day following the determination of the purchase price. Partial payments made by a dealer or broker when purchasing livestock on a yield or grade and yield basis shall be recoverable from the seller in cases where animals are not accepted for slaughter by federal or state meat inspectors."

President pro tempore Doderer took the chair at 11:20 a.m.

Amendment S—3755 lost.

Senator Scott offered amendment S—3782 filed by Senators Scott and Nolin:

S—3782

Amend House File 625 as amended and passed by the House, page 7, by striking in line 21a the words ", or, if the livestock" and by striking all of lines 21b and 21c and inserting in lieu thereof the following: ". If livestock is bought on a yield or grade and yield basis, a dealer or broker shall upon the express request of the seller, transmit or deliver to the seller or the seller's duly authorized agent before the close of the next business day following such purchase or delivery, whichever is later, up to eighty per cent of the estimated purchase price, and pay the remaining balance on the next business day following the determination of the purchase price".

Senator Priebe asked and received unanimous consent that further action on amendment S—3782 be temporarily deferred.

Senator Shaff offered amendment S—3761 filed by Senators Shaff, et al., and called for a division of the amendment as follows:

S—3761

Amend House File 625, as amended and passed by the House, as follows:

Division—3761A

1. Page 7, line 21c, by inserting after the word "price" the words "when expressly requested by the seller".

Division S—3761B

2. Page 7, line 21f, by striking the words "this state" and inserting in lieu thereof the

words "Iowa or in any state bordering on Iowa".

Senator Shaff withdrew division S—3761A of the amendment.

Action on division S—3761B of the amendment was temporarily deferred.

(House File 625 pending on adjournment.)

INTRODUCTION OF BILL

Senate File 520, by committee on human resources, a bill for an act establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemptions and appropriations, and providing coordinating amendments related to implementation of the authority's programs.

Read first time and referred to the committee on **state government** (under Senate Rule 38).

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 on May 9, 1975, amended Senate amendment to, concurred in Senate amendment as amended and repassed the following bill in which the concurrence of the Senate is asked:

House File 558, a bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance, etc.

Also: That the House has on May 7, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 764, a bill for an act relating to the Iowa income tax by providing a simplified reporting form for Iowa individual income taxpayers, making changes in Iowa individual income tax rates, exemptions, and administrative requirements, providing for reporting of additional corporate income tax information, adopting penalties, making necessary corrective amendments and making the Act retroactive.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 764, a bill for an act relating to the Iowa income tax by providing a simplified reporting form for Iowa individual income taxpayers, making changes in Iowa individual income tax rates, exemptions, and administrative requirements, providing for reporting of additional corporate income tax information, adopting penalties, making necessary corrective amendments and making the Act retroactive.

Read first time and **passed on file.**

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 558

S—3801

Amend the Senate amendment (H—3720) to House File 558 as amended, passed and reprinted by the House as follows:

1. Page 1, by inserting after line 4 the following:

"..... Page 4A, by inserting after line 24 the following:

'Sec. ..... Section two hundred seventy-three point two (273.2), unnumbered paragraph five (5), Code 1975, is amended to read as follows:

The board of directors of an area education agency shall not establish programs and services which duplicate programs and services *which are or may be* provided by the area schools under the provisions of chapter 280A. An area education agency shall contract, whenever practicable, with other school corporations for the use of personnel, buildings, facilities, supplies, equipment, programs, and services.' "

2. Page 1, by striking line 50.

3. Page 2, by striking lines 1 through 8.

4. Page 2, by striking lines 18 and 19.

5. Page 2, by inserting after line 19 the following:

"..... Page 8, by inserting after line 20 the following:

'or Iowa students attending a nonpublic school in the district'."

6. Page 3, by striking lines 5 through 12.

7. Page 3, by striking lines 33 through 45.

8. Page 3, by striking lines 49 and 50.

9. Page 4, by striking lines 1 through 21.

10. Page 5, by striking lines 14 through 25 and inserting in lieu thereof the following:

"receives services. For the budget year beginning July 1, 1975, the total number of nonpublic pupils served by each area education agency and the number of nonpublic school pupils residing within each school district in the area to be served by the area education agency for media and other services shall be submitted by the department of public instruction to the state comptroller within one week after this Act is duly published. For school years subsequent to the school year beginning July 1, 1975, each school district shall include in the second Friday in January enrollment report the number of nonpublic school pupils within each school district for media and other services served by the area."

11. Page 6, by striking lines 7 through 50.

12. Page 7, by striking lines 1 through 13.

13. Renumber the sections and correct internal

Page 2

references in conformance with this amendment.

On motion of Senator Kinley, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Doderer presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Doderer presiding.

INTRODUCTION OF BILLS

Senate File 521, by committee on appropriations, a bill for an act relating to expenses for persons seeking or employed in professional positions with the state.

Read first time and **placed on calendar.**

Senate File 522, by committee on appropriations, a bill for an act making an appropriation to supplement funds appropriated to the state board of veterinary examiners fund.

Read first time and **placed on calendar.**

Senate File 523, by committee on appropriations, a bill for an act relating to and appropriating funds to legislative agencies and agencies involved in the legislative process.

Read first time and **placed on calendar.**

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 on May 13, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 338, a bill for an act relating to the membership of the Iowa natural resources council.

DAVID L. WRAY, Chief Clerk

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Carol H. Schaefer of Davenport, Scott County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of Sections 147.12 through 147.20, Code 1975, for an initial term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL L. JUNKINS, Chairman
GENE W. GLENN
E. KEVIN KELLY
BERL PRIEBE
ELIZABETH SHAW

COMMUNICATION

The following communication was filed with the Secretary of the Senate:

Mr. Clark Rasmussen
Secretary of Senate
State House

Dear Mr. Rasmussen:

There are transmitted herewith claims against the State of Iowa, to be filed with the Claims Committee of the Senate.

These include twenty (20) claims of a general nature. This supplements our filing on January 14, 1975.

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 Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
2376-64-25	Watson Brothers Van Lines Omaha, Nebraska License fee refund	$ 281.47	Disapproved
2396-I-64-25	Crete Carrier Corp. Wurtele Brothers Nebraska City, Nebraska Transfer credit	234.35	Disapproved
2396-J-64-25	Crete Carrier Corp. William Shuffty Omaha, Nebraska Transfer credit	78.12	Disapproved
2705-65-25	William Edward Kreamalmyer Niota, Illinois Property damage	38.00	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
363-66-25	Norgaard Hay Company Dickens, Iowa Registration refund	58.13	Disapproved
782-66-25	Pulley Freight Lines, Inc. Des Moines, Iowa License fee refund	2,023.62	Disapproved
936-66-25	State Dept. of Social Services Louisa County Wapello, Iowa Outdated invoice for foster care	194.49	Disapproved
1172-66-25	Heinz W. Hormel Clarinda, Iowa Property damage	53.00	Disapproved
1173-66-25	Ronald Siedelman Clarinda, Iowa Property damage	43.00	Disapproved
1185-66-25	Randy Cermak Mt. Pleasant, Iowa Property damage	10.00	Disapproved
1187-66-25	Wayne Albert Peterson Des Moines, Iowa Overtime compensation	240.00	Disapproved
1216-66-25	Exceptional Opportunities, Inc. Burt, Iowa License fee refund	137.50	Disapproved
1234-66-25	Carl D. Casey Corydon, Iowa Merit Employment claim	12.88	Disapproved
1305-66-25	Darrell R. Morris Keosauqua, Iowa Property damage	300.00	Disapproved
1325-66-25	Beryl Cottington Ames, Iowa Revenue stamp refund	32.59	Disapproved
1356-66-25	Kelly Cole Kassel Perry, Iowa Broken eyeglasses	40.00	Disapproved
1380-66-25	Victor L. Preisser Ames, Iowa Outdated invoice	1,815.46	Disapproved
1421-66-25	William Franklin Fort Madison, Iowa Property damage	42.00	Disapproved
1425-66-25	Charles C. Miller Des Moines, Iowa Tow auto	10.30	Disapproved
1462-66-25	Mrs. Jacqueline J. Hall Woodward, Iowa Property damage	12.95	Disapproved

REPORTS OF COMMITTEES

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was **referred Senate Joint Resolution 12,** a joint resolution to provide for an interim study of the causes and effects of and solutions to the unavailability and high cost of malpractice insurance to health care providers and to provide for an appropriation, begs leave to report it has had the same under consideration and recommends the same **be adopted.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 864,** a bill for an act providing for and making appropriations for financing state postsecondary education programs including programs under the state board of regents, the higher education facilities commission, and 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:**

S—3804

Amend House File 864, as amended and passed by the House, page 2, by striking lines 22 through 35 and renumbering the remaining sections in accordance with this amendment.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Orr submitted the following reports:

MR. PRESIDENT: Your committee on education to which was referred **House File 465,** a bill for an act relating to the transportation of nonpublic school pupils outside the boundary lines of the school district of residence, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOAN ORR, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on education to which was referred **House Concurrent Resolution 34,** a resolution creating an environmental advisory council within the department of public instruction, begs leave to report it has had the same under consideration and recommends the same **be adopted.**

JOAN ORR, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3803

Amend House File 450 as amended, passed and reprinted by the House, page 12, line 3, by inserting after the comma the words *"other than mobile homes eight feet or more in width or thirty-two feet or more in length,"*.

BERL E. PRIEBE
KARL NOLIN
H. L. HEYING
IRVIN L. BERGMAN
DALE L. TIEDEN
WILLIAM P. WINKELMAN
C. JOSEPH COLEMAN

S—3800

Amend House File 625, as amended and passed by the House, as follows:

1. Page 1, line 28, by striking the word "his" and inserting in lieu thereof the words "[his] *the dealer's or broker's*".

2. Page 1, line 29, by striking the word "his" and inserting in lieu thereof the words "[his] *the dealer's or broker's*".

3. Page 1, line 34, by striking the word "his" and inserting in lieu thereof the words "[his] *the agent's*".

4. Page 3, line 4, by striking the words "not be" and inserting in lieu thereof the words "be not".

ROGER J. SHAFF

S—3799

Amend House File 625 as amended and passed by the House, page 7, line 21e and 21f by striking the sentence "If payment to the seller is by check, the check shall be drawn on a bank located in this state."

JAMES M. REDMOND

S—3797

Amend House File 625, as amended and passed by the House, page 7, line 21f, by inserting after the word "state" the words "or on a bank located in an adjacent state and in the nearest city to Iowa in which a check processing center of a federal reserve bank district is located".

ROGER J. SHAFF

S—3796

Amend House File 625, as amended and passed by the House, page 10, by inserting after line 1 the following:

"Sec. ..... Chapter one hundred seventy-two A (172A), Code 1975, is amended by adding the following new section:

172A.14 *NEW SECTION.* LIVESTOCK LIEN.

1. Any person who sells livestock for slaughter shall have a lien on the livestock, its carcasses, all products therefrom, and all proceeds thereof, to secure payment of the sale price.

2. The lien created by subsection one (1) of this section attaches and is perfected upon delivery of the livestock to the purchaser, and the lien shall continue in the livestock, its carcasses, all products therefrom, and all proceeds thereof, without regard to possession thereof by the seller and without further action or perfection on the part of the seller.

3. If the livestock or its carcasses or the products therefrom are commingled with other livestock, carcasses, or products such that identity is lost, then the lien created by subsection one (1) of this section shall extend to the same effect as if originally perfected in all the animals, carcasses, and products with which the livestock, carcasses or products have become commingled. All liens extended by this subsection to attach to commingled livestock, carcasses, and products shall be on a parity with one another. A lien which has been extended by this subsection, shall not be enforceable as against a purchaser without actual knowledge of the lien purchasing one or more of the carcasses or products in the ordinary course of trade or business from the person who commingled the carcasses or products, or a subsequent tranferee from that purchaser, but the lien shall extend to the proceeds of that sale.

4. The lien provided for in this section shall have priority over any other lien or perfected security interest in the livestock, its carcasses, all products therefrom, and proceeds thereof."

ROGER J. SHAFF
KENNETH D. SCOTT
CALVIN O. HULTMAN

S—3798

Amend the Shaw amendment, S—3758 to House File 625, line 4, by striking "A" and inserting in lieu thereof "A, P 2".

PHILIP B. HILL

S—3802

Amend the Scott and Nolin amendment S—3782 to House File 625 as amended and passed by the House, line 6, by inserting after the word "request" the words "in writing".

BERL E. PRIEBE

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:30 p.m., until 9:30 a.m., Wednesday, May 14, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MAY 14, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Matthew Beelner, pastor of the St. Patrick's Catholic Church, Ryan, Iowa.

The Journal of Tuesday, May 13, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald Soll, Denison, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable William Gross, former member of the Senate from Woodbury County.

President Neu welcomed the Honorable Robert Crook, a member of the Mississippi state Senate.

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred twenty students from Cresthaven Elementary School, Waterloo, Iowa, accompanied by Mr. Hamlin, Mrs. Dietz, Mrs. Fulton, Miss Johnson and Miss Myers. Senator Nolting.

Thirty-six students from John Adams Junior High School, Mason City, Iowa, accompanied by Don Brown. Senator Scott.

Twenty-eight students from St. Bernard's Catholic School, Breda, Iowa, accompanied by Sister Marian. Senator Nolin.

Forty students from Cresthaven Elementary School, Waterloo, Iowa, accompanied by Mrs. Johnson, Mr. Murtingen, Mrs. Durham and Mrs. Dallenbaugh. Senator Nolting.

Seventy students from Marshalltown, Iowa, accompanied by Don Crow, Donna Bartlett, Mrs. Juanita Wharton and Paul Thompson. Senator Miller of Marshall.

PETITIONS

The following petitions were presented and placed on file:

By Senator DeKoster from seventeen residents of Sioux County opposing legislation extending the time of Sunday liquor sales and permitting the sale of wine in grocery stores.

By Senator Griffin from forty residents of Pottawattamie County favoring local option for pornography laws.

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 on May 12, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 147, a bill for an act amending the duties of the court administrator.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 464, a bill for an act making an appropriation to the Iowa development commission and energy policy council.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 506, a bill for an act making an appropriation to the state conservation commission and divisions of the commission.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 870, a bill for an act relating to the eradication of bovine brucellosis and making an appropriation.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 880, a bill for an act appropriating funds to the Iowa state historical department, the Iowa library department, the Iowa state arts council and the academy of science.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 870, a bill for an act relating to the eradication of bovine brucellosis and making an appropriation.

Read first time and **passed on file.**

House File 880, a bill for an act appropriating funds to the Iowa state historical department, the Iowa library department, the Iowa state arts council and the academy of science.

Read first time and **passed on file.**

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 558

Senator Sovern called up for consideration House File 558, a bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance, clarifying the provision of auxiliary services, clarifying duties of the area education agency board and administrator, the director of special education, the department of public instruction, and the state comptroller, limiting reorganization under certain conditions, modifying reimbursement provisions for driver education, modifying the two hundred dollar minimum state foundation aid, providing new methods for defining enrollment and augmenting declining enrollment, clarifying authorized expenditures, providing a state percent of growth for the 1975-76 school year, new methods for determining state percent of growth and allowable growth, correcting methods of computing state cost and district cost per pupil, modifying the authority of the school budget review committee to reduce allowable growth, authorizing an enrichment program funded by property tax, state aid, and an income surtax to replace the former income surtax provisions, providing new methods for determining and funding costs of media services and other services provided through the area education agencies, providing an advance to compensate for increasing enrollment, modifying reimbursement for special education services formerly offered by local districts and county or joint county school systems, correcting references, making an appropriation, and providing a retroactive effective date, amended by the Senate and further amended by the House as follows:

S—3801

Amend the Senate amendment (H—3720) to House File 558 as amended, passed and reprinted by the House as follows:

Division S—3801A

1. Page 1, by inserting after line 4 the following:

"..... Page 4A, by inserting after line 24 the following:

'Sec. ..... Section two hundred seventy-three point two (273.2), unnumbered paragraph five (5), Code 1975, is amended to read as follows:

The board of directors of an area education agency shall not establish programs and services which duplicate programs and services *which are or may be* provided by the area schools under the

provisions of chapter 280A. An area education agency shall contract, whenever practicable, with other school corporations for the use of personnel, buildings, facilities, supplies, equipment, programs, and services.' "

2. Page 1, by striking line 50.

3. Page 2, by striking lines 1 through 8.

Division S—3801B

4. Page 2, by striking lines 18 and 19.

5. Page 2, by inserting after line 19 the following:

"..... Page 8, by inserting after line 20 the following:

'or Iowa students attending a nonpublic school in the district'."

6. Page 3, by striking lines 5 through 12.

Division S—3801C

7. Page 3, by striking lines 33 through 45.

Division S—3801D

8. Page 3, by striking lines 49 and 50.

9. Page 4, by striking lines 1 through 21.

Division S—3801E

10. Page 5, by striking lines 14 through 25 and inserting in lieu thereof the following:

"receives services. For the budget year beginning July 1, 1975, the total number of nonpublic pupils served by each area education agency and the number of nonpublic school pupils residing within each school district in the area to be served by the area education agency for media and other services shall be submitted by the department of public instruction to the state comptroller within one week after this Act is duly published. For school years subsequent to the school year beginning July 1, 1975, each school district shall include in the second Friday in January enrollment report the number of nonpublic school pupils within each school district for media and other services served by the area."

11. Page 6, by striking lines 7 through 50.

12. Page 7, by striking lines 1 through 13.

13. Renumber the sections and correct internal

Page 2

1 references in conformance with this amendment.

President pro tempore Doderer took the chair at 10:00 a.m.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Doderer presiding.

Senator Shaff offered amendment S—3808 to House amendment S—3801 to Senate amendment H—3720:

S—3808

Amend the House amendment S—3801 to Senate amendment H—3720 to House File 558 as amended, passed and reprinted by the House as follows:

1. Page 1, by inserting after line 27 the following:

"..... Page 2, by inserting after line 19 the following:

"..... Page 9, by inserting after line 10 the following:

"Sec. ..... Section four hundred forty-one point forty-eight (441.48), Code 1975, is amended to read as follows:

441.48 NOTICE OF ADJUSTMENT. Before the director of revenue shall adjust the valuation of any kind or class of property any such percentage, the director shall serve ten days' notice by mail, on the [assessor] *county auditor of the county* whose valuation is proposed to be adjusted and *the director* shall hold an adjourned meeting after such ten days' notice, at which time such [assessor] *county* jurisdiction may appear by its [assessor] *city council or board of supervisors*, city or county attorney, or otherwise, and make written or oral protest against such proposed adjustment, which protest shall consist simply of a statement of the error, or errors, complained of with such facts as may lead to their correction, and at such adjourned meeting final action may be taken in reference thereto.

Sec. ..... Section four hundred forty-one point forty-nine (441.49), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

441.49 ADJUSTMENT BY COUNTY AUDITOR. The director shall keep a record of the review and adjustment proceedings and finish such proceedings on or before the third Monday of October. The director shall notify each county auditor by mail of the final action taken at the proceedings and specify any adjustments in the valuations of any kind or class of property to be made effective for the jurisdiction. The county auditor shall thereupon add to or deduct from the valuation of each kind or class of property in his county the required percentage, rejecting all fractions of fifty cents or less in the result, and counting all fractions over fifty cents as one dollar. In making the adjustments the assessor shall see to it that in no case shall the market value of an individual property exceed one hundred percent of its value determined in accordance with section four hundred forty-one point twenty-one (441.21) of the Code. For the purposes

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of this section, a taxpayer affected by the assessor's revaluation and reassessment shall have the right to have the same reviewed in the manner pro-

vided for in sections four hundred forty-one point thirty-seven (441.37), four hundred forty-one point thirty-eight (441.38), and four hundred forty-one point thirty-nine (441.39) of the Code, but such review shall be limited only to the action taken by the assessor for the current year, not for prior years. The filer of a protest may do so within the period of ten days before the reconvened session of the board of review. The dates stipulated in section four hundred forty-one point thirty-seven (441.37) of the Code shall be changed to coincide with the applicable dates of the reconvened board of review. This change of dates shall be limited only to section four hundred forty-one point forty-nine (441.49) of the Code."

2. Page 1, by inserting after line 49 the following:

"..... Page 7, by inserting after line 20 the following:

"..... Amend the title, line 19, by inserting before the word 'providing' the words 'providing for changes in property valuation procedures,' ".

3. Renumber the sections and correct internal references in conformance with this amendment.

Senator Kinley raised the point of order that amendment S—3808 to House amendment S—3801 to Senate amendment H—3720 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3808 to House amendment S—3801 to Senate amendment H—3720 out of order.

Senator Hill of Polk raised the point of order that House amendment S—3801 to Senate amendment H—3720 was out of order under Sec. 766 of Mason's Manual of Legislative Procedure.

President Neu took the chair at 11:35 a.m.

The Chair ruled the point not well taken and House amendment S—3801 to Senate amendment H—3720 in order.

President pro tempore Doderer took the chair at 11:40 a.m.

Senator Lamborn moved that Sec. 402, Mason's Manual of Legislative Procedure, governing germaneness, be suspended for the purpose of permitting the Senate to consider amendment S—3808 to House amendment S—3801 to Senate amendment H—3720.

President Neu took the chair at 11:55 a.m.

The motion lost.

(House File 558 pending on recess.)

On motion of Senator Kinley, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

BUSINESS PENDING

House File 558

The Senate resumed consideration of House amendment S—3801 to Senate amendment H—3720.

Senator Shaff offered amendment S—3813 to House amendment S—3801 to Senate amendment H—3720:

S—3813

Amend the House amendment S—3801 to Senate amendment H—3720 to House File 558 as amended, passed and reprinted by the House as follows:

1. Page 1, by inserting after line 27 the following:

"..... Page 2, by inserting after line 19 the following:

"..... Page 9, by inserting after line 10 the following:

"Sec. ..... Section four hundred forty-one point twenty-one (441.21), unnumbered paragraph four (4), Code 1975, is amended to read as follows:

In assessing and determining the actual value of agricultural property fifty percent consideration shall be given to each of the following factors:

a. The productivity and net earning capacity determined on the basis of the use for agricultural purposes capitalized at a rate representing [a fair return on the investment] *the average federal land bank mortgage loan rate for agricultural property for the previous year*, such rate to be established by the [state board of tax review] *director of revenue* and applied uniformly among counties and among classes of property.

b. The fair and reasonable market value of such property as defined herein, but such market

value shall be based only on its current use and not on its potential value for other uses.

Sec. ..... Section four hundred forty-one point forty-seven (441.47), Code 1975, is amended to read as follows:

441.47 ADJUSTED VALUATIONS. The director of revenue on or about the third Monday of September in each year shall adjust the valuation of property in the several counties adding to or deducting from the valuation of each kind or class of property such percentage in each case as will bring the same to its taxable value as fixed in this chapter and chapters 427 to 443, inclusive. The director shall also adjust the valuations as between each kind or class of property in any city assessed by a city assessor and each kind or class of property in the same county assessed by the county assessor. The director shall order the equalization of the levels of assessment of each class of property in the first and third year of the quadrennial assessment period. *The director shall, when equalizing the level of assessments of agri-*

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cultural property in 1975 and thereafter, establish a rate representing the average federal land bank mortgage loan rate for agricultural property for the previous year, and shall apply such rate to adjust the level of assessment for agricultural property to the level which would result if such rate had been used to capitalize productivity and net earning capacity in assessing and determining the actual value of agricultural property in accordance with section 441.21, unnumbered paragraph four, Code 1975. For purposes of such value adjustments and before such equalization the director shall adopt, in the manner prescribed by chapter 17A, such rules as may be necessary to determine the level of assessment for each class of property in each county. The rules shall cover: (1) The proposed use of the assessment-sales ratio study set out in section 421.17, subsection 6; (2) the proposed use of any state-wide income capitalization studies; (3) the proposed use of other methods that would assist the director in arriving at the accurate level of assessment of each class of property in each assessing jurisdiction."

2. Renumber the section and correct internal references in conformance with this amendment.

Senator Shaff moved that Sec. 402, Mason's Manual of Legislative Procedure, be suspended for the purpose of permitting consideration of amendment S—3813 to House amendment S—3801 to Senate amendment H—3720 and requested a record roll call.

On the question "Shall the motion to suspend the rules governing germaneness under Sec. 402, Mason's Manual of Legislative Procedure, be adopted?" (H.F. 558) the vote was:

Rule 25 was invoked.

Ayes, 18:

Andersen	Hultman	Murray	Shaw
Bergman	Kelly	Nystrom	Taylor
Burroughs	Lamborn	Rabedeaux	Tieden
Curtis	Miller of	Schwengels	Winkelman
DeKoster	Marshall	Shaff	

Nays, 29:

Carr	Hill of Jasper	Nolting	Redmond
Coleman	Hill of Polk	Norpel	Robinson
Culver	Junkins	Orr	Rodgers
Doderer	Kinley	Palmer	Scott
Glenn	Merritt	Plymat	Sovern
Gluba	Miller of	Priebe	Van Gilst
Griffin	Des Moines	Ramsey	Willits
Heying	Nolin		

Absent or not voting, 3:

Briles	Gallagher	Hansen

The motion lost.

Senator Kinley raised the point of order that amendment S—3813 to House amendment S—3801 to Senate amendment H—3720 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3813 to House amendment S—3801 to Senate amendment H—3720 out of order.

Senator Hansen called for a division of House amendment S—3801 to Senate amendment H—3720, as follows:

Division S—3801A—sections 1, 2 and 3 (lines 4 through 20, page 1).

Division S—3801B—sections 4, 5 and 6 (lines 21 through 28, page 1).

Division S—3801C—section 7 (line 29, page 1).

Division S—3801D—sections 8 and 9 (lines 30 and 31, page 1).

Division S—3801E—sections 10, 11, 12 and 13 (lines 32 through 50, page 1 and line 1, page 2).

On motion of Senator Sovern, the Senate concurred in division S—3801A of the House amendment to the Senate amendment.

Senator Sovern moved that the Senate concur in division S—3801B of the House amendment to the Senate amendment.

A record roll call was requested.

On the question "Shall the motion to concur in division S—3801B of the House amendment to the Senate amendment be adopted?" (H.F. 558) the vote was:

Rule 25 was invoked.

Ayes, 25:

Carr	Hill of Jasper	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Doderer	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Redmond	Willits
Heying	Nolin		

Nays, 22:

Andersen	Hill of Polk	Murray	Shaff
Bergman	Hultman	Nystrom	Shaw
Burroughs	Kelly	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Miller of	Ramsey	Winkelman
Griffin	Marshall	Schwengels	

Absent or not voting, 3:

Briles	Gallagher	Hansen

The motion prevailed and the Senate concurred in division S—3801B of the House amendment to the Senate amendment.

Senator Sovern moved that the Senate concur in division S—3801C of the House amendment to the Senate amendment.

A record roll call was requested.

On the question "Shall the motion to concur in division S—3801C of the House amendment to the Senate amendment be adopted?" (H.F. 558) the vote was:

Ayes, 33:

Andersen	Hill of Jasper	Nolting	Redmond
Carr	Hill of Polk	Norpel	Robinson
Coleman	Junkins	Orr	Rodgers
Culver	Kelly	Palmer	Scott
Curtis	Kinley	Plymat	Shaw
Doderer	Merritt	Priebe	Sovern
Glenn	Miller of	Rabedeaux	Van Gilst
Gluba	Des Moines	Ramsey	Willits
Heying	Nolin		

Nays, 14:

Bergman	Hultman	Murray	Taylor
Briles	Lamborn	Nystrom	Tieden
Burroughs	Miller of	Schwengels	Winkelman
DeKoster	Marshall	Shaff	

Absent or not voting, 3:

Gallagher	Griffin	Hansen

The motion prevailed and the Senate concurred in division S—3801C of the House amendment to the Senate amendment.

Senator Sovern moved that the Senate concur in division S—3801D of the House amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 33, nays 13.

The motion prevailed and the Senate concurred in division S—3801D of the House amendment to the Senate amendment.

On motion of Senator Sovern, the Senate concurred in division S—3801E of the House amendment to the Senate amendment.

Senator Sovern 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. 558) the vote was:

Ayes, 44:

Andersen	Heying	Murray	Redmond
Bergman	Hill of Jasper	Nolin	Robinson
Briles	Hill of Polk	Nolting	Rodgers
Carr	Hultman	Norpel	Schwengels
Coleman	Junkins	Nystrom	Scott
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Glenn	Miller of Marshall	Rabedeaux	Willits
Gluba		Ramsey	Winkelman
Griffin			

Nays, 4:

Burroughs	Lamborn	Shaff	Shaw

Absent or not voting, 2:

Gallagher	Hansen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Kinley asked and received unanimous consent that House File 558 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 Neu presiding.

INTRODUCTION OF BILLS

Senate File 524, by committee on judiciary, a bill for an act relating to business corporations.

Read first time and **placed on calendar.**

Senate File 525, by committee on human resources, a bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties for violations.

Read first time and **placed on calendar.**

Senate File 526, by committee on cities, a bill for an act relating to city government by modifying provisions for officers' bonds, federal agreements, annexation and severance, forms of city government, compensation and removal of officers, passage of ordinances and amendments, the mayor's right to veto, adoption of codes by reference, city utility and city budgets, essential and general corporate purpose bonds, special assessments, revenue bonds and pledge orders, and providing for liens for service charges and restricted residence districts.

Read first time and **placed on calendar.**

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 on May 12, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 285, a bill for an act relating to the administration of state records and providing an appropriation.

Also: That the House has on May 12, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 475, a bill for an act relating to the maximum deposit required for bids to construct levee or drainage district improvements.

Also: That the House has on May 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 801, a bill for an act relating to the requirement for special education programs and services in the school standards.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 801, a bill for an act relating to the requirement for special education programs and services in the school standards.

Read first time and **passed on file.**

HOUSE AMENDMENT TO SENATE FILE 285

S—3811

Amend Senate File 285, as amended and passed by the Senate, as follows:

1. Page 2, lines 3, 4 and 5, by striking the words *"advise the director of the department of general services in order that the director may"*.

2. Page 2, lines 21 and 22, by striking the words *"after consulting with"* and inserting in lieu thereof the words *"with the approval of"*.

3. Page 3, line 7, by inserting after the word "shall" the following: *", subject to the approval of the commission,"*.

4. Page 3, line 8, by inserting after the word "manual" the words *"or manuals"*.

5. Page 3, line 9, by inserting after the word "manual" the words *"or manuals"*.

6. Page 3, line 15, by inserting after the word "manual" the words *"or manuals"*.

7. Page 3, line 16, by inserting after the word "manual" the words *"or manuals"*.

8. Page 3, line 24 by inserting after the word "manual" the words *"or manuals"*.

9. Page 3, by striking all of line 17 and inserting in lieu thereof the following: "decisions [made] *approved* by the commission."

10. Page 4, line 8, by striking the words "[commission] *director*" and inserting in lieu thereof the word "commission".

11. Page 4, line 10, by striking the words "[commission] *director*" and inserting in lieu thereof the word "commission".

12. Page 4, line 26, by striking the words "[commission] *director*" and inserting in lieu thereof the word "commission".

HOUSE AMENDMENT TO SENATE FILE 475

S—3812

Amend Senate File 475, as passed by the Senate, as follows:

Page 1, by inserting after line 20 the following new section:

"Sec. ..... This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Dysart Reporter, a newspaper published in Dysart, Iowa, and in The Chariton Leader, a newspaper published in Chariton, Iowa."

SENATE FILE 496 RECONSIDERED

Senate File 496

Senator Kinley asked and received unanimous consent that Senate Rule 26 be suspended for the purpose of reconsidering Senate File 496.

Senator Kinley moved to reconsider the vote by which Senate File 496 passed the Senate on May 7, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 496) the vote was:

Ayes, 39:

Andersen	Hill of Polk	Nolin	Rodgers
Bergman	Junkins	Nolting	Schwengels
Burroughs	Kelly	Norpel	Scott
Carr	Kinley	Nystrom	Shaff
Coleman	Merritt	Orr	Shaw
Culver	Miller of	Plymat	Sovern
Curtis	Des Moines	Priebe	Tieden
DeKoster	Miller of	Rabedeaux	Van Gilst
Doderer	Marshall	Ramsey	Willits
Glenn	Murray	Redmond	Winkelman
Heying			

Nays, none.

Absent or not voting, 11:

Briles	Griffin	Hultman	Robinson
Gallagher	Hansen	Lamborn	Taylor
Gluba	Hill of Jasper	Palmer	

The motion prevailed.

Senator Kinley moved to reconsider the vote by which Senate File 496 went to its last reading, which motion prevailed.

On motion of Senator Kinley, Senate File 496, a bill for an act relating to gambling and provided penalties, was taken up for reconsideration.

Senator Kinley moved to reconsider the vote by which amendment S—3691 was adopted by the Senate.

The motion prevailed, and amendment S—3691 was taken up for reconsideration.

Senator Kinley offered amendment S—3819 to amendment S—3691 by Senators Kinley and Lamborn and moved its adoption:

S—3819

Amend the Kinley and Lamborn amendment S—3691 to Senate File 496, on page 2 by striking lines 39 through 43.

Amendment S—3819 to amendment S—3691 was adopted.

Senator Kinley moved the adoption of amendment S—3691 as amended.

The Chair requested a non-record roll call.

The ayes were 37, nays 4.

Amendment S—3691 as amended was adopted.

Senator Kinley moved to reconsider the vote by which amendment S—3750 was adopted by the Senate.

The motion prevailed and amendment S—3750 was taken up for reconsideration.

Senator Kinley offered amendment S—3820 to amendment S—3750 by Senators Kinley and Lamborn and moved its adoption:

S—3820

Amend the Willits amendment S—3750 to Senate File 496 on line 9, by inserting after the period the following sentence: "For the purpose of this paragraph a person wins the total amount at stake in any game, wager or bet, regardless of any amount that person may have contributed to the amount at stake."

Amendment S—3820 to amendment S—3750 was adopted.

On motion of Senator Kinley, amendment S—3750 as amended was adopted.

Senator Kinley moved that the bill 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. 496) the vote was:

Ayes, 33:

Andersen	Heying	Nolin	Robinson
Bergman	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Nystrom	Scott
Carr	Junkins	Orr	Shaff
Coleman	Kelly	Palmer	Shaw
Curtis	Kinley	Plymat	Sovern
DeKoster	Merritt	Rabedeaux	Van Gilst
Doderer	Murray	Redmond	Willits
Glenn			

Nays, 10:

Briles	Miller of Marshall	Priebe	Tieden
Culver	Norpel	Ramsey	Winkelman
Miller of Des Moines		Rodgers	

Absent or not voting, 7:

Gallagher	Griffin	Hill of Jasper	Taylor
Gluba	Hansen	Lamborn	

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 Neu presiding.

UNFINISHED BUSINESS

Senator Kinley asked and received unanimous consent to take up for consideration House File 625.

House File 625

The Senate resumed consideration of House File 625, a bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties.

Amendment S—3782, offered and deferred on May 13, 1975, was taken up for further consideration.

Senator Priebe offered amendment S—3802 to amendment S—3782 filed by him and moved its adoption:

S—3802
Amend the Scott and Nolin amendment S—3782 to House File 625 as amended and passed by the House, line 6, by inserting after the word "request" the words "in writing".

Amendment S—3802 to amendment S—3782 was adopted.

On motion of Senator Scott, amendment S—3782 as amended was adopted.

Senator Shaw offered amendment S—3758 filed by her:

S—3758
Amend House File 625 as amended and passed by the House, page 7, line 21e, by inserting after the word "funds" the words "or if any of the debt of the dealer or broker is currently rated 'A' or higher by Moody's Investors Service, Inc., payment may be made by bank draft".

Senator Hill of Polk offered amendment S—3798 to amendment S—3758 and moved its adoption:

S—3798
Amend the Shaw amendment, S—3758 to House File 625, line 4, by striking "A" and inserting in lieu thereof "A, P 2".

President pro tempore Doderer took the chair at 4:35 p.m.

Amendment S—3798 to amendment S—3758 was adopted.

Senator Shaw moved the adoption of amendment S—3758 as amended.

A non-record roll call was requested.

The ayes were 12, nays 28.

Amendment S—3758 as amended lost.

Senator Redmond offered amendment S—3799 filed by him and moved its adoption:

S—3799

Amend House File 625 as amended and passed by the House, page 7, line 21e and 21f by striking the sentence "If payment to the seller is by check, the check shall be drawn on a bank located in this state."

A non-record roll call was requested.

The ayes were 12, nays 29.

Amendment S—3799 lost.

Senator Shaff offered amendment S—3797 filed by him, moved its adoption, and requested a non-record roll call:

S—3797

Amend House File 625, as amended and passed by the House, page 7, line 21f, by inserting after the word "state" the words "or on a bank located in an adjacent state and in the nearest city to Iowa in which a check processing center of a federal reserve bank district is located".

The ayes were 37, nays 3.

Amendment S—3797 was adopted.

Division S—3761B of the Shaff, et al., amendment, offered and deferred on May 13, 1975, was taken up for further consideration.

Senator Shaff asked and received unanimous consent to withdraw division S—3761B of the amendment.

Senator Shaff offered amendment S—3796 filed by Senators Shaff, Scott and Hultman:

S—3796

Amend House File 625, as amended and passed by the House, page 10, by inserting after line 1 the following:

"Sec. ..... Chapter one hundred seventy-two A (172A), Code 1975, is amended by adding the following new section:

172A.14 *NEW SECTION.* LIVESTOCK LIEN.

1. Any person who sells livestock for slaughter shall have a lien on the livestock, its carcasses, all products therefrom, and all proceeds thereof, to secure payment of the sale price.

2. The lien created by subsection one (1) of this section attaches and is perfected upon delivery of the livestock to the purchaser, and the lien shall continue in the livestock, its carcasses, all products therefrom, and all proceeds thereof, without regard to possession thereof by the seller and without further action or perfection on the part of the seller.

3. If the livestock or its carcasses or the products therefrom are commingled with other livestock, carcasses, or products such that identity is lost, then the lien created by subsection one (1) of this section shall extend to the same effect as if originally perfected in all the animals, carcasses, and products with which the livestock, carcasses or products have become commingled. All liens extended by this subsection to attach to commingled livestock, carcasses, and products shall be on a parity with one another. A lien which has been extended by this subsection, shall not be enforceable as against a purchaser without actual knowledge of the lien purchasing one or more of the carcasses or products in the ordinary course of trade or business from the person who commingled the carcasses or products, or a subsequent transferee from the purchaser, but the lien shall extend to the proceeds of that sale.

4. The lien provided for in this section shall have priority over any other lien or perfected security interest in the livestock, its carcasses, all products therefrom, and proceeds thereof."

Senator Redmond raised the point of order that amendment S—3796 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3796 was in order.

Senator Redmond offered amendment S—3822 to amendment S—3796 and moved its adoption:

S—3822

Amend the Shaff, et al., amendment S—3796 to House File 625 as amended and passed by the House, by striking lines 39 through 42.

A non-record roll call was requested.

The ayes were 3, nays 35.

Amendment S—3822 to amendment S—3796 lost.

Senator Shaff moved the adoption of amendment S—3796.

A record roll call was requested.

On the question "Shall amendment S—3796 be adopted?" (H.F. 625) the vote was:

Ayes, 36:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Orr	Shaff
Coleman	Kelly	Palmer	Sovern
Culver	Merritt	Plymat	Tieden
Curtis	Miller of Des Moines	Priebe	Van Gilst
Glenn	Miller of Marshall	Rabedeaux	Willits
Griffin		Ramsey	Winkelman
Hansen			

Nays, 5:

Doderer	Kinley	Nolting	Redmond
Hill of Polk			

Absent or not voting, 9:

Carr	Gluba	Nystrom	Shaw
DeKoster	Lamborn	Rodgers	Tayor
Gallagher			

Amendment S—3796 was adopted.

Senator Shaff offered amendment S—3800 filed by him and moved its adoption:

S—3800

Amend House File 625, as amended and passed by the House, as follows:

1. Page 1, line 28, by striking the word "his" and inserting in lieu thereof the words "[his] *the dealer's or broker's*".

2. Page 1, line 29, by striking the word "his" and inserting in lieu thereof the words "[his] *the dealer's or broker's*".

3. Page 1, line 34, by striking the word "his" and inserting in lieu thereof the words "[his] *the agent's*".

4. Page 3, line 4, by striking the words "not be" and inserting in lieu thereof the words "be not".

Amendment S—3800 was adopted.

Senator Scott moved that the bill 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, 40:

Andersen	Carr	Glenn	Hill of Jasper
Bergman	Coleman	Griffin	Hill of Polk
Briles	Culver	Hanser	Hultman
Burroughs	Curtis	Heying	Junkins

Kelly	Murray	Rabedeaux	Shaff
Kinley	Nolin	Ramsey	Sovern
Merritt	Norpel	Redmond	Tieden
Miller of Des Moines	Orr	Robinson	Van Gilst
	Palmer	Schwengels	Willits
Miller of Marshall	Plymat	Scott	Winkelman
	Priebe		

Nays, 1:

Nolting

Voting present, 1:

Doderer

Absent or not voting, 8:

DeKoster	Gluba	Nystrom	Shaw
Gallagher	Lamborn	Rodgers	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Scott asked and received unanimous consent that **Senate File 421** be **withdrawn** from further consideration of the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I request that you return to the House Senate File 338, which we messaged to you yesterday, for the purpose of reconsideration.

DAVID L. WRAY, Chief Clerk

RETURNED TO HOUSE

Senator Kinley asked and received unanimous consent that **Senate File 338** be returned to the House, which request was complied with.

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

H. F. 764 Ways and means

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed

by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of May, 1975: Senate Files 121, 214 and 371.

CLARK R. RASMUSSEN
Secretary of the Senate

EXPLANATION OF VOTE

MR. PRESIDENT: I was not present in the Senate on Monday, May 12, when the votes were taken on Senate Files 314, 501, 507, and 367. Had I been present, I would have voted "aye" on Senate Files 507, 314, and 501. I would have voted "nay" on Senate File 367. On Tuesday, May 13, I would have voted "aye" on Senate File 487.

WILLARD R. HANSEN

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

CONGRESSMAN TOM HARKIN

A letter from Congressman Tom Harkin regarding his position on House Concurrent Resolutions 6, 7, and 10, adopted by the 1975 Session of the Sixty-sixth General Assembly of Iowa. Included with his letter is a copy of H.R. 6133, by Mr. Harkin and others, to clarify the authority of the Secretary of Agriculture to require reasonable bond under the Packers and Stockyards Act of 1921 from packers for purchasing of livestock operations and also a copy of the report by the committee on agriculture regarding emergency livestock credit.

REPORTS OF COMMITTEES

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **Senate File 435**, a bill for an act relating to the operation of school buses, 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:**

S—3810

Amend Senate File 435, page 1, by striking lines 1 through 3 and inserting in lieu thereof the following:

"Section 1. Section two hundred eighty-five point eleven (285.11), subsection seven (7), Code 1975, is amended to read as follows:

7. No bus shall leave the public highway to receive or discharge pupils *unless the private road leads to a housing development or mobile home park where there are five or more dwelling units and the*

private road is maintained in the same manner as a public roadway."

JOAN ORR, Chairman

Ordered passed on file.

Senator Glenn submitted the following reports:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 244**, a bill for an act relating to the copying of public records, 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:**

S—3818

Amend Senate File 244, page 1, line 19, after the word *"record"* by inserting the words *"in the custody of the office"*.

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 498**, a bill for an act to provide that the making or delivering of a false odometer statement is an offense subject to a penalty provided by law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 742**, a bill for an act to legalize and validate proceedings of the city council of the city of Missouri Valley, Harrison County, Iowa, vacating and disposing of certain streets and alleys, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 206**, a bill for an act relating to deduction of debts for inheritance tax purposes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3809

Amend Senate File 470 as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section two hundred sixty-one point six (261.6), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Enter into agreements with appropriate state agencies in contiguous states to provide reciprocal programs authorizing tuition grants under sections two hundred sixty-one point nine (261.9) through two hundred sixty-one point sixteen (261.16) of the Code to be used at accredited private institutions in a contiguous state which permits grants received under similar programs to be used at accredited private institutions in this state. The commission shall submit an annual report with its budget request, specifying the progress of negotiations under this subsection, details of proposed agreements, and funds needed to support agreements proposed or entered into under this subsection.

Sec. 2. Section two hundred sixty-one point nine (261.9), subsection five (5), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. An institution which meets the other criteria of this subsection and which is located outside of Iowa in a contiguous state may be an accredited private institution for purposes of a reciprocal program authorizing the transfer of use of tuition grants provided by this state and grants made under a similar program in the contiguous state, as provided for in section one (1) of this Act."

2. Renumber remaining sections and correct internal references in accordance with this amendment.

3. Amend the title, line 3, by inserting before the period the words ", and tuition grant reciprocity agreements entered into by the higher education facilities commission".

JOHN S. MURRAY

S—3821

Amend House File 395, as amended and passed by the House, as follows:

Page 3, by striking everything in lines 3 through 7, inclusive, and inserting in lieu thereof the following:

"civil service rights [therein] *in the position.* If, however, [no] *a* current employee [passes a] *does not pass one of two successive* promotional [examination] *examinations* and otherwise [qualifies] *qualify* for the *vacated* position, an entrance examination for [such] *the vacated* position may be used to fill [such vacancy

within one year after such promotional examination]
it."

EARL M. WILLITS
LEONARD C. ANDERSEN

S—3816

Amend House File 864 as amended and passed by the House, page 1, line 21, by striking the figures "9,000,000" and inserting in lieu thereof the figures "9,600,000".

LUCAS J. DeKOSTER

S—3814

Amend House File 864, as amended and passed by the House, as follows:

1. Page 2, line 4, by striking the words "seven hundred fifty thousand (750,000)" and inserting in lieu thereof the words "eight hundred thousand (800,000)".

2. Page 2, line 16, by striking the words "three hundred fifty thousand" and inserting in lieu thereof the words "four hundred thousand".

JAMES E. BRILES

S—3815

Amend House File 864, page 3, line 14, by striking the figure "1976" and inserting in lieu thereof the figure "1975".

ELIZABETH SHAW

S—3806

Amend House File 864 as follows:

1. Page 4, line 15, by striking the figure $49,493,000 and inserting in lieu thereof the figure $49,593,000.

2. Page 5, line 11, by striking the figure $39,794,000 and inserting in lieu thereof the figure $40,169,000.

JOHN S. MURRAY

S—3805

Amend House File 864 as follows:

1. Page 4, line 15, by striking the figure $49,493,000 and inserting in lieu thereof the figure $50,043,500.

2. Page 4, line 22, by striking the figure $9,944,500 and inserting in lieu thereof the figure $10,079,500.

3. Page 4, line 28, by striking the figure $2,823,000 and inserting in lieu thereof the figure $2,844,000.

4. Page 4, line 31, by striking the figure $978,500 and inserting in lieu thereof the figure $987,500.

5. Page 4, line 34, by striking the figure

$1,959,500 and inserting in lieu thereof the figure $1,977,500.

6. Page 5, line 6, by striking the figure $2,178,000 and inserting in lieu thereof the figure $2,205,000.

7. Page 5, line 11, by striking the figure $39,794,000 and inserting in lieu thereof the figure $40,244,000.

8. Page 5, line 14, by striking the figure $4,936,000 and inserting in lieu thereof the figure $4,970,500.

9. Page 5, line 18, by striking the figure $4,307,500 and inserting in lieu thereof the figure $4,348,000.

10. Page 5, line 32, by striking the figure $1,154,500 and inserting in lieu thereof the figure $1,163,500.

11. Page 5, line 35, by striking the figure $2,160,500 and inserting in lieu thereof the figure $2,177,000.

JOHN S. MURRAY

S—3817

Amend House File 864 as amended and passed by the House, page 6, line 7, by striking the figures "720,000" and inserting in lieu thereof the figures "900,000".

LUCAS J. DeKOSTER

S—3807

Amend House File 880 as passed by the House as follows:

1. Page 2, by inserting the following after line 19 :

"Sec. 5. Chapter twenty-nine A (29A), Code 1973, is amended by adding the following new section:

NEW SECTION. MILITARY LIBRARY. The adjutant general shall establish and maintain a military library which shall be located in the memorial hall at Camp Dodge. The library shall contain documents, reports, records and books which describe the history of the national guard and individual Iowans who have served in the armed forces."

2. Amend the title, line 3, by inserting after the word "science" the following words, "and establishing a military library".

C. JOSEPH COLEMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:00 p.m., until 9:30 a.m., Thursday, May 15, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MAY 15, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Robert Howerda, pastor of the Calvary Christian Reformed Church, Pella, Iowa.

The Journal of Wednesday, May 14, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, Newton, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gluba for the day on request of Senator Kinley; Senator Lamborn for the day on request of Senator Hultman; Senator Norpel for the day on request of Senator Culver; Senator DeKoster for the day on request of Senator Hultman; Senator Shaff for the day on request of Senator Burroughs.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-two students from Swea City High School, Swea City, Iowa, accompanied by Mr. Larson. Senator Priebe.

Fifty students from Oakland Elementary School, Oakland, Iowa, accompanied by Mrs. Coleman, Mrs. Houston and Mr. Finnegan. Senators Culver and Hultman.

Thirty-four students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Mr. Sheredan. Senators Lamborn and Norpel.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

President pro tempore Doderer took the chair at 9:45 a.m.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 463** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate Joint Resolution 12

On motion of Senator Junkins, Senate Joint Resolution 12, a joint resolution to provide for an interim study of the causes and effects of and solutions to the unavailability and high cost of malpractice insurance to health care providers and to provide for an appropriation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Nystrom took the chair at 10:03 a.m.

Senator Junkins 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. 12) the vote was:

Ayes, 43:

Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
Doderer	Kinley	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Griffin		Redmond	Winkelman

Nays, none.

Voting present, 1:

Miller of Des Moines

Absent or not voting, 6:

Andersen	Gluba	Norpel	Shaff
DeKoster	Lamborn		

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senate File 521

On motion of Senator Willits, Senate File 521, a bill for an act relating to expenses for persons seeking or employed in professional positions with the state, was taken up for consideration.

Senator Willits moved that the bill 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. 521) the vote was:

Ayes, 44:

Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Griffin	Miller of Marshall	Redmond	Winkelman
Hansen			

Nays, none.

Absent or not voting, 6:

Andersen	Gluba	Norpel	Shaff
DeKoster	Lamborn		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 522

On motion of Senator Priebe, Senate File 522, a bill for an act making an appropriation to supplement funds appropriated to the state board of veterinary examiners fund, was taken up for consideration.

President pro tempore Doderer took the chair at 10:30 a.m.

Senator Priebe moved that the bill 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. 522) the vote was:

Ayes, 43:

Bergman	Carr	Curtis	Glenn
Briles	Coleman	Doderer	Griffin
Burroughs	Culver	Gallagher	Hansen

Heying	Miller of Marshall	Plymat	Shaw
Hill of Jasper	Murray	Priebe	Sovern
Hill of Polk	Nolin	Ramsey	Taylor
Hultman	Nolting	Redmond	Tieden
Junkins	Nystrom	Robinson	Van Gilst
Kelly	Orr	Rodgers	Willits
Kinley	Palmer	Schwengels	Winkelman
Merritt		Scott	
Miller of Des Moines			

Nays, none.

Absent or not voting, 7:

Andersen	Gluba	Norpel	Shaff
DeKoster	Lamborn	Rabedeaux	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 523

On motion of Senator Willits, Senate File 523, a bill for an act relating to and appropriating funds to legislative agencies and agencies involved in the legislative process, was taken up for consideration.

Senator Willits moved that the bill 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, 43:

Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
Doderer	Kinley	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Griffin		Redmond	Winkelman

Nays, none.

Absent or not voting, 7:

Andersen	Gluba	Miller of Marshall	Norpel
DeKoster	Lamborn		Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 527, by Senator Robinson, a bill for an act relating to mandatory overtime and providing a penalty.

Read first time and **passed on file.**

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Van Gilst presiding.

INTRODUCTION OF BILL

Senate File 528, by Senators Junkins, Nolting and Hansen, a bill for an act relating to the adjournment of the general assembly.

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 on May 13, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 844, a bill for an act relating to the filing of consolidated returns for corporation income tax purposes and making the Act retroactive.

Also: That the House has on May 13, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 867, a bill for an act relating to the definition of real property, etc.

Also: That the House has on May 13, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 39 resolving that this general assembly apply to the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to federal funds.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 844, a bill for an act relating to the filing of consolidated returns for corporation income tax purposes and making the Act retroactive.

Read first time and **passed on file.**

House File 867, a bill for an act relating to the definition of real property which is held solely for sale, lease, or rent as a part of a business regularly engaged in selling, leasing, or renting such property and if the property is not yet sold, leased, rented, or used by any person.

Read first time and **passed on file.**

HOUSE CONCURRENT RESOLUTION 39

By Krause and Small

Whereas, a trend has developed over the years whereby Congress has evaded the basic concept of the interstate commerce clause of the Constitution of the United States by mandating that federal requirements be adopted by state legislatures as a condition to assuring the continued flow of federal dollars granted to the states; and

Whereas, many of the requirements attached to dollar grants are mandated by an administrative ruling issued by government departments delegated such authority by Congress; and

Whereas, the continued mandates attached to dollars that form a large segment of a state's basic budget tend to make it difficult for states to resist the will of the federal government resulting in states being forced to act contrary to the will of their people; and

Whereas, with the inception of federal revenue sharing, pressures for mandates may build which may cause Congress to further infringe on the rights of the states to control their legislative process and govern their citizens; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That this general assembly respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

"Article .....

Section 1. Congress shall make no law which usurps those powers that the states have not expressly delegated to Congress by attaching a requirement to an appropriations measure with which the states must comply as a condition to receiving the appropriation.

Page 2

Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission to the states by the Congress."

Be It Further Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to July 1, 1980, this application for a convention shall no longer be of force or effect.

Be It Further Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this state.

Read first time and **passed on file.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

President pro tempore Doderer took the chair at 1:15 p.m.

PAGES HONORED

President pro tempore Doderer invited the Senate Pages to appear before the rostrum where she presented them a gift of money on behalf of members of the Senate and staff in appreciation of their services during the 1975 Regular Session of the Sixty-sixth General Assembly.

SPECIAL GUESTS

Senator Willits rose on a point of personal privilege to present a group of ladies from Ankeny, Iowa, who appeared at the rear of the Senate chamber beautifully dressed in costumes of one hundred years ago. Senator Willits escorted Mary Lou Hermann to the rostrum where she presented Senators Kinley and Willits with centennial medallions and invited the Senate to attend the Ankeny Area Centennial, July 9 through 13, 1975.

MOTION TO RECONSIDER LOST

Senate File 367

Senator Van Gilst called up the following motion to reconsider on Senate File 367, a bill for an act relating to the location and operation of livestock feed lots, and defining nuisance as the term relates thereto, filed by him on May 12, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 367 passed the Senate on May 12, 1975.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 367) the vote was:

Rule 25 was invoked.

Ayes, 17:

Carr	Hill of Jasper	Nolting	Redmond
Doderer	Hill of Polk	Orr	Robinson
Gallagher	Kinley	Palmer	Rodgers
Glenn	Miller of Des Moines	Plymat	Willits
Hansen			

Nays, 19:

Andersen	Hultman	Nolin	Taylor
Bergman	Junkins	Nystrom	Tieden
Coleman	Merritt	Ramsey	Van Gilst
Culver	Miller of Marshall	Schwengels	Winkelman
Curtis		Scott	
Heying			

Absent or not voting, 14:

Briles	Griffin	Norpel	Shaff
Burroughs	Kelly	Priebe	Shaw
DeKoster	Lamborn	Rabedeaux	Sovern
Gluba	Murray		

The motion to reconsider lost.

MOTION TO RECONSIDER OUT OF ORDER

The motion to reconsider the vote by which Senate File 367 passed the Senate filed by Senator Gallagher on May 12, 1975, was ruled out of order.

HOUSE AMENDMENT CONSIDERED

Senate File 475

Senator Heying called up for consideration Senate File 475, a bill for an act relating to the maximum deposit required for bids to construct levee or drainage district improvements, amended by the House, and moved that the Senate concur in the following amendment:

S—3812

Amend Senate File 475, as passed by the Senate, as follows:

Page 1, by inserting after line 20 the following new section:

"Sec. ..... This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Dysart Reporter, a newspaper published in Dysart, Iowa, and in The Chariton Leader, a newspaper published in Chariton, Iowa."

The motion prevailed and the Senate concurred in House amendment S—3812.

Senator Heying 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. 475) the vote was:

Ayes, 35:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Coleman	Junkins	Orr	Taylor
Culver	Kinley	Palmer	Tieden
Curtis	Merritt	Plymat	Van Gilst
Doderer	Miller of Des Moines	Ramsey	Willits
Gallagher	Miller of Marshall	Redmond	Winkelman
Glenn		Robinson	
Hansen			

Nays, none.

Absent or not voting, 15:

Briles	Griffin	Murray	Shaff
Burroughs	Hultman	Norpel	Shaw
DeKoster	Kelly	Priebe	Sovern
Gluba	Lamborn	Rabedeaux	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 253** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

House File 390

On motion of Senator Hill of Polk, House File 390, a bill for an act authorizing the expenditure of federal funds or grants for the support of mental health centers, programs for the mentally retarded and capital improvements by counties, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Polk offered amendment S—3648 by the committee on human resources and moved its adoption:

S—3648

Amend House File 390, as passed by the House, as follows:

1. Page 2, line 22, by inserting after the word "electors" the words *"to expend federal revenue-sharing funds for a mental health or mental retardation project or"*.

2. Page 2, lines 22 through 24, inclusive, by striking the words *"a mental health or mental retardation project is to be funded by federal revenue-sharing funds or when"*.

3. Page 3, line 1, by inserting after the word *"newspaper"* the words *"published in the county"*.

Amendment S—3648 was adopted.

Senator Hill of Polk moved that the bill 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. 390) the vote was:

Rule 25 was invoked.

Ayes, 31:

Andersen	Hansen	Nystrom	Rodgers
Carr	Heying	Orr	Schwengels
Coleman	Hill of Polk	Palmer	Shaw
Culver	Junkins	Plymat	Sovern
Doderer	Kinley	Priebe	Taylor
Gallagher	Miller of	Ramsey	Van Gilst
Glenn	Des Moines	Redmond	Willits
Griffin	Nolting	Robinson	Winkelman

Nays, 10:

Bergman	Hill of Jasper	Miller of	Scott
Briles	Hultman	Marshall	Tieden
Curtis	Merritt	Nolin	

Absent or not voting, 9:

Burroughs	Kelly	Murray	Rabedeaux
DeKoster	Lamborn	Norpel	Shaff
Gluba			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 503

On motion of Senator Curtis, Senate File 503, a bill for an act relating to the maximum interest rate payable by persons purchasing securities on credit, was taken up for consideration.

Senator Scott took the chair at 2:05 p.m.

Senator Curtis moved that the bill 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, 31:

Andersen	Hill of Polk	Nystrom	Shaw
Bergman	Hultman	Orr	Sovern
Briles	Junkins	Palmer	Taylor
Culver	Kelly	Plymat	Tieden
Curtis	Kinley	Redmond	Van Gilst
Doderer	Miller of	Robinson	Willits
Glenn	Des Moines	Rodgers	Winkelman
Griffin	Miller of	Schwengels	
Hansen	Marshall		

Nays, 10:

Carr	Hill of Jasper	Nolting	Ramsey
Gallagher	Merritt	Priebe	Scott
Heying	Nolin		

Voting present, 1:

Coleman

Absent or not voting, 8:

Burroughs	Gluba	Murray	Rabedeaux
DeKoster	Lamborn	Norpel	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 358

On motion of Senator Kelly, Senate File 358, a bill for an act relating to neglected, dependent, and delinquent children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kelly moved that the bill 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. 358) the vote was:

Ayes, 41:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Ramsey	Van Gilst
Glenn		Redmond	Willits
Griffin			Winkelman

Nays, none.

Absent or not voting, 9:

Burroughs	Hill of Jasper	Murray	Rabedeaux
DeKoster	Lamborn	Norpel	Shaff
Gluba			

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 Kelly asked and received unanimous consent to withdraw the motion to reconsider the vote by which **Senate File** 378 passed the Senate, filed by him on May 5, 1975.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **House File** 575 be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 382

On motion of Senator Schwengels, Senate File 382, a bill for an act relating to the payment of pay to correctional employees

for work performed in excess of eight hours per day, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schwengels moved that the bill 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. 382) the vote was:

Ayes, 40:

Andersen	Hill of Jasper	Nolin	Robinson
Bergman	Hill of Polk	Nolting	Rodgers
Briles	Hultman	Nystrom	Schwengels
Burroughs	Junkins	Orr	Shaw
Carr	Kelly	Palmer	Sovern
Coleman	Kinley	Plymat	Taylor
Culver	Merritt	Priebe	Tieden
Curtis	Miller of Des Moines	Rabedeaux	Van Gilst
Doderer	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Hansen			

Nays, none.

Absent or not voting, 10:

DeKoster	Griffin	Murray	Scott
Gallagher	Heying	Norpel	Shaff
Gluba	Lamborn		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 192

On motion of Senator Doderer, Senate File 192, a bill for an act relating to age requirements of applicants for marriage licenses, and to legitimacy of children born of certain marriages, with report of committee recommending passage, was taken up, considered, and the report of the committee 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. 192) the vote was:

Ayes, 39:

Andersen	Hansen	Nolin	Rodgers
Bergman	Hill of Jasper	Nolting	Scott
Briles	Hill of Polk	Orr	Shaw
Burroughs	Hultman	Palmer	Sovern
Carr	Junkins	Plymat	Taylor
Coleman	Kelly	Priebe	Tieden
Culver	Kinley	Rabedeaux	Van Gilst
Curtis	Miller of Des Moines	Ramsey	Willits
Doderer	Miller of Marshall	Redmond	Winkelman
Glenn		Robinson	
Griffin			

Nays, 1:
Merritt

Absent or not voting, 10:

DeKoster	Heying	Norpel	Schwengels
Gallagher	Lamborn	Nystrom	Shaff
Gluba	Murray		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 511

On motion of Senator Winkelman, Senate File 511, a bill for an act relating to vessels, was taken up for consideration.

Senator Winkelman offered amendment S—3735 filed by the committee on natural resources and moved its adoption:

S—3735

Amend Senate File 511 as follows:

1. Page 2, by striking lines 19 through 35 and striking lines 1 through 5 on page 3 and inserting in lieu thereof the following:

"Sec. 3. Section one hundred six point five (106.5), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. If the owner of a registered vessel places such vessel in storage, he shall return the registration certificate to the county recorder with an affidavit stating that the vessel is placed in storage and the effective date of such storage. The county recorder shall notify the commission of each registered vessel placed in storage. When the owner of a stored vessel desires to renew the vessel's registration, he shall make application to the county recorder and pay the registration fees as provided in subsections one (1) and three (3) of this section without penalty. No refund of registration fees shall be allowed for a stored vessel."

Amendment S—3735 was adopted.

Senator Winkelman offered amendment S—3825 by Senators Winkelman and Shaw and moved its adoption:

S—3825

Amend Senate File 511, as follows:

1. Page 1, line 5 by striking the words *"and one hundred six point seven (106.7)"*.

2. Page 3, line 7, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

3. Page 3, by inserting after line 12 the following new subsection:

"NEW SUBSECTION. The following non-power or non-sail vessels:

a. Inflatable vessels, seven feet or less in length.

b. Conventional design canoes and kayak type vessels, thirteen feet or less in length."

4. Page 3, line 17, by striking the word "national" and inserting in lieu thereof the word "natural".

Amendment S—3825 was adopted.

Senator Winkelman moved that the bill 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. 511) the vote was:

Ayes, 42:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Nolting	Rodgers
Briles	Hill of Jasper	Nystrom	Schwengels
Burroughs	Hill of Polk	Orr	Scott
Carr	Hultman	Palmer	Shaw
Coleman	Junkins	Plymat	Sovern
Culver	Kelly	Priebe	Taylor
Curtis	Kinley	Rabedeaux	Tieden
Doderer	Merritt	Ramsey	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			Winkelman

Nays, none.

Absent or not voting, 8:

DeKoster	Heying	Murray	Norpel
Gluba	Lamborn	Nolin	Shaff

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 3:15 p.m.

The Senate resumed session, President Neu presiding.

COMMUNICATIONS

The following communications from the Governor were presented:

May 14, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Donald W. Brown, Ames, Story County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Leo E. Burger, Cedar Rapids, Linn County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Harry B. Carlson, Des Moines, Polk County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Roger R. Cloutier, Des Moines, Polk County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Harry C. Jensen, Des Moines, Polk County, Iowa, for appointment as a representative of the general public to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Ruth E. Kuney, Des Moines, Polk County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Ruth Roberts, Fort Dodge, Webster County, Iowa, for appointment as a representative of the general public to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Margaret Apostle, Grinnell, Poweshiek County, Iowa, for appointment as a representative of the general public to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Richard H. Brom, Waterloo, Black Hawk County, Iowa, for appointment to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of James M. Duffy, Sioux City, Woodbury County, Iowa, for appointment to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of David W. Frevert, West Des Moines, Polk County, Iowa, for appointment to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of James A. Lynch, Des Moines, Polk County, Iowa, for appointment to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Nancy G. McHugh, Cedar Rapids, Linn County, Iowa, for appointment as a representative of the general public to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Harold J. Stewart, Davenport, Scott County, Iowa, for appointment to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

May 15, 1975

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Betty L. Biondi, Des Moines, Polk County, Iowa, for appointment as a representative of the general public to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Patricia E. Cornick, Des Moines, Polk County, Iowa, for appointment as a representative of the general public to the State Board of Barber

Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Harold L. Erichsen, Sioux City, Woodbury County, Iowa, for appointment to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Richard E. Sisco, Cedar Rapids, Linn County, Iowa, for appointment to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Alfred D. Wilson, Des Moines, Polk County, Iowa, for appointment to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

INTRODUCTION OF BILL

Senate File 529, by committee on agriculture, a bill for an act relating to the regulation of grain dealers and warehousemen.

Read first time and **placed on calendar.**

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 338, a bill for an act relating to the membership of the Iowa natural resources council.

DAVID L. WRAY, Chief Clerk

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

UNFINISHED BUSINESS

Senate File 296

The Senate resumed consideration of Senate File 296, a bill for an act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties, and divisions S—3508I, S—3508J, S—3508K and S—3508L of the Hill of Polk amendment, pending on April 15, 1975.

Senator Hill of Polk asked and received unanimous consent to withdraw division S—3508I of the amendment.

Senator Hill of Polk moved the adoption of division S—3508J of the amendment:

Division S—3508J

36 14. Page 10, by striking lines 27 through 32.

A record roll call was requested.

On the question "Shall division S—3508J of the amendment be adopted?" (S.F. 296) the vote was:

Ayes, 19:

Curtis	Kelly	Nolin	Redmond
Doderer	Kinley	Orr	Shaw
Glenn	Merritt	Palmer	Sovern
Hill of Polk	Miller of Des Moines	Plymat	Taylor
Junkins		Rabedeaux	Willits

Nays, 21:

Andersen	Culver	Nolting	Rodgers
Bergman	Gallagher	Nystrom	Schwengels
Briles	Griffin	Priebe	Tieden
Burroughs	Hill of Jasper	Ramsey	Van Gilst
Carr	Murray	Robinson	Winkelman
Coleman			

Absent or not voting, 10:

DeKoster	Heying	Miller of Marshall	Scott
Gluba	Hultman	Norpel	Shaff
Hansen	Lamborn		

Division S—3508J of the amendment lost.

Senator Hill of Polk moved the adoption of division S—3508K of the amendment:

Division S—3508K

22. Page 17, lines 4 and 5, by striking the words "and thus unfairly competing with its students and graduates".

Division S—3508K of the amendment was adopted.

Senator Hill of Polk moved the adoption of division S—3508L of the amendment:

Division S—3508L

25. By renumbering sections and correcting internal references as necessary.

Division S—3508L of the amendment was adopted.

Senator Coleman moved to reconsider the vote by which division S—3508G of the amendment was adopted by the Senate on April 15, 1975, and requested a record roll call.

On the question "Shall the motion to reconsider division S—3508G of the amendment be adopted?" (S.F. 296) the vote was:

Ayes, 25:

Andersen	Curtis	Miller of Des Moines	Robinson
Bergman	Gallagher	Nolting	Rodgers
Briles	Glenn	Plymat	Schwengels
Burroughs	Griffin	Priebe	Tieden
Carr	Hill of Jasper	Rabedeaux	Van Gilst
Coleman	Hultman		Winkelman
Culver	Kinley		

Nays, 15:

Doderer	Merritt	Palmer	Sovern
Hill of Polk	Murray	Ramsey	Taylor
Junkins	Nolin	Redmond	Willits
Kelly	Orr	Shaw	

Absent or not voting, 10:

DeKoster	Lamborn	Norpel	Scott
Gluba	Miller of Marshall	Nystrom	Shaff
Hansen			
Heying			

The motion prevailed.

Action on division S—3508G of the amendment was temporarily deferred.

Senator Doderer offered amendment S—3541 filed by her:

S—3541

Amend Senate File 296 as follows:

Division S—3541A

1. Page 1, line 13, by striking the word "cleansing" and inserting in lieu thereof the word "shampooing".

2. Page 2, line 17, by striking the words "in the home".

3. Page 2, by inserting after line 17 the following subsection:

"5. Employees and residents of hospitals, health care facilities, orphans' homes, juvenile homes, and other similar facilities who shampoo, arrange, dress, or curl the hair of any resident without receiving direct compensation from the person receiving the service."

4. Page 4, line 9, by inserting after the period the following: "Any person employed as an instructor in a licensed school of cosmetology shall be a licensed cosmetologist."

5. Page 6, line 16, by striking the words "licensed cosmetologist" and inserting in lieu thereof the word "applicant".

Division S—3541G

6. Page 7, lines 15 and 16, by striking the words "with or without compensation".

Division S—3541B

7. Page 7, line 17, by inserting after the word "cosmetology" the words ", except that a licensed cosmetologist may practice cosmetology in a licensed barber shop".

Division S—3541C

8. Page 10, by striking line 3 and inserting in lieu thereof a period.

9. Page 10, by inserting after line 3 the following subsection:

"5. Employees and residents of hospitals, health care facilities, orphans' homes, juvenile homes, and other similar facilities who shampoo, arrange, dress, or curl the hair of any resident, or who shave or trim the beard of any resident, without receiving direct compensation from the person receiving the service."

Division S—3541H

10. Page 10, by striking lines 4 through 9.

Division S—3541D

11. Page 11, lines 1 and 2, by striking the words "more than five years" and inserting in lieu thereof the words "at least twelve months in the twenty-four month period preceding the submission of the application".

Division S—3541E

12. Page 13, line 7, by inserting after the period the words "Instructors in a licensed barber school shall be licensed barbers."

13. Page 14, line 5, by striking the words

"licensed barber" and inserting in lieu thereof the word "applicant".

Page 2

Division S—3541I

14. Page 15, lines 31 and 32, by striking the words "with or without compensation".

Division S—3541F

15. Page 16, line 1, by inserting after the word "customer" the words "and except that a licensed barber may practice barbering in a licensed beauty salon".

Division S—3541J

16. Page 18, line 10, by inserting after the word "barbering," the words "*temporary permit to practice as a barber trainee,*".

Senator Doderer withdrew amendment S—3546 to amendment S—3541 filed by her on April 16, 1975, and found on page 959 of the Senate Journal.

Senator Doderer offered amendment S—3572 to amendment S—3541 filed by her and moved its adoption:

S—3572

Amend the Doderer amendment S—3541 to Senate File 296, as follows:

Division S—3572A

1. Page 1, line 16, by striking the word "an" and inserting in lieu thereof the words "a cosmetology".

Division S—3572B

2. Page 1, by striking lines 24 through 27 and inserting in lieu thereof the following:

"7. Page 7, line 17, by inserting after the period the following: 'A licensed cosmetologist also may practice cosmetology in a licensed barber shop.' "

Division S—3572A (Cont'd.)

3. Page 1, by striking lines 40 through 44 and inserting in lieu thereof the following:

"11. Page 11, line 2, by striking the word 'five' and inserting in lieu thereof the word 'two'."

4. Page 1, line 46, by striking the word "Instructors" and inserting in lieu thereof the words "Barbering instructors".

Senator Ramsey took the chair at 4:35 p.m.

Senator Coleman called for a division of the amendment to amendment S—3541, sections 1, 3 and 4 to be considered as division S—3572A, section 2 to be considered as division S—3572B.

On motion of Senator Doderer, division S—3572A of the amendment to amendment S—3541 was adopted.

Senator Doderer withdrew division S—3572B of the amendment to amendment S—3541.

Senator Coleman called for a division of amendment S—3541, as amended, as follows:

Division S—3541A—sections 1 through 5 (page 1, lines 2 through 21).

Division S—3541B—sections 6 and 7 (page 1, lines 22 through 27).

Division S—3541C—sections 8 and 9 (page 1, lines 28 through 38).

Division S—3541D—sections 10 and 11 (page 1, lines 39 through 44).

Division S—3541E—sections 12 and 13 (page 1, lines 45 and 50).

Division S—3541F—sections 14, 15 and 16 (page 2, lines 1 through 9).

Senator Doderer called for a further division of the amendment, section 6, lines 22 and 23 on page 1 to be considered as division S—3541G.

On motion of Senator Doderer, division S—3541A of the amendment was adopted.

Senator Doderer withdrew division S—3541G of the amendment.

QUORUM CALL

Senator Kinley requested a roll call to determine a quorum was present.

Roll call revealed a quorum present.

Senator Doderer moved the adoption of division S—3541B of the amendment as amended.

A record roll call was requested.

On the question "Shall division S—3541B of the amendment as amended be adopted?" (S.F. 296) the vote was:

Ayes, 14:

Doderer	Murray	Ramsey	Sovern
Gallagher	Nolin	Redmond	Taylor
Hill of Polk	Orr	Shaw	Willits
Merritt	Priebe		

Nays, 25:

Andersen	Curtis	Kelly	Robinson
Bergman	Glenn	Kinley	Rodgers
Briles	Griffin	Miller of	Schwengels
Burroughs	Hansen	Des Moines	Tieden
Carr	Hill of Jasper	Nolting	Van Gilst
Coleman	Hultman	Plymat	Winkelman
Culver	Junkins		

Absent or not voting, 11:

DeKoster	Lamborn	Norpel	Rabedeaux
Gluba	Miller of	Nystrom	Scott
Heying	Marshall	Palmer	Shaff

Division S—3541B of the amendment as amended lost.

On motion of Senator Doderer, division S—3541C of the amendment was adopted.

Senator Doderer moved the adoption of division S—3541D of the amendment.

Senator Coleman called for a further division of the amendment, section 10, line 39 on page 1 to be considered as division S—3541H.

Division S—3541D of the amendment was adopted.

On motion of Senate Doderer, division S—3541E of the amendment was adopted.

Senator Doderer called for a further division of the amendment, section 14, lines 1 and 2 on page 2 to be considered as division S—3541I; section 16, lines 7, 8 and 9 on page 2 to be considered as division S—3541J.

Senator Doderer withdrew division S—3541I of the amendment.

Senator Doderer moved the adoption of division S—3541F of the amendment and requested a record roll call:

On the question "Shall division S—3541F of the amendment be adopted?" (S.F. 296) the vote was:

Ayes, 16:

Bergman	Kelly	Orr	Shaw
Curtis	Merritt	Palmer	Sovern
Doderer	Murray	Ramsey	Taylor
Hill of Polk	Nolin	Redmond	Willits

Nays, 22:

Andersen	Gallagher	Miller of	Rodgers
Briles	Glenn	Des Moines	Schwengels
Burroughs	Griffin	Nolting	Tieden
Carr	Hill of Jasper	Plymat	Van Gilst
Coleman	Junkins	Priebe	Winkelman
Culver	Kinley	Robinson	

Absent or not voting, 12:

DeKoster	Heying	Miller of Marshall	Rabedeaux
Gluba	Hultman	Norpel	Scott
Hansen	Lamborn	Nystrom	Shaff

Division S—3541F of the amendment lost.

Senator Doderer moved the adoption of division S—3541H of the amendment.

A non-record roll call was requested.

The ayes were 29, nays 8.

Division S—3541H of the amendment was adopted.

On motion of Senator Doderer, division S—3541J of the amendment was adopted.

(Senate File 296 pending on adjournment.)

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

H. F. 801 Education

H. F. 870 Appropriations

H. F. 880 Appropriations

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on May 15, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 121—Relating to compensation of the clerk of the grand jury.

S. F. 214—Relating to the membership of the energy policy council.

S. F. 314—Relating to the regulation of surface coal mining, imposing additional fees and providing a penalty for violation of the act.

S. F. 371—Relating to the issuance of migratory waterfowl stamps and providing a penalty.

H. F. 69—Changing the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto.

H. F. 127—Revising and repealing obsolete provisions of the railroad laws.

H. F. 160—Relating to canvass of vote for governor.

H. F. 177—Relating to the membership of the state historical board.

H. F. 424—Appropriating and authorizing expenditures for centralized printing, centralized purchasing and the vehicle dispatcher.

H. F. 451—Relating to gasoline receptacles, repealing provisions relating to illuminating oil, and having the effect of imposing a penalty for violations.

H. F. 459—Permitting the issuance of a special license by the board of medical examiners to authorize the licensee to practice medicine and surgery.

H. F. 501—Relating to the requirement for admission to the school for the deaf.

H. F. 728—Legalizing proceedings taken by the county supervisors of Buchanan County relating to the purchase of certain land.

H. F. 741—Legalizing and validating the proceedings for the organization and operation of the western Iowa municipal electric cooperative association and declaring said cooperative association to be legally established and its acts to have been legally taken.

H. F. 760—Making an appropriation to provide funds for the development of a statewide comprehensive water plan and requiring approval of the plan by the general assembly.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 15th day of May, 1975: Senate Files 314 and 338.

CLARK R. RASMUSSEN
Secretary of the Senate

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate chamber May 14, 1975, when the final vote was taken on House File 625. Had I been present, I would have voted "aye".

NORMAN RODGERS

REPORTS OF COMMITTEES

Senator Nolin submitted the following reports:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 167**, a bill for an act relating to licensing and regulating restaurants and food establishments, 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**:

S—3828

Amend Senate File 167, page 1, by striking lines 16 through 23 and inserting in lieu thereof the following:

"6. While preparing food, employees [whose hair does not extend below their ears shall wear suit-

able head covering, and employees whose hair extends below their ears shall wear hairnets.] *shall use effective hair restraints to prevent the contamination of food.*"

KARL NOLIN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 396,** a bill for an act relating to the issuing of certificates to veterinary lay assistants, begs leave to report it has had the same under consideration and recommends the same **do pass.**

KARL NOLIN, Chairman

Ordered passed on file.

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 414,** a bill for an act relating to the mounting of white lights upon school buses, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 324,** a bill for an act relating to abandoned vehicles, 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.**

S—3826

Amend House File 324 as amended and passed by the House, as follows:

1. Page 1, by inserting before line 23 the following:

"(....) However a vehicle shall not be considered abandoned for a period of fifteen days if its owner or operator is unable to move the vehicle and notifies the police authority responsible for the geographical location of the vehicle and requests assistance in the removal of the vehicle."

2. Page 3, line 2, by striking the word "vehicles" and inserting in lieu thereof the word "vehicle".

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 479**, a bill for an act relating to the movement of mobile homes and factory-built structures of excessive size subject to penalties provided by law, begs leave to report it has had the same under consideration and recommends the same **do pass**.

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3823

Amend Senate File 520 as follows:

1. Page 3, line 7, insert after the word "property" the words "which includes completed housing".

2. Page 3, line 9, insert after the word "exceeds" the words "by not less than ten years".

3. Page 14, strike lines 4 through 7 and insert in lieu thereof the following:

"housing sponsor to execute assurances and guarantees reasonably related to".

4. Page 16, line 13, insert after the word "or" the words "a substantial portion of the property".

5. Page 46, line 29, strike the word ", officer".

6. Page 46, line 29, insert after the word "employee" the words "other than the executive director".

7. Page 46, line 35, strike the word ", officer".

8. Page 47, insert after line 5 the words "to limit the right of a member or employee other than the executive director".

9. Page 47, insert after line 10 the following:

"3. The executive director shall not have an interest in a bank or other financial institution in which the funds of the authority are, or are to be, deposited or which is, or is to be, acting as trustee or paying agent under a trust indenture to which the authority is a party. The executive director shall not receive, in addition to fixed salary or compensation, any money or valuable thing, either directly or indirectly, or through any substantial interest in any other corporation or business unit, for negotiating, procuring, recommending or aiding in any purchase or sale of property, or loan, made by the authority, nor shall the executive director be pecuniarily interested, either as principal, coprincipal, agent or beneficiary, either directly or indirectly, or through any substantial interest in any other corporation or business unit, in any such purchase, sale or loan."

PHILIP B. HILL

S—3827

Amend House File 700, as amended, passed and reprinted by the House, as follows:

1. Page 21, by striking lines 24 through 35.

2. Page 22, by striking lines 1 through 12.

JOHN N. NYSTROM
EARL M. WILLITS

S—3824

Amend House File 700 as amended, passed and reprinted by the House as follows:

1. Page 90, line 6, by striking the words "[elected] *appointed*" and inserting in lieu thereof the word "elected".

2. Page 90, by striking lines 8 through 15.

3. Page 90, lines 19 and 20 by striking the words "[the general election] *their appointment*" and inserting in lieu thereof the words "the general election".

4. Page 90, lines 25 and 26, by striking the words "[next general election] *expiration of the term in which the vacancy occurs*" and inserting in lieu thereof the words "next general election".

ELIZABETH SHAW
KARL NOLIN

S—3829

Amend House File 864, as amended and passed by the House, as follows:

1. Page 6, after line 7, by inserting the following:

"8. RURAL PHYSICIANS ASSOCIATE PROGRAM

For allocation by the dean of the college of medicine to qualified participants to carry out the provisions of sections eight (8), nine (9), and ten (10) of this Act.....$100,000

Sec. 8 *NEW SECTION.* ESTABLISHMENT. There is established a rural physicians associate program within the college of medicine of the state university of Iowa. A medical student who has completed his second academic year may obtain, at any time during the third or fourth year of medical school, one academic year of experience and training as a physician's associate in a rural community of the student's choice. The first semester of the student's associate year shall be devoted to basic learning, for which the student shall receive up to one semester of academic credit and a stipend provided in the form of a scholarship through funds appropriated pursuant to section seven (7) of this Act. This scholarship shall provide two thousand five hundred dollars per student and shall be paid in monthly installments during the first semester. Rural communities may provide assistance in an amount not to exceed two thousand five hundred dollars. During the second

semester of the associate year, for which the student shall receive up to one semester of academic credit, the stipend to the student associate shall be paid by the physician with whom the student is associated in an amount not to exceed seven thousand five hundred dollars.

Sec. 9. *NEW SECTION.* IMPLEMENTATION. The faculty required to implement the program shall be recruited from among physicians who are general practitioners and specialists throughout the state and who are selected by the college of medicine for their medical skills and interest in medical education.

Sec. 10. *NEW SECTION.* APPROVED PROGRAMS. The college of medicine shall make arrangements with the governing body of the community and the participating physician for the purpose of providing for the receipt of the stipend necessary for the student to complete the year as an associate and for the purpose of gaining the approval of the community regarding services to be rendered by the physician's associate. Medical students may contact physicians residing in rural communities for the purpose of making application

Page 2

for the scholarship. The college of medicine shall determine policies to be followed in regard to malpractice insurance for student associates.

Sec. 11. Section two hundred sixty-two point nine (262.9), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Receive, administer, and grant funds for scholarships to medical students who have completed their second academic year and who become physicians' associates for one year in rural communities."

2. By renumbering the remaining sections in accordance with this amendment.

WILLIAM P. WINKELMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:40 p.m., until 9:30 a.m., Friday, May 16, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 16, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend George Swan, pastor of the Christian Church, Blockton, Iowa.

The Journal of Thursday, May 15, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Harold Van Hofwegen, Spencer, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gluba for the day, Senator Scott for the day and Senator Rodgers for the day on request of Senator Kinley.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-five students from Four Mile Elementary School, Des Moines, Iowa, accompanied by Vivian Ladwig, Steve Oberto and Molly Kissinger. Senator Kinley.

Eleven students from Orchard Place, Des Moines, Iowa, accompanied by Bob Wilkins and Lynn Mains. Senator Kinley.

Forty students from the Sheffield-Chapin Community School, accompanied by Mrs. Rohn and Mrs. Bolk. Senators Taylor and Scott.

Sixteen Girl Scouts from Waterloo, Iowa, accompanied by Carolyn Adams. Senator Hansen.

Forty students from the Orient-Macksburg Community School, accompanied by Marian Herr and Bill Shallenberger. Senator Rodgers.

Eleven students from Eldora High School, Eldora, Iowa, accompanied by Marcus Lamareux. Senator Miller of Marshall.

PETITIONS

The following petitions were presented and placed on file:

By Senator Coleman from thirty-one residents of Webster County urging the rescission of the Equal Rights Amendment.

By Senator DeKoster from one hundred sixty-two residents of Lyon County favoring legislation that prohibits smoking tobacco in certain public areas and provides a penalty.

GOVERNOR'S VETO MESSAGE

The following veto message from the Governor was presented:

May 15, 1975

The Honorable Arthur A. Neu
Lieutenant Governor and President of the Senate
Sixty-sixth General Assembly
State Capitol Building
Local

Dear Governor Neu:

I am returning herewith Senate File 338, an Act relating to the membership of the Iowa Natural Resources Council, disapproved and without my signature to the Senate in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 338 would prohibit more than five of the Governor's nine appointees to the Natural Resources Council from being members of the same political party. In addition the difficulty with this bill is that it would apply this limitation on a retroactive basis to appointments that have already been made and are awaiting confirmation and to present members.

Iowa law calls for appointments to the Natural Resources Council to be made within sixty days following the organization of each biennial regular session of the General Assembly. On March 12, 1975, I complied with that requirement by submitting to the Iowa Senate four names for confirmation to the Natural Resources Council. Those appointees fully meet the requirements for membership on the Natural Resources Council established in Chapter 455A of the Code of Iowa.

Questions have since been raised by some legislators concerning, not their qualifications, but the fact that they are Republicans. Some have advocated that a balance in the political affiliation of Council members be required. Senate File 338 was introduced following the submission of my appointments to accomplish that balance—unfortunately on a retroactive basis.

I have indicated that I would accept a change should the legislators decide that they want a partisan balance for the Natural Resources Council, and that I would make future appointments in such a manner until such time that the desired partisan balance is achieved. I have also voiced my willingness to cooperate with the legislators in working with them to restructure the Natural Resources Council among several other departments.

While I can support changed requirements for future appointments to the Natural Resources Council, I believe it is eminently unfair to apply this

kind of restriction to persons serving on an existing council on a retroactive basis.

If approved, Senate File 338 would completely nullify the appointments I made to the Council this spring. The appointments were made in full compliance with existing law. The appointments were accepted in good faith by responsible and competent Iowans willing to serve in our state government.

It is interesting to note that we haven't heard any one question the legality of the appointments or the competency of the appointees. Yet the supporters of this measure would arbitrarily prevent the two reappointees and the two new appointees from serving on the Council merely because of their party affiliation. This measure has become nothing less than an attempt to replace competent, legally appointed Republicans with Democrats.

The blatant partisan motive behind Senate File 338 is evident. No concern for political balance among Council members was expressed prior to these appointments. Only after the appointments were made was the bill introduced and passed. In a herculean burst of effort, the Legislature processed this bill out of order to rush it down to me only one day after final passage. In the rush, the Legislature violated its own procedures by not providing sufficient time for motions to reconsider to be filed. As a result the House of Representatives had to request that the bill be withdrawn from the Governor's consideration and then resubmitted.

I urge the Legislature to reconsider Senate File 338 to provide for restrictions only on future appointments—not on those where good Iowans have in good faith accepted their appointments. Until then, I believe I have no alternative except to veto the measure.

For the reasons I have outlined above, I hereby respectfully disapprove of this Senate File 338.

Sincerely
ROBERT D. RAY
Governor

COMMUNICATION

The following communication from the Governor was presented:

May 15, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of George A. Lundberg, Des Moines, Polk County, Iowa, for reappointment to the Employment Security Commission for the State of Iowa pursuant to Section 96.10, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely
ROBERT D. RAY
Governor

BIRTHDAY CONGRATULATIONS

Senator Miller of Des Moines rose on a point of personal privilege to congratulate President pro tempore Minnette Doderer on her birthday.

The Senate joined him in extending their good wishes.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 390 passed the Senate on May 15, 1975.

RAY TAYLOR

UNFINISHED BUSINESS

Senate File 296

The Senate resumed consideration of Senate File 296, a bill for an act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties.

Senator Miller of Des Moines offered amendment S—3511 filed by him and moved its adoption:

S—3511

Amend Senate File 296, page 1, line 17, by striking the word "manipulating,".

Amendment S—3511 was adopted.

Senator Hill of Polk offered amendment S—3548 filed by him and moved its adoption:

S—3548

Amend Senate File 296 as follows:

1. Page 2, by inserting after line 17 the following:

"..... Persons who perform any of the practices listed in section one (1) of this Act on themselves or on a member of the person's immediate family."

2. Page 10, by inserting after line 3 the following:

"..... Persons who perform any of the practices listed in section seventeen (17) of this Act on themselves or on a member of the person's immediate family."

3. By renumbering subsections as necessary.

Amendment S—3548 was adopted.

Senator Doderer offered amendment S—3543 filed by her and moved its adoption:

S—3543

Amend Senate File 296, page 4, by striking lines 13 through 15 and inserting in lieu thereof the following: "ten (10) of this Act. An annual inspection of each

school of cosmetology shall be conducted prior to renewal of the license."

Amendment S—3543 was adopted.

Senator Tieden offered amendment S—3544 filed by him and moved its adoption:

S—3544

Amend Senate File 296 as follows:

1. Page 6, line 2, by inserting after the word "shop" the words ", except that a license for a beauty salon and a license for a barber shop may be issued for the same space if cosmetology and barbering are not practiced at the same time".

2. Page 13, line 26, by inserting after the word "salon" the words ", except that a license for a barber shop and a license for a beauty salon may be issued for the same space if barbering and cosmetology are not practiced at the same time".

Amendment S—3544 was adopted.

Division S—3508G of the Hill of Polk amendment, deferred on May 15, 1975, was taken up for reconsideration:

Division S—3508G

6. Page 5, by striking line 35.

7. Page 6, by striking lines 1 and 2.

16. Page 13, by striking lines 24, 25, and 26.

Senator Hill of Polk moved the adoption of division S—3508G of the amendment and requested a record roll call:

On the question "Shall division S—3508G of the amendment be adopted?" (S.F. 296) the vote was:

Rule 25 was invoked.

Ayes, 18:

Bergman	Junkins	Orr	Shaw
DeKoster	Merritt	Palmer	Sovern
Doderer	Murray	Priebe	Taylor
Gallagher	Nolin	Redmond	Willits
Hill of Polk	Nystrom		

Nays, 21:

Andersen	Griffin	Miller of Marshall	Ramsey
Briles	Hansen	Nolting	Schwengels
Carr	Hill of Jasper	Norpel	Tieden
Coleman	Kinley	Plymat	Van Gilst
Culver	Miller of Des Moines		Winkelman
Curtis			
Glenn			

Absent or not voting, 11:

Burroughs	Hultman	Rabedeaux	Scott
Gluba	Kelly	Robinson	Shaff
Heying	Lamborn	Rodgers	

Division S—3508G of the amendment lost.

Senator Doderer offered amendment S—3542 filed by her and moved its adoption:

S—3542

Amend Senate File 296 as follows:
1. Page 6, line 9, by inserting after the word "cosmetologist" the words "or applicant".
2. Page 13, line 33, by inserting after the word "barber" the words "or applicant".

Amendment S—3542 was adopted.

Senator Hill of Polk offered amendment S—3568 filed by him, moved its adoption and requested a non-record roll call:

S—3568

Amend Senate File 296, page 7, by striking lines 14 and 15, and inserting in lieu thereof the following:
"or has obtained a temporary permit. It is unlawful for a licensed cosmetologist to practice cosmetology for".

The ayes were 19, nays 22.

Amendment S—3568 lost.

Senator Coleman offered amendment S—3540 filed by him and moved its adoption:

S—3540

Amend Senate File 296, page 8, line 3, by inserting after the word "will" the word "not".

Action on amendment S—3540 was temporarily deferred.

Senator Junkins offered amendment S—3401 filed by Senators Kelly, Junkins, et al., moved its adoption and requested a record roll call:

S—3401

Amend Senate File 296 as follows:
1. Page 8, by inserting after line 23 the following section:
"Sec. ..... *NEW SECTION.* COSMETOLOGY ASSISTANTS. The department shall issue a certificate of registration as a cosmetology assistant to any person applying for registration as a cosmetology assistant who submits to the department satisfactory evidence that he or she is in good physical health. The board may adopt rules under the provisions of chapter seventeen A (17A) of the Code defining the types of services a cosmetology assistant may perform. A cosmetology assistant must work under the

direct supervision of a licensed cosmetologist. The annual fee for the certificate shall be based upon the cost of issuing the certificate."

2. Page 17, by inserting after line 26 the following section:

"Sec. ..... *NEW SECTION.* BARBER ASSISTANTS. The department shall issue a certificate of registration as a barber assistant to any person applying for registration as a barber assistant who submits to the department satisfactory evidence that he or she is in good physical health. The board may adopt rules under the provisions of chapter seventeen A (17A) of the Code defining the types of services a barber assistant may perform. A barber assistant must work under the direct supervision of a licensed barber. The annual fee for the certificate shall be based upon the cost of issuing the certificate."

3. Page 18, line 6, by inserting after the word "*electrolysis*" the words "*, certificate of registration as a cosmetology assistant* ".

4. Page 18, line 19, by inserting after the word "*license*" the words "*, certificate of registration as a barber assistant*".

5. By renumbering sections and correcting internal references as needed by this amendment.

On the question "Shall amendment S—3401 be adopted?" (S.F. 296) the vote was:

Rule 25 was invoked.

Ayes, 21:

Bergman	Doderer	Murray	Redmond
Briles	Hill of Polk	Nolin	Shaw
Burroughs	Junkins	Norpel	Taylor
Culver	Kinley	Orr	Tieden
Curtis	Merritt	Palmer	Willits
DeKoster			

Nays, 21:

Andersen	Hansen	Miller of Marshall	Ramsey
Carr	Hill of Jasper	Nolting	Robinson
Coleman	Hultman	Nystrom	Schwengels
Gallagher	Miller of Des Moines	Plymat	Sovern
Glenn		Priebe	Van Gilst
Griffin			Winkelman

Absent or not voting, 8:

Gluba	Kelly	Rabedeaux	Scott
Heying	Lamborn	Rodgers	Shaff

The Chair cast an "aye" vote to break the tie, and declared amendment S—3401 adopted.

Senator Coleman offered amendment S—3408 filed by him and moved its adoption:

S—3408

Amend Senate File 296 as follows:

1. Page 9, line 1, by striking the word "processing," and inserting in lieu thereof the word "processing".

2. Page 13, line 27, by striking the word "SALON" and inserting in lieu thereof the word "SHOP".

Amendment S—3408 was adopted.

Senator Coleman offered amendment S—3394 filed by him and moved its adoption:

S—3394

Amend Senate File 296, page 18, by inserting after line 32 the following section:

"Sec. ..... Any rule adopted under chapters one hundred fifty-seven (157) and one hundred fifty-eight (158) of the Code and pursuant to chapter seventeen A (17A) of the Code which is not inconsistent with the provisions of this Act shall remain in effect until modified or rescinded by action of the department or until October 1, 1975, whichever time is first."

Action on amendment S—3394 was temporarily deferred.

Senator Shaw offered amendment S—3832 by Senators Shaw, et al.:

S—3832

Amend Senate File 296, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. 1. The Iowa legislative council is directed to appoint a study committee composed of three licensed cosmetologists, appointed by the board of cosmetology examiners; three licensed barbers, appointed by the board of barber examiners; and two members of the senate and two members of the house of representatives appointed by the legislative council to conduct a study during the 1975 legislative interim for the purpose of re-evaluating and revising the laws relating to barbering and cosmetology, including but not limited to the establishment of a joint license for the practice of barbering and cosmetology, the establishment of a joint board, the scope of practice of barbers and cosmetologists, and licensing and educational qualifications. The study committee shall consider the interests of the consumer public in making recommendations. The study committee shall make recommendations

to the Sixty-sixth General Assembly, 1976 Session.

2. There is appropriated from the general fund of the state for the fiscal year commencing July 1, 1975 and ending June 30, 1976 to the Iowa legislative council the sum of five thousand (5,000) dollars, or so much thereof as may be necessary, to pay for per diem of not exceeding forty dollars and actual expenses and mileage incurred by barber and cosmetologist members of the study committee. Any funds not expended under this section shall revert to the general fund of the state on September 30, 1976.

Sec. 2. Notwithstanding any other provision of law, any licensed cosmetologist under chapter one hundred fifty-seven (157) of the Code may practice barbering as defined in chapter one hundred fifty-eight (158) of the Code until July 1, 1976. Notwithstanding any other provision of law, any licensed barber and registered barber apprentice under chapter one hundred fifty-eight (158) of the Code may practice cosmetology as defined in chapter one hundred fifty-seven (157) of the Code until July 1, 1976. The provisions of this section shall expire July 1, 1976.

Sec. 3. Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand ninety-three (1093), section ninety-five (95), is repealed.

Sec. 4. Effective July 1, 1976, chapters one hundred fifty-seven (157) and one hundred fifty-

Page 2

eight (158), Code 1973, 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 Ankeny Press-Citizen, a newspaper published in Ankeny, Iowa, and in the Quad-City Times, a newspaper published in Davenport, Iowa."

2. Amend the title, line 1, by striking the words "establish and regulate" and inserting in lieu thereof the words "relating to".

3. Amend the title, line 2, by striking the word "penalties" and inserting in lieu thereof the words "an appropriation".

Senator Ramsey moved that amendment S—3832 be laid on the table.

A record roll call was requested.

On the question "Shall amendment S—3832 be laid on the table?" (S.F. 296) the vote was:

Ayes, 9:

DeKoster	Miller of	Nolin	Redmond
Hill of Polk	Marshall	Ramsey	Taylor
Merritt	Murray		

Nays, 33:

Andersen	Gallagher	Miller of	Robinson
Bergman	Glenn	Des Moines	Schwengels
Briles	Griffin	Nolting	Shaw
Burroughs	Hansen	Norpel	Sovern
Carr	Hill of Jasper	Nystrom	Tieden
Coleman	Hultman	Orr	Van Gilst
Culver	Junkins	Palmer	Willits
Curtis	Kinley	Plymat	Winkelman
Doderer		Priebe	

Absent or not voting, 8:

Gluba	Kelly	Rabedeaux	Scott
Heying	Lamborn	Rodgers	Shaff

The motion lost.

Senator Shaw moved the adoption of amendment S—3832.

A record roll call was requested.

On the question "Shall amendment S—3832 be adopted?" (S.F. 296) the vote was:

Ayes, 15:

Bergman	Hultman	Orr	Shaw
DeKoster	Merritt	Ramsey	Taylor
Doderer	Murray	Redmond	Willits
Hill of Polk	Nolin	Schwengels	

Nays, 25:

Andersen	Gallagher	Miller of	Priebe
Briles	Glenn	Des Moines	Robinson
Burroughs	Griffin	Nolting	Sovern
Carr	Hansen	Nystrom	Tieden
Coleman	Hill of Jasper	Palmer	Van Gilst
Culver	Junkins	Plymat	Winkelman
Curtis	Kinley		

Absent or not voting, 10:

Gluba	Lamborn	Norpel	Scott
Heying	Miller of	Rabedeaux	Shaff
Kelly	Marshall	Rodgers	

Amendment S—3832 lost.

The Senate resumed consideration of amendment S—3540 previously deferred.

Senator Coleman withdrew amendment S—3540.

Senator Doderer offered amendment S—3833 by Senators Doderer and Coleman and moved its adoption:

S—3833
1 **Amend Senate File 296, page 8, by striking line 3.**

Amendment S—3833 was adopted.

Senator Doderer offered amendment S—3834 and moved its adoption:

S—3834

Amend Senate File 296, page 17, by striking lines 5 through 8 and inserting in lieu thereof the words "competing with its students and graduates."

A non-record roll call was requested.

The ayes were 12, nays 25.

Amendment S—3834 lost.

The Senate resumed consideration of amendment S—3394 previously deferred.

Senator Coleman withdrew amendment S—3394.

Senator Doderer offered amendment S—3835:

S—3835

Amend Senate File 296, page 8, by inserting after line 5, the following:

"6. A licensed school of cosmetology corporation or owner directly or indirectly subsequent to July 1, 1975, owning or operating, or owning and operating, a beauty salon."

Senator Coleman offered amendment S—3837 to amendment S—3835 and moved its adoption:

S—3837

Amend the Doderer amendment S—3835 to Senate File 296, line 6 by inserting after the period the following sentence: "This restriction does not apply to such shops owned or operated or owned and operated prior to July 1, 1975, so long as the shop remains in the same location as it is on that date."

Amendment S—3837 to amendment S—3835 was adopted.

On motion of Senator Doderer, amendment S—3835 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. 296) the vote was:

Ayes, 30:

Andersen	Gallagher	Miller of Des Moines	Priebe
Bergman	Glenn	Murray	Robinson
Burroughs	Griffin	Nolting	Schwengels
Carr	Hansen	Norpel	Sovern
Coleman	Hill of Jasper	Nystrom	Tieden
Culver	Hultman	Palmer	Van Gilst
Curtis	Junkins	Plymat	Winkelman
DeKoster	Kinley		

Nays, 8:

Hill of Polk	Nolin	Ramsey	Taylor
Merritt	Orr	Redmond	Willits

Voting present, 1:

Doderer

Absent or not voting, 11:

Briles	Lamborn	Rabedeaux	Shaff
Gluba	Miller of Marshall	Rodgers	Shaw
Heying		Scott	
Kelly			

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 296 passed the Senate on May 16, 1975.

CALVIN O. HULTMAN

INTRODUCTION OF BILLS

Senate File 530, by committee on judiciary, a bill for an act relating to the powers and duties of clerks of the district court.

Read first time and **placed on calendar.**

Senate File 531, by Senator Redmond, a bill for an act providing for a local government assistance fund and making an appropriation.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 527 Labor and industrial relations

S. F. 528 State government

H.C.R. 39 Judiciary

H. F. 844 Ways and means

H. F. 867 Ways and means

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with section 2.32, Code 1975, announced the appointment of the following Senators to investigating committees:

As members of the State Board of Accountancy:

Donald W. Brown, Ames, Story County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Hill of Polk, Chairman
Senator Doderer
Senator Heying
Senator Merritt
Senator Murray

Leo E. Burger, Cedar Rapids, Linn County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Coleman, Chairman
Senator Briles
Senator Griffin
Senator Redmond
Senator Scott

Harry B. Carlson, Des Moines, Polk County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator DeKoster, Chairman
Senator Gluba
Senator Hill of Polk
Senator Priebe
Senator Sovern

Roger L. Cloutier, Des Moines, Polk County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Hill of Jasper, Chairman
Senator Burroughs
Senator Nolting
Senator Plymat
Senator Rodgers

Harry C. Jensen, Des Moines, Polk County, Iowa, as a public member, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Ramsey, Chairman
Senator Carr
Senator Palmer
Senator Tieden
Senator Van Gilst

Ruth E. Kuney, Des Moines, Polk County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Bergman, Chairman
Senator Gallagher
Senator Glenn
Senator Nolin
Senator Plymat

Ruth Roberts, Fort Dodge, Webster County, Iowa, as a public member, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Junkins, Chairman
Senator Coleman
Senator Hansen
Senator Miller of Marshall
Senator Willits

As members of the State Board of Architectural Examiners:

Margaret Apostle, Grinnell, Poweshiek County, Iowa, as a public member for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Miller of Des Moines, Chairman
Senator Briles
Senator Orr
Senator Rabedeaux
Senator Redmond

Richard H. Brom, Waterloo, Black Hawk County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Curtis, Chairman
Senator Carr
Senator Hultman
Senator Nolting
Senator Palmer

James M. Duffy, Sioux City, Woodbury County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Nolin, Chairman
Senator Griffin
Senator Kelly
Senator Merritt
Senator Norpel

David W. Frevert, West Des Moines, Polk County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Hultman, Chairman
Senator Doderer
Senator Gluba
Senator Hill of Polk
Senator Junkins

James A. Lynch, Des Moines, Polk County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Orr, Chairman
Senator Heying
Senator Hill of Polk
Senator Murray
Senator Priebe

Nancy G. McHugh, Cedar Rapids, Linn County, Iowa, as a public member, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Nystrom, Chairman
Senator Curtis
Senator Redmond
Senator Rodgers
Senator Scott

Harold G. Stewart, Davenport, Scott County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Robinson, Chairman
Senator Culver
Senator Hansen
Senator Miller of Des Moines
Senator Shaw

As members of the State Board of Barber Examiners:

Patricia E. Cornick, Des Moines, Polk County, Iowa, as a public member, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Scott, Chairman
Senator DeKoster
Senator Hill of Jasper
Senator Plymat
Senator Van Gilst

Harold L. Erichsen, Sioux City, Woodbury County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Taylor, Chairman
Senator Carr
Senator Heying
Senator Kelly
Senator Orr

Richard E. Sisco, Cedar Rapids, Linn County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Priebe, Chairman
Senator Redmond
Senator Robinson
Senator Schwengels
Senator Shaff

Alfred D. Wilson, Des Moines, Polk County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Andersen, Chairman
Senator Coleman
Senator Hill of Polk
Senator Merritt
Senator Sovern

As a member of the Iowa Employment Security Commission:

George A. Lundberg, Des Moines, Polk County, Iowa, as the labor representative, for reappointment to a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Van Gilst, Chairman
Senator DeKoster
Senator Heying
Senator Nolting
Senator Winkelman

SUBCOMMITTEE ASSIGNMENTS

Senate File 514
State Government
Glenn, Chairman
Kinley
Curtis

Senate File 520
State Government
Gluba, Chairman
Kinley
Hill of Jasper

House File 283
Commerce
Priebe, Chairman
Briles
Rodgers

House File 724
Transportation
Rabedeaux, Chairman
Nolin
Murray

House File 764
Ways and Means
Rodgers, Chairman
Curtis
Gluba
Nolting
Schwengels

House File 782
State Government
Nolin, Chairman
Coleman
Andersen

House File 801
Education
Norpel, Chairman
Carr
Shaw

House File 814
State Government
Coleman, Chairman
Nolin
Winkelman

House File 816
Judiciary
Miller of Des Moines, Chairman
Kelly
Carr

House File 835
Judiciary
DeKoster, Chairman
Rodgers
Ramsey

House File 864
Appropriations
Education

REPORT OF COMMITTEE

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **House File 700**, a bill for an act relating to procedures for preparing for, giving notice of, conducting and canvassing elections, to the election of presidential electors, and to the registration of voters, and prescribing 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:**

S—3830

Amend House File 700 as amended and passed by the House and reprinted, as follows:

1. Page 1, by striking lines 2 through 16, inclusive, and inserting in lieu thereof the following:

"1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, House File one hundred sixty (160), section one (1), is amended to read as follows:

2.27 CANVASS OF VOTES FOR GOVERNOR. The general assembly shall meet in joint session on the same day the assembly first convenes in January of 1979 and every four years thereafter as soon as both houses have been organized, and canvass the votes cast for governor and lieutenant governor and determine the election[; and when]. *If an election is necessary under section four (4) of this Act to fill a vacancy in the office of lieutenant governor, the general assembly shall similarly meet on the day it convenes in the January following that election and canvass the vote cast for the office. When* the canvass is completed, the oath of office shall be administered to the persons, *or person,* so declared elected [and] . *Upon being inaugurated* the governor shall deliver to the joint assembly any message he *or she* may deem expedient."

2. Page 9, line 7, by striking the word and figures ***"sixty-six (43.66)"*** and inserting in lieu thereof the word and figures *"fifty-two (43.52)"*.

3. Page 16, line 5, by inserting after the word *"electors"* the words *"to serve if the nominated or elected presidential electors are for any reason unable to perform their duties"*.

4. Page 17, line 4, by inserting after the word

"*notice*" the words "*at least five days*".

5. Page 18, by inserting after line 28 the following:

"*No person whose name appeared on the official primary election ballot as a candidate for nomination to any office shall in the same year have his or her name placed upon the general election ballot as a candidate for the same office by the procedure provided in chapter forty-four (44) or in chapter forty-five (45) of the Code.*"

6. Page 20, by inserting after line 23 the following:

"Sec. ..... Section forty-five point two (45.2), Code 1975, is amended to read as follows:

45.2 ADDING NAME BY PETITION. The name of a candidate placed upon the ballot by any other method than by petition shall not be added by petition for the same office *in the same election.*"

Page 2

7. Page 21, lines 28 and 29, by striking the words "commissioner of elections" and inserting in lieu thereof the words "state commissioner".

8. Page 21, line 29, by inserting after the word "Iowa" the following:

", for a term of four years beginning July 1 of the year of appointment, unless sooner removed as provided by this section. A vacancy shall be filled for the unexpired portion of the term in which it occurs."

9. Page 23, by striking all after the word "registration" in line 34 and all of line 35, and page 24, by striking lines 1 through 7, inclusive, and inserting in lieu thereof the following:

", subject to the supervision of the county commissioner. *The commissioner of registration or an employee of the commissioner of registration shall visit each high school located in the county, during the month of May of each year, and offer to register any person who is eligible under section forty-eight point two (48.2) of the Code to be registered.*"

10. Page 25, line 33, by striking the word "counties" and inserting in lieu thereof the words "[counties] *county*".

11. Page 27, by striking line 32 and inserting in lieu thereof the words "[commercial] purpose[, advertising or solicitation,] of any kind".

12. Page 30, line 13, by striking the word "and".

13. Page 30, line 14, by inserting after the word "occurred" the words ", and the elector's signature".

14. Page 30, line 29, by striking the words "of name or" and inserting in lieu thereof the words "of legal name or of residence".

15. Page 30, by striking lines 30 through 34, inclusive, and inserting in lieu thereof the following:

"of registration for any election the elector shall

not be qualified to vote at that election, except that if a change of residence address does not require printing the qualified elector's name in a different election register for that election, the qualified elector shall be allowed to vote. A precinct election official shall have such an elector complete a change of address card at the polls and shall return the card to the commissioner with the election supplies."

16. Page 30, by striking line 35, through page 32, line 23, inclusive.

17. Page 32, by striking all after the period in line 35, and page 33, by striking lines 1 through 5, inclusive, and inserting in lieu thereof the words "If any person registers to".

Page 3

18. Page 33, by striking lines 27 through 30, inclusive, and inserting in lieu thereof the following:

"as provided in section 48.6, subsection [10] *nine (9)*, and may then be questioned concerning".

19. Page 34, lines 6 and 7, by striking the words "[one thousand] six" and inserting in lieu thereof the words "one thousand [six] *one*".

20. Page 35, by striking lines 32, 33 and 34 and that portion of line 35 preceding the word "*Double*".

21. Page 36, line 18, by inserting after the word "*county*" the words ", *or other political subdivision within which precincts have been merged across county lines pursuant to section forty-nine point eleven (49.11), subsection one (1), of the Code,*".

2. Page 40, line 14, by striking the word "eligible" and inserting in lieu thereof the words "[eligible] *qualified*".

23. Page 43, line 24, by striking the words "the facsimile of the signature" and inserting in lieu thereof the words "one facsimile signature, that".

24. Page 43, line 25, by inserting after the word "printed" a comma.

25. Page 46, by striking line 5, through page 48, line 1, inclusive.

26. Page 49, by striking lines 10 through 14, inclusive, and inserting in lieu thereof the words "is a qualified elector of that precinct. The elector shall sign a voter's".

27. Page 49, by striking lines 17 through 30, inclusive.

28. Page 51, line 21, by inserting after the second word "the" the words "name of the challenged elector and the".

29. Page 51, by striking lines 22 and 23 and inserting in lieu thereof the words "reason for the challenge. The sealed affidavit".

30. Page 52, line 23, by striking the word "that" and inserting in lieu thereof the words "[that] *is*".

31. Page 52, line 24, by striking the word "is" and inserting in lieu thereof the word "[is]".

32. Page 52, line 26, by striking the words "by any person the blind voter may select" and inserting in lieu thereof the words "*alternatively* by any *other* person the [blind] voter may select *if the voter is blind*".

33. Page 55, line 24, by striking the word "counting" and inserting in lieu thereof the word "election".

34. Page 55, line 29, by striking the word "counting" and inserting in lieu thereof the word

Page 4

"election".

35. Page 55, line 33, by inserting after the word "precinct" the word "election".

36. Page 56, line 1, by striking the word "counting" and inserting in lieu thereof the word "election".

37. Page 56, line 8, by striking the word "counting" and inserting in lieu thereof the word "election".

38. Page 56, line 11, by inserting after the period the following:

"The board may divide itself into panels of not less than three members each in order to hear and determine two or more challenges simultaneously, but each panel shall meet the requirements of section forty-nine point twelve (49.12) of the Code as regards political party affiliation of the members of each panel."

39. Page 61, line 5, by inserting after the period the following:

"Prior to actual purchase by any county of any particular electronic voting system which has been approved for use in this state, the state commissioner shall formulate, with advise and assistance of the examiners, and adopt rules governing the development of vote counting programs and all procedures used in actual counting of votes by means of that system."

40. Page 65, line 14, by inserting after the word "organizations" the words ", and to permit voting for all of the candidates of any one political party or organization by a single mark or punch,".

41. Page 68, line 6, by inserting after the word "ticket" the words ", or for or against any public question".

42. Page 71, line 23, by striking the word "time" and inserting in lieu thereof the word "times".

43. Page 71, line 35, by striking the word "referred" and page 72, by striking line 1.

44. Page 72, line 15, by inserting after the period the following:

"The county chairperson of a political party may submit an additional test group of ballots which, if so submitted, shall also be tested."

45. Page 74, line 9, by striking the word "become"

and inserting in lieu thereof the word "becomes".

46. Page 74, lines 17 and 18, by striking the words "[polls] *polling place in the elector's precinct of residence*" and inserting in lieu thereof the word "polls".

47. Page 75, lines 7 and 8, by striking the words

Page 5

"eight o'clock p.m." and inserting in lieu thereof the words "[eight o'clock p.m.] *the closing of the polls*".

48. Page 75, line 17, by inserting after the period the following:

"However, if the application is received more than ten calendar days before the election, the commissioner shall mail to the applicant within twenty-four hours a letter acknowledging receipt of the application and describing the procedure prescribed by section one hundred twenty-three (123) of this Act."

49. Page 76, line 21, by striking the words "five working" and inserting in lieu thereof the words "ten calendar".

50. Page 76, line 22, by striking the word "necessary" and inserting in lieu thereof the following:

"all ballots requested under section fifty-three point eight (53.8), subsection three (3), of the Code have not previously been delivered and returned. If a person who so requested an absentee ballot has been dismissed from the health care facility or hospital, the special precinct election officers may take the ballot to that person's home".

51. Page 76, line 23, by inserting after the word "shall" the word "both".

52. Page 76, lines 34 and 35, by striking the words *"pursuant to section forty-nine point eighteen (49.18)* of the Code" and inserting in lieu thereof the words *"giving preference to persons designated by the respective county chairpersons of the political parties described in section forty-nine point thirteen (49.13) of the Code"*.

53. Page 77, by striking lines 16 and 17 and inserting in lieu thereof the following:

"Alternatively, the request may be made by telephone to the office of the commissioner. If the requestor is found to be a qualified elector of".

54. Page 77, line 18, by inserting after the word "county," the words "these officers shall".

55. Page 79, by striking lines 23 through 35, and page 80, by striking lines 1 through 11, inclusive.

56. Page 84, line 17, by striking the word *"same"* and inserting in lieu thereof the words *"responsible commissioner's"*.

57. Page 88, by inserting after line 1 the following new section:

"Sec. ..... Section two hundred eighty A point twenty-three (280A.23), subsection two (2), Code 1975,

is amended to read as follows:

2. Change boundaries of director districts in

Page 6

merged areas after each decennial census, or *after any* change in boundaries of the merged area, to compensate for changes in population if such population changes have taken place, *or at any time for the purpose of causing the boundaries of director districts to coincide, where feasible, with the boundary lines of election precincts established pursuant to sections forty-nine point three (49.3) through forty-nine point six (49.6), inclusive, of the Code. However, the director districts shall in all cases be of approximately equal population within each merged area.*"

58. Page 90, line 18, by striking the figures and letter "303A.4" and inserting in lieu thereof the figures and letter "303B.4".

59. Page 95, by inserting after line 2 the following new section:

"Sec. ..... House File fifty-four (54), section five (5), Acts of the Sixty-sixth General Assembly, 1975 Session, is amended to read as follows:

Sec. 5. Chapter thirty-nine (39), Code 1975, is amended by adding the following new section:

NEW SECTION. GENERAL ELECTION—NONPARTISAN OFFICES.

There shall be elected at each general election, on a nonpartisan basis, the following officers:

[1. Regional library trustees as required by section three hundred three B (303B) of the Code.

2]. *1.* County public hospital trustees as required by section three hundred forty-seven point twenty-five (347.25) of the Code.

[3] *2.* Soil conservation district commissioners as required by section four hundred sixty-seven A point five (467A.5) of the Code."

60. Page 95, line 13, by inserting after the comma the words and figures "forty-nine point fifty-nine (49.59), forty-nine point sixty (49.60), forty-nine point sixty-one (49.61),".

EUGENE M. HILL, Chairman

Ordered passed on file.

AMENDMENT FILED

S—3831

Amend Senate File 526, page 3, by inserting after line 5 the following, and renumbering sections and correcting internal references in accordance with this amendment:

"Sec. ..... Section three hundred sixty-eight point nineteen (368.19), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The committee shall approve or disapprove the petition or plan as amended, within ninety days of the final hearing, and shall file its decision for record and promptly notify the parties to the proceeding of its decision. If a petition or plan is approved, the board shall set a date within ninety days for a special election on the proposal and the county commissioner of elections shall conduct the election. In a case of incorporation or discontinuance, qualified voters of the territory or city may vote, and the proposal is authorized if a majority of those voting approves it. In a case of annexation or severance, qualified voters [of the territory] *of any township in which a part of the* ***territory is located,*** and of the city may vote, and the proposal is authorized if a majority of the total number of persons voting approves it. In a case of consolidation, qualified voters of each city to be consolidated may vote, and the proposal is authorized only if it receives a favorable majority vote in each city. The county commissioner of elections shall publish notice of the election as provided in section 368.15, and shall conduct the election in the same manner as other special city elections."

JAMES V. GALLAGHER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 12:50 p.m., until 10:00 a.m., Monday, May 19, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MAY 19, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Victor Baderschneider, pastor of the Immanuel Lutheran Church, Grafton, Iowa.

The Journal of Friday, May 16, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Harold Moessner, Amana, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the day on request of Senator Willits.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Ninety students from Denison, Iowa, accompanied by Mrs. Ferris, Mr. Borecky and Mrs. Menegay. Senator Culver.

PETITIONS

The following petitions were presented and placed on file:

By Senator Gallagher from forty residents of Buchanan County favoring legislation which prohibits the smoking of tobacco in certain public areas and provides a penalty.

By Senator Briles from thirty-two residents of Adair County favoring legislation which would establish area agencies on aging.

By Senator Tieden from thirty-six residents of Dubuque County favoring stringent pornography laws at the state level.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

May 15, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Nel Bonnell, Fort Dodge, Webster County, Iowa, for reappointment to the Iowa Commission for the Blind pursuant to Section 601B.1, 1975 Code of Iowa, for a third regular three-year term commencing July 1, 1975, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Cyrus L. Beye, M.D., Sioux City, Woodbury County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Kenneth R. Carrell, D.O., Columbus Junction, Louisa County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Howard G. Ellis, M.D., Des Moines, Polk County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Frederick V. Hetzler, D.O., Davenport, Scott County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Hal R. Hirleman, M.D., Cedar Rapids, Linn County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Rosalie B. Neligh, M.D., Council Bluffs, Pottawattamie County, Iowa, for appointment to the State Board of Medical Examiners pursuant to section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of John M. Rhodes, M.D., Pocahontas, Pocahontas County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Sheila Sidles, Centerville, Appanoose County, Iowa, for appointment to the State Board of Medical Examiners as a representative of the general public pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

INTRODUCTION OF BILL

Senate File 532, by Senators Gluba, Hansen and Ramsey (Small and Hansen), a bill for an act relating to special assessments by cities for main sewers and street improvements.

Read first time and **passed on file.**

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **House File 700** be made a **special order** of business for Wednesday, May 21, 1975, at 1:30 p.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Irene Wiemers, Ph.D., of Cherokee, Cherokee County, Iowa, for appointment as a member of the Iowa State Board of Psychology Examiners pursuant to Section 147.14 (7), 1975, Code of Iowa, for an initial three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
ROBERT M. CARR
WARREN E. CURTIS
GENE W. GLENN
W. R. RABEDEAUX

The motion prevailed and the report was adopted.

Senator Coleman moved the appointment of Irene Wiemers, Ph.D., as a member of the Iowa State Board of Psychology Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed" the vote was:

Ayes, 37:

Andersen	Gallagher	Miller of Marshall	Schwengels
Bergman	Glenn	Nolting	Shaff
Briles	Gluba	Nystrom	Shaw
Burroughs	Heying	Orr	Sovern
Carr	Hill of Polk	Palmer	Taylor
Coleman	Kelly	Plymat	Tieden
Culver	Kinley	Ramsey	Van Gilst
Curtis	Merritt	Redmond	Willits
DeKoster	Miller of Des Moines	Rodgers	Winkelman
Doderer			

Nays, none.

Absent or not voting, 13:

Griffin	Junkins	Nolin	Rabedeaux
Hansen	Lamborn	Norpel	Robinson
Hill of Jasper	Murray	Priebe	Scott
Hultman			

President Neu declared the appointment of Irene Wiemers, Ph.D., as a member of the Iowa State Board of Psychology Examiners confirmed for an initial three-year term ending June 30, 1978.

Senator Shaw called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Carol H. Schaefer of Davenport, Scott County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of Sections 147.12 through 147.20, Code 1975, for an initial term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL L. JUNKINS, Chairman
GENE W. GLENN
E. KEVIN KELLY
BERL PRIEBE
ELIZABETH SHAW

The motion prevailed and the report was adopted.

Senator Shaw moved the appointment of Carol H. Schaefer as a member of the State Board of Chiropractic Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 37:

Andersen	Hill of Jasper	Miller of	Schwengels
Bergman	Hill of Polk	Marshall	Scott
Briles	Hultman	Murray	Shaff
Burroughs	Junkins	Nystrom	Shaw
Carr	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Ramsey	Tieden
Glenn	Merritt	Redmond	Van Gilst
Hansen	Miller of	Robinson	Winkelman
Heying	Des Moines	Rodgers	

Nays, 1:

Gluba

Voting present, 7:

Coleman	Doderer	Nolting	**Willits**
Culver	Gallagher	Orr	

Absent or not voting, 5:

Griffin	Norpel	Priebe	**Rabedeaux**
Nolin			

President Neu declared the appointment of Carol H. Schaefer as a member of the State Board of Chiropractic Examiners confirmed for an initial term ending June 30, 1978.

Senator Rodgers called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Clifford Welcher of Greenfield, Adair County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under the provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for the regular three-year term beginning July 1, 1974 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

NORMAN G. RODGERS, Chairman
MILO MERRITT
FORREST V. SCHWENGELS

The motion prevailed and the report was adopted.

Senator Rodgers moved the appointment of Clifford Welcher as a member of the Iowa Board of Examiners for Hearing Aid Dealers be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Andersen	Hill of Jasper	Murray	**Schwengels**
Bergman	Hill of Polk	Nolin	**Scott**
Briles	Hultman	Nolting	**Shaff**
Burroughs	Junkins	Nystrom	**Shaw**
Carr	Kelly	Orr	Sovern
Coleman	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Ramsey	Van Gilst
Doderer	Miller of	Redmond	Willits
Glenn	Des Moines	Robinson	Winkelman
Hansen	Miller of	Rodgers	
Heying	Marshall		

Nays, 1:

Gluba

Voting present, 2:

Culver	Gallagher

Absent or not voting, 4:

Griffin	Norpel	Priebe	Rabedeaux

President Neu declared the appointment of Clifford Welcher as a member of the Iowa Board of Examiners for Hearing Aid Dealers confirmed for the regular three-year term ending June 30, 1977.

Senator Scott called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Edmund Chamberlain, Jr., of Clear Lake, Cerro Gordo County, Iowa, for appointment as a member of the Iowa Board of Examiners for Hearing Aid Dealers under the provisions of Chapter 1145, Sections 2 and 3, Acts of the Sixty-fifth General Assembly, for the regular three-year term beginning July 1, 1974 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
STEVE SOVERN
E. KEVIN KELLY

The motion prevailed and the report was adopted.

Senator Scott moved the appointment of Edmund Chamberlain, Jr., as a member of the Iowa Board of Examiners for Hearing Aid Dealers be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 25 was invoked.

Ayes, 41:

Andersen	Hill of Jasper	Murray	Schwengels
Bergman	Hill of Polk	Nolin	Scott
Briles	Hultman	Nolting	Shaff
Burroughs	Junkins	Nystrom	Shaw
Carr	Kelly	Orr	Sovern
Coleman	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Miller of Des Moines	Ramsey	Van Gilst
Doderer		Redmond	Willits
Glenn	Miller of Marshall	Robinson	Winkelman
Hansen		Rodgers	

Nays, 5:

Culver	Gluba	Heying	Merritt
Gallagher			

Absent or not voting, 4:

Griffin	Norpel	Priebe	Rabedeaux

President Neu declared the appointment of Edmund Chamberlain, Jr., as a member of the Iowa Board of Examiners for Hearing Aid Dealers confirmed for the regular three-year term ending June 30, 1977.

CONSIDERATION OF BILLS

Senate File 253

On motion of Senator DeKoster, Senate File 253, a bill for an act relating to exchange of inmates with federal bureau of prisons, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Kelly offered amendment S—3646 by the committee on human resources and moved its adoption:

S—3646

Amend Senate File 253 as follows:

1. Page 1, line 3, by striking the word "Convicts" and inserting in lieu thereof the word "Inmates".

2. Page 1, line 6, by striking the word "Convicts" and inserting in lieu thereof the word "Inmates".

3. Page 1, line 8, by inserting after the period the sentence "If an inmate objects to her transfer to the federal bureau of prisons, the inmate shall be afforded a hearing as provided in section two hundred seventeen point twenty-two (217.22) of the Code."

4. Page 1, line 11, by striking the word "Convicts" and inserting in lieu thereof the words "[Convicts] *Inmates*".

5. Page 1, line 14, by striking the word "*Convicts*" and inserting in lieu thereof the word "*Inmates*".

6. Page 1, line 16, by inserting after the period the sentence "*If an inmate objects to his transfer to the federal bureau of prisons, the inmate shall be afforded a hearing as provided in section two hundred seventeen point twenty-two (217.22) of the Code.*"

7. Page 1, by inserting after line 16 the following:

"Sec. ..... Chapter two hundred seventeen point twenty-two (217.22), Code 1975, is amended to read as follows:

217.22 [INTERSTATE COMPACT BOARD—HEARING] *TRANSFER HEARING.* An inmate who objects to confinement in a receiving state pursuant to the interstate corrections compact *or transfer to the federal bureau of prisons* may request a hearing

before a board appointed by the governor and serving at his pleasure and composed of three members of the general public, one of whom shall be a former inmate. Members of the board shall be paid forty dollars per diem and actual and necessary expenses from appropriated funds.

The board shall bar the transfer of the inmate to a receiving state *or the federal bureau of prisons* when a majority of its members are of the opinion that the transfer does not serve to promote the treatment, rehabilitation, or best interests of the offender. The burden of proof shall lie with the department of social services and all decisions of the hearing board shall be final."

Amendment S—3646 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. 253) the vote was:

Ayes, 46:

Andersen	Hansen	Miller of	Robinson
Bergman	Heying	Marshall	Rodgers
Briles	Hill of Jasper	Murray	Schwengels
Burroughs	Hill of Polk	Nolin	Scott
Carr	Hultman	Nolting	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of	Ramsey	Willits
Gluba	Des Moines	Redmond	Winkelman

Nays, none.

Absent or not voting, 4:

Gallagher	Griffin	Norpel	Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 575

On motion of Senator Gluba, House File 575, a bill for an act relating to eligibility for low-rent housing, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gluba moved that the bill 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. 575) the vote was:

Ayes, 45:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Rabedeaux	Tieden
Doderer	Merritt	Ramsey	Willits
Gallagher	Miller of Des Moines	Redmond	Winkelman
Glenn			

Nays, 1:

Hill of Jasper

Absent or not voting, 4:

Griffin	Norpel	Priebe	Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 395.

House File 395

On motion of Senator Redmond, House File 395, a bill for an act relating to the civil service systems of cities, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Redmond offered amendment S—3556 by the committee on cities and moved its adoption:

S—3556

Amend House File 395 as amended and passed by the House, page 2, line 5, by inserting after the period the following:

"The commission shall consider the notice and may in the next regular scheduled meeting grant the person the appeal rights provided in this chapter."

A record roll call was requested.

On the question "Shall amendment S—3556 be adopted?" (H.F. 395) the vote was:

Ayes, 19:

Carr	Glenn	Nolting	Rodgers
Coleman	Gluba	Orr	Schwengels
Culver	Heying	Palmer	Sovern
Doderer	Junkins	Redmond	Willits
Gallagher	Kinley	Robinson	

Nays, 26:

Andersen	Hill of Jasper	Miller of Marshall	Ramsey
Bergman	Hill of Polk	Murray	Scott
Briles	Hultman	Nolin	Shaw
Burroughs	Kelly	Nystrom	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Rabedeaux	Van Gilst
Hansen			Winkelman

Absent or not voting, 5:

Griffin	Miller of Des Moines	Norpel	Shaff
		Priebe	

Amendment S—3556 lost.

Senator Willits offered amendment S—3821 filed by Senators Willits and Andersen and moved its adoption:

S—3821

Amend House File 395, as amended and passed by the House, as follows:

Page 3, by striking everything in lines 3 through 7, inclusive, and inserting in lieu thereof the following:

"civil service rights [therein] *in the position.* If, however, [no] *a* current employee [passes a] *does not pass one of two successive* promotional [examination] *examinations* and otherwise [qualifies] *qualify* for the *vacated* position, an entrance examination for [such] *the vacated* position may be used to fill [such vacancy within one year after such promotional examination] *it.*"

Amendment S—3821 was adopted.

Senator Andersen withdrew amendment S—3549 filed by him on April 17, 1975, and found on pages 989 and 990 of the Senate Journal.

Senator Taylor offered amendment S—3840 and moved its adoption:

S—3840

Amend House File 395, page 3, by inserting after line 25 the following:

"4. Has not borne arms against the United States government."

A record roll call was requested.

On the question "Shall amendment S—3840 be adopted?" (H.F. 395) the vote was:

Ayes, 12:

Bergman	Hansen	Kelly	Taylor
Briles	Hill of Jasper	Schwengels	Tieden
Curtis	Hultman	Scott	Winkelman

Nays, 33:

Andersen	Gluba	Miller of	Ramsey
Burroughs	Heying	Marshall	Redmond
Carr	Hill of Polk	Murray	Robinson
Coleman	Junkins	Nolin	Rodgers
Culver	Kinley	Nolting	Shaw
DeKoster	Lamborn	Orr	Sovern
Doderer	Merritt	Palmer	Van Gilst
Gallagher	Miller of	Plymat	Willits
Glenn	Des Moines	Rabedeaux	

Absent or not voting, 5:

Griffin	Nystrom	Priebe	Shaff
Norpel			

Amendment S—3840 lost.

Senator Redmond moved that the bill 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. 395) the vote was:

Ayes, 46:

Andersen	Hansen	Miller of	Robinson
Bergman	Heying	Marshall	Rodgers
Briles	Hill of Jasper	Murray	Schwengels
Burroughs	Hill of Polk	Nolin	Scott
Carr	Hultman	Nolting	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Tieden
DeKoster	Lamborn	Plymat	Van Gilst
Doderer	Merritt	Rabedeaux	Willits
Gallagher	Miller of	Ramsey	Winkelman
Glenn	Des Moines	Redmond	
Gluba			

Nays, none.

Absent or not voting, 4:

Griffin	Norpel	Priebe	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED
SENATE REFUSED TO CONCUR

Senate File 285

Senator Willits called up for consideration Senate File 285, a bill for an act relating to the administration of state records and providing an appropriation, amended by the House, and moved that the Senate refuse to concur in the following amendment:

S—3811

Amend Senate File 285, as amended and passed by the Senate, as follows:

1. Page 2, lines 3, 4 and 5, by striking the words *"advise the director of the department of general services in order that the director may"*.

2. Page 2, lines 21 and 22, by striking the words *"after consulting with"* and inserting in lieu thereof the words *"with the approval of"*.

3. Pages 3, line 7, by inserting after the word "shall" the following: *", subject to the approval of the commission,"*.

4. Page 3, line 8, by inserting after the word "manual" the words *"or manuals"*.

5. Page 3, line 9, by inserting after the word "manual" the words *"or manuals"*.

6. Page 3, line 15, by inserting after the word "manual" the words *"or manuals"*.

7. Page 3, line 16, by inserting after the word "manual" the words *"or manuals"*.

8. Page 3, line 24, by inserting after the word "manual" the words *"or manuals"*.

9. Page 3, by striking all of line 17 and inserting in lieu thereof the following: "decisions [made] *approved by the commission.*"

10. Page 4, line 8, by striking the words "[commission] *director*" and inserting in lieu thereof the word "commission".

11. Page 4, line 10, by striking the words "[commission] *director*" and inserting in lieu thereof the word "commission".

12. Page 4, line 26, by striking the words "[commission] *director*" and inserting in lieu thereof the word "commission".

A non-record roll call was requested.

The ayes were 44, nays none.

The motion prevailed, and the Senate refused to concur in House amendment S—3811.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 679.

House File 679

On motion of Senator Curtis, House File 679, a bill for an act relating to the final return, payment and refund, and appeal procedures of the state inheritance tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curtis moved that the bill 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. 679) the vote was:

Ayes, 46:

Andersen	Hansen	Miller of	Robinson
Bergman	Heying	Marshall	Rodgers
Burroughs	Hill of Jasper	Murray	Schwengels
Carr	Hill of Polk	Nolin	Scott
Coleman	Hultman	Nolting	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of	Ramsey	Willits
Gluba	Des Moines	Redmond	Winkelman

Nays, none.

Absent or not voting, 4:

Briles	Griffin	Norpel	Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 206.

House File 206

On motion of Senator Rodgers, House File 206, a bill for an act relating to deduction of debts and expenses for inheritance tax purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rodgers moved that the bill 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, 46:

Andersen	Hansen	Miller of	Robinson
Bergman	Heying	Marshall	Rodgers
Burroughs	Hill of Jasper	Murray	Schwengels
Carr	Hill of Polk	Nolin	Scott
Coleman	Hultman	Nolting	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of	Ramsey	Willits
Gluba	Des Moines	Redmond	Winkelman

Nays, none.

Absent or not voting, 4:

Briles	Griffin	Norpel	Priebe

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 206 passed the Senate on May 19, 1975.

RICHARD R. RAMSEY

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 357	S. F. 525	H. F. 479
S. F. 449	H. F. 36	H. F. 465

C. JOSEPH COLEMAN, Chairman

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Lamborn requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Palmer called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Allan T. Thoms, Dubuque, Dubuque County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974 and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM D. PALMER, Chairman
PHILIP B. HILL
RICHARD J. NORPEL, SR.
BERL E. PRIEBE
FORREST V. SCHWENGELS

The motion prevailed and the report was adopted.

Senator Palmer moved the appointment of Allan T. Thoms as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 25 was invoked.

Ayes, 34:

Andersen	Heying	Norpel	Scott
Bergman	Junkins	Orr	Shaff
Briles	Kelly	Palmer	Sovern
Carr	Kinley	Plymat	Taylor
Coleman	Lamborn	Rabedeaux	Tieden
Culver	Merritt	Ramsey	Van Gilst
Curtis	Miller of Des Moines	Robinson	Willits
Doderer	Nolin	Rodgers	Winkelman
Glenn		Schwengels	

Nays, 5:

Gluba	Hill of Jasper	Nolting	Redmond
Hansen			

Absent or not voting, 11:

Burroughs	Griffin	Miller of Marshall	Nystrom
DeKoster	Hill of Polk	Murray	Priebe
Gallagher	Hultman		Shaw

President Neu declared the appointment of Allan T. Thoms as a member of the State Transportation Commission confirmed for an initial term ending June 30, 1975.

Senator Palmer called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Allan T. Thoms, Dubuque, Dubuque County, Iowa,

for reappointment to the State Transportation Commission pursuant to Section 307.3, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1975 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM D. PALMER, Chairman
RICHARD J. NORPEL, SR.
BERL E. PRIEBE
PHILIP B. HILL
FORREST V. SCHWENGELS

The motion prevailed and the report was adopted.

Senator Palmer moved the appointment of Allan T. Thoms as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 35:

Andersen	Heying	Norpel	Schwengels
Bergman	Junkins	Orr	Scott
Briles	Kelly	Palmer	Shaff
Carr	Kinley	Plymat	Sovern
Coleman	Lamborn	Rabedeaux	Taylor
Culver	Merritt	Ramsey	Tieden
Curtis	Miller of Des Moines	Redmond	Van Gilst
Doderer	Nolin	Robinson	Willits
Glenn		Rodgers	Winkelman

Nays, 4:

Gluba	Hansen	Hill of Jasper	Nolting

Absent or not voting, 11:

Burroughs	Griffin	Miller of Marshall	Nystrom
DeKoster	Hill of Polk	Murray	Priebe
Gallagher	Hultman		Shaw

President Neu declared the appointment of Allan T. Thoms as a member of the State Transportation Commission confirmed for the regular four-year term ending June 30, 1979.

Senator Doderer called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. L. Stanley Schoelerman of Spencer, Clay County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

MINNETTE DODERER, Chairman
LOUIS P. CULVER
IRVIN L. BERGMAN
CALVIN O. HULTMAN
CHARLES P. MILLER

The motion prevailed and the report was adopted.

Senator Doderer moved the appointment of L. Stanley Schoelerman as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 34:

Andersen	Junkins	Norpel	Scott
Bergman	Kelly	Orr	Shaff
Carr	Kinley	Palmer	Sovern
Coleman	Lamborn	Plymat	Taylor
Culver	Merritt	Rabedeaux	Tieden
Curtis	Miller of Des Moines	Ramsey	Van Gilst
Doderer	Nolin	Robinson	Willits
Glenn	Nolting	Rodgers	Winkelman
Heying		Schwengels	

Nays, 3:

Gluba	Hansen	Hill of Jasper

Voting present, 1:

Redmond

Absent or not voting, 12:

Briles	Griffin	Miller of Marshall	Nystrom
Burroughs	Hill of Polk	Murray	Priebe
DeKoster	Hultman		Shaw
Gallagher			

President Neu declared the appointment of L. Stanley Schoelerman as a member of the State Transportation Commission confirmed for an initial four-year term ending June 30, 1978.

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 on May 15, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 397, a bill for an act relating to benefited street lighting districts.

Also: That the House has on May 15, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 422, a bill for an act to include caves and caverns in the limitation of liability for allowing public use of private land.

Also: That the House has on May 14, 1975, 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 90, a bill for an act relating to emergency vehicles.

Also: That the House has on May 15, 1975, amended Senate amendment to, concurred in Senate amendment as amended, and repassed the following bill in which the concurrence of the Senate is asked:

House File 185, a bill for an act relating to the transporting of livestock.

Also: That the House has on May 15, 1975, concurred in Senate amendment to and passed the following bill:

House File 195, a bill for an act relating to statewide fire protection.

Also: That the House has on May 13, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 217, a bill for an act relating to the ownership or control of land by nonresident aliens.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 411, a bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict.

Also: That the House has on May 15, 1975, concurred in Senate amendment to and passed the following bill:

House File 486, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies.

Also: That the House has on May 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 623, a bill for an act providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions regulating the operation of railroad trains.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 704, a bill for an act relating to operation of motorcycles by persons issued instruction permits.

Also: That the House has on May 15, 1975, amended Senate amendment to, concurred in Senate amendment as amended, and repassed the following bill in which the concurrence of the Senate is asked:

House File 723, a bill for an act correcting and clarifying provisions in the city code of Iowa.

Also: That the House has on May 15, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 776, a bill for an act permitting the commissioner of social services to grant an easement for sewage lines.

Also: That the House has on May 15, 1975, concurred in Senate amendment to and passed the following bill:

House File 780, a bill for an act making an appropriation to the department of soil conservation and department of agriculture.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 824, a bill for an act relating to the amount of capital and surplus required by insurance companies to transact business in Iowa.

Also: That the House has on May 14, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 825, a bill for an act relating to the regulation of securities, and providing for the registration of securities and broker dealers.

Also: That the House has on May 8, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 848, a bill for an act making appropriations to the Iowa crime commission and the department of public safety.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 533, by Senators Junkins, Miller of Des Moines, Lamborn and Schwengels, a bill for an act relating to the payment of legal fees for inmates and patients of state institutions.

Read first time and **passed on file.**

Senate File 534, by Senator Shaw, a bill for an act relating to rules of the board of directors of an area school.

Read first time and **passed on file.**

HOUSE MESSAGES CONSIDERED

House File 217, a bill for an act relating to the ownership or control of land by nonresident aliens and providing for the filing of reports related thereto, and providing penalties for violations.

Read first time and **passed on file.**

House File 411, a bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict.

Read first time and **passed on file.**

House File 623, a bill for an act providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions of the state which regulate the operation of railroad trains within the political subdivisions of the state.

Read first time and **passed on file.**

House File 704, a bill for an act relating to operation of motorcycles by persons issued instruction permits.

Read first time and **passed on file.**

House File 776, a bill for an act permitting the commissioner of social services to grant an easement for sewage lines across certain land belonging to the state.

Read first time and **passed on file.**

House File 824, a bill for an act relating to the amount of capital and surplus required by insurance companies to transact business in Iowa.

Read first time and **passed on file.**

House File 825, a bill for an act relating to the regulation of securities, and providing for the registration of securities and broker-dealers, prohibiting certain deceptive and manipulative transactions in securities, regulating broker-dealers, and providing civil remedies and criminal penalties for violations.

Read first time and **passed on file.**

House File 848, a bill for an act making appropriations to the Iowa crime commission and the department of public safety and providing for the administration and use of funds and personnel of such departments.

Read first time and **passed on file.**

HOUSE AMENDMENT TO SENATE FILE 397

S—3842

Amend Senate File 397, as passed by the Senate, on page 1, by striking lines 7 through 9 and inserting in lieu thereof the following: "if the assessed valuation of the property owned by the petitioners represents at least twenty-five percent of the total assessed value of the proposed district, *or the board of supervisors of any county with a population in excess of two hundred fifty thousand persons shall, on the petition of twenty-five percent of the resident property owners in any proposed benefited lighting district,* hold a public".

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 90

S—3843

Amend the Senate amendment H—3620, to House File 90, as amended and passed by the House as follows:

1. Page 1, lines 13 and 14, by striking the words "violator of the law" and inserting in lieu thereof the words "perpetrator of a felony".

2. Page 1, line 23, by inserting after the word "directions" the following: "only when the driver of the emergency vehicle has unobstructed vision to the front of the emergency vehicle for a distance that will permit the driver to view the point of termination of movement contrary to the laws and regulations from the point movement contrary to the

laws and regulations is begun".

3. Page 1, by striking lines 37 through 47 and inserting in lieu thereof a period.

4. Page 2, line 2, by inserting after the word "reckless" the words "or negligent".

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 185

S—3844

Amend the Senate amendment H—3847, to House File 185, as follows:

By striking all of lines 3 through 7.

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 723

S—3845

Amend the Senate amendment H—3782, to page 8 of House File 723, as follows:

1. By striking lines 7, 8 and 9 and inserting in lieu thereof the following:

2. Amend the title page, line 2, by inserting after the word "Iowa" the words "and increasing the allowable levy for support of a symphony orchestra".

SENATE RESOLUTION 11

By Hultman

Whereas, the public address system in the Senate has malfunctioned several times during the session; and

Whereas, the failure of the public address system has interrupted the proceedings of the Senate in its deliberations; and

Whereas, these interruptions cause unnecessary delays in the work of the Senate; *Now, Therefore,*

Be It Resolved by the Senate, That the Secretary of the Senate is instructed to review the conditions of the present public address system and to have such repairs made as are necessary to assure that the public address system will properly function in the future sessions of the Senate.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 40

By Rabedeaux, Hultman, Kinley, Lamborn, Miller of Des Moines, Tieden, Coleman, Junkins, Hansen, Kelly, Robinson, Ramsey, Hill of Jasper, Shaff, Nolin, Scott, Burroughs, Doderer, Schwengels, Curtis, Bergman, Winkelman, Heying, Briles, Taylor, Miller of Marshall and Merritt

Whereas, the current appropriation of the department of social services exceeds one hundred forty-four million

dollars; and

Whereas, the department submitted a proposed budget which exceeded its current appropriation by 39.1% and the governor proposed a 20.7% increase in the department's budget; and

Whereas, the department proposes to increase its number of employees by 656; and

Whereas, the continuing growth of the department has created internal problems within the divisions of the department; and

Whereas, there is general concern relating to the ability of the department to carry out all of the functions which are required by law; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee as provided by law, composed of members of the Senate and the House of Representatives representing both political parties, to conduct a study during the 1975 interim relating to the functions, duties, and operations of the department of social services and to determine the need for reorganizing the department; and

Be It Further Resolved, That the study committee shall prepare a report of its findings and recommendations and submit it to the legislative council and the members of the Sixty-sixth General Assembly, 1976 Session, accompanied by legislative bill drafts, if necessary, to carry out the recommendations of the study committee.

Read first time and passed on file.

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

S. F. 531 Appropriations

EXPLANATIONS OF VOTES

MR. PRESIDENT: Due to the death of my grandmother, Mrs. Lena Gluba, 89, Keithsburg, Illinois, I was absent from the Senate Thursday, May 15, and Friday, May 16, 1975. Had I been present, I would have voted "aye" on the following bills: Senate Files 192, 296, 358, 382, 475, 503, 511, 521, 522, 523 and House File 390.

WILLIAM E. GLUBA

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Wednesday, May 14, 1975, when the votes were taken on House File 558 and Senate File 496. Had I been present, I would have voted to suspend the rules governing germaneness under Sec. 402 of Mason's Manual of Legislative Procedure. I would have voted "nay" to Divisions S—3801B and S—3801C of the House amendment to the Senate amendment to House File 558 and "aye" on final passage of House File 558 and "aye" on Senate File 496.

WILLARD R. HANSEN

MR. PRESIDENT: I was necessarily absent from the Senate, May 15, 1975, because of the death of a relative. Had I been present, I would have voted "aye" on the following bills: Senate Joint Resolution 12, Senate Files

521, 522, 523, 475, 503, 358, 382, 192 and 511. I would have voted "aye" on the motion to reconsider Senate File 367. I would have voted "nay" on House File 390.

RICHARD J. NORPEL, SR.

AMENDMENTS FILED

S—3849

Amend Senate File 525 as follows:

1. Page 1, line 2, by inserting after the figure "1975," the words and figures "as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, Senate File one hundred ninety-three (193), section one (1),".

2. Page 1, line 4, by inserting after the word "[foster]" the word "[family]".

3. Page 1, line 7, by striking the word "[two]" and inserting in lieu thereof the word "[five]".

4. Page 3, line 12, by inserting after the word "[foster]" the word "[family]".

5. Page 6, line 3, by inserting after the figure "1975," the words and figures "as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, Senate File one hundred ninety-three (193), section two (2),".

6. Page 6, line 12, by striking the first comma in that line and inserting in lieu thereof the word "[or]".

7. Page 6, line 12, by striking the words "[or adult foster]" and inserting in lieu thereof the words "[and all placements in adult foster family]".

8. Page 6, line 14, by inserting after the word "admitted" the words "[or placed]".

9. Page 7, line 29, by inserting after the figure "1975," the words and figures "as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, Senate File one hundred ninety-three (193), sections three (3) and four (4),".

10. Page 8, line 19, by striking both the words "[adult foster homes,]" and also the second comma in that line.

11. Page 8, line 20, by striking the comma in that line.

12. Page 8, by inserting after line 28 the following:

"[3. For adult foster family homes, five dollars.]"

13. Page 15, line 24, by inserting after the word "INSPECTIONS." the word "[The]".

14. Page 15, line 25, by striking the figure and word "1. [The]" and inserting in lieu thereof the figure "*1.*".

WILLIAM E. GLUBA

S—3848

Amend House File 411 as amended and passed by the House, page 7, by inserting after line 29 the following new section:

Sec. ..... Section four hundred twenty-seven point three (427.3), subsection four (4), Code 1975, is amended to read as follows:

4. The property, not to exceed one thousand eight hundred fifty-two dollars in taxable value of any honorably separated, retired, furloughed to a reserve, placed on inactive status, or discharged soldier, sailor, marine, or nurse of the second World War, army of Occupation in Germany November 12, 1918, to July 11, 1923, American expeditionary forces in Siberia November 12, 1918, to April 30, 1920, second Nicaraguan campaign with the navy or marines in Nicaragua or on combantant ships 1926-1933, second Haitian suppressions of insurrections 1919-1920, navy or marine operations in China 1937-1939 and Yangtze service with navy and marines in Shanghi or in the Yangtze Valley 1926-1927 and 1930-1932 or of the Korean Conflict at any time between June [27] *25*, 1950, and January 31, 1955, both dates inclusive, or those who served on active duty during the Vietnam Conflict [beginning] *at any time between* August 5, 1964, and [ending on June 30] *August 15*, 1973, both dates inclusive, and as defined in section 35C.2.

For the purposes of this section, the second World War shall be from December 7, 1941, to [September 2, 1945] *December 31, 1946*, both dates inclusive.

The provisions of this subsection shall also apply to any honorably separated, retired, furloughed to a reserve, placed on inactive status, or discharged soldier, sailor, marine, or nurse who served in Korea after January 31, 1955, as a member of the occupational forces retained in Korea by the government of the United States or who served in Vietnam after the date the armed forces of the United States are directed by formal order of the government of the United States to cease hostilities.

HILARIUS L. HEYING

S—3841

Amend the committee on state government amendment S—3830 to House File 700 as amended, passed and reprinted by the House, by striking from page 1 of the amendment lines 34 through 42, inclusive.

C. JOSEPH COLEMAN

S—3846

Amend the committee on state government amendment S—3830 to House File 700, as amended, passed and reprinted by the House, as follows:

Page 2, line 17, by striking the word *"shall"* and inserting in lieu thereof the word *"may"*.

JOHN N. NYSTROM
MINNETTE DODERER

S—3839

Amend House File 700 as amended, passed and reprinted by the House, page 70, by striking lines 24 through 28, inclusive, and inserting in lieu thereof the following:

"In any county in which the board of supervisors has adopted voting by means of an electronic voting

system, the commissioner may elect to also conduct absentee voting by use of such a system if the system so used is compatible with the counting center serving the precinct polling places in the county where voting is by means of an electronic voting system. In any other county, the commissioner may with approval of the board of supervisors conduct absentee voting by use of an electronic voting system. All provisions of chapter fifty-three".

JAMES M. REDMOND

S—3838

Amend House File 700 as amended, passed and reprinted by the House as follows:

1. Page 84, by striking lines 21 through 28, inclusive.

2. Page 86, line 14, by striking the words "[AND TREASURER]" and inserting in lieu thereof the words "AND TREASURER".

3. Page 86, by striking lines 17, 18 and 19 and inserting in lieu thereof the following:

"not be a teacher or other employee of the board. It shall also[, except in districts composed in whole or in part of a city,] appoint a treasurer. [Such] *These* officers".

4. Page 86, line 24, by striking the words "[They] *The secretary*" and inserting in lieu thereof the word "They".

5. Page 86, lines 27 and 28, by striking the words "[their successors are] *a successor is*" and inserting in lieu thereof the words "their successors are".

6. Page 95, line 14, by inserting after the figure "(49.62)," the words and figure "two hundred seventy-seven point twenty-six (277.26)".

JAMES M. REDMOND

S—3847

Amend House File 864 as amended and passed by the House as follows:

1. Page 6, after line 15, by adding the following new section:

Sec. ..... The state board of regents shall, for the purpose of resource allocation and budget requests, give equal priority to undergraduate teaching and excellence in undergraduate teaching as to other goal areas such as research and service.

2. By renumbering the remaining sections.

WILLARD R. HANSEN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:07 p.m., until 9:30 a.m., Tuesday, May 20, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MAY 20, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Byron Ayres, pastor of the United Methodist Church, West Union, Iowa.

The Journal of Monday, May 19, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Aaron Randolph, Anamosa, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-one students from Rodman Elementary School, Rodman, Iowa, accompanied by Mrs. Scally. Senator Priebe.

Forty-five students from C and M Junior-Senior High School, Massena, Iowa, accompanied by Mike Ashton. Senator Briles.

Fifty students from Chariton, Iowa, accompanied by Mrs. Cooper and Mrs. Findley. Senators Van Gilst and Ramsey.

Fifty-two students from West Central Junior High School, Maynard, Iowa, accompanied by Pat Grennan and Ron Miller. Senator Heying.

Sixty students from Manson Elementary School, Manson, Iowa, accompanied by Frances Nitz, Harold Trayer and Dan Ramacher. Senator Winkelman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Taylor from twenty-two residents of Hancock County opposing pari-mutuel betting.

By Senator Kelly from sixty-three residents of the state of Iowa urging the rescission of the Equal Rights Amendment.

By Senator Norpel from forty-seven residents of Dubuque County favoring stringent obscenity laws at the state level.

By Senator Heying from seventy-eight residents of Bremer County favoring legislation that prohibits smoking tobacco in certain public areas and provides a penalty.

INTRODUCTION OF BILL

Senate File 535, by committee on judiciary, a bill for an act relating to offenses which may be charged upon a uniform citation and complaint, and providing penalties.

Read first time and **placed on calendar.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Hill of Jasper called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Stephen Garst, Coon Rapids, Carroll County, Iowa, for appointment as a member of the State Transportation Commission pursuant to Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial term commencing July 1, 1974 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
ROBERT M. CARR
JAMES E. BRILES
E. KEVIN KELLY
KARL NOLIN

The motion prevailed and the report was adopted.

Senator Hill of Jasper moved the appointment of Stephen Garst as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Andersen	Glenn	Kinley	Norpel
Bergman	Gluba	Lamborn	Nystrom
Briles	Griffin	Merritt	Orr
Burroughs	Hansen	Miller of Des Moines	Palmer
Carr	Heying	Miller of Marshall	Plymat
Culver	Hill of Jasper	Murray	Priebe
Curtis	Hill of Polk	Nolin	Rabedeaux
DeKoster	Hultman	Nolting	Ramsey
Doderer	Junkins		Redmond
Gallagher	Kelly		Robinson

Rodgers	Shaff	Taylor	Willits
Schwengels	Shaw	Tieden	Winkelman
Scott	Sovern	Van Gilst	

Nays, none.

Absent or not voting, 1:
Coleman

President Neu declared the appointment of Stephen Garst as a member of the State Transportation Commission confirmed for an initial three-year term ending June 30, 1977.

Senator Nystrom called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Ann (Don D.) Pellegreno of Story City, Story County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Section 307.3, Code 1975, for an initial term commencing July 1, 1974 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL JUNKINS, Chairman
CLIFF BURROUGHS
WILLIAM E. GLUBA
FRED NOLTING
JOHN NYSTROM

The motion prevailed and the report was adopted.

Senator Nystrom moved the appointment of Ann Pellegreno as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Hansen	Miller of	Ramsey
Bergman	Heying	Marshall	Redmond
Briles	Hill of Jasper	Murray	Rodgers
Burroughs	Hill of Polk	Nolin	Schwengels
Carr	Junkins	Nolting	Scott
Culver	Kelly	Norpel	Shaw
Curtis	Kinley	Nystrom	Sovern
DeKoster	Lamborn	Orr	Taylor
Doderer	Merritt	Palmer	Tieden
Gallagher	Miller of	Plymat	Van Gilst
Glenn	Des Moines	Priebe	Willits
Griffin		Rabedeaux	Winkelman

Nays, 1:
Gluba

Absent or not voting, 4:

Coleman	Hultman	Robinson	Shaff

President Neu declared the appointment of Ann Pellegreno as a member of the State Transportation Commission confirmed for an initial two-year term ending June 30, 1976.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 864.

House File 864

On motion of Senator Van Gilst, House File 864, a bill for an act providing for and making appropriations for financing state postsecondary education programs including programs under the state board of regents, the higher education facilities commission, and the department of public instruction, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered amendment S—3816 filed by him, moved its adoption and requested a record roll call:

S—3816

Amend House File 864 as amended and passed by the House, page 1, line 21, by striking the figures "9,000,000" and inserting in lieu thereof the figures "9,600,000".

On the question "Shall amendment S—3816 be adopted?" (H.F. 864) the vote was:

Rule 25 was invoked.

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Lamborn	Ramsey	Winkelman
DeKoster	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Amendment S—3816 lost.

Senator Briles offered amendment S—3814 filed by him, moved its adoption and requested a record roll call:

S—3814

Amend House File 864, as amended and passed by the House, as follows:

1. Page 2, line 4, by striking the words "seven hundred fifty thousand (750,000)" and inserting in lieu thereof the words "eight hundred thousand (800,000)".

2. Page 2, line 16, by striking the words "three hundred fifty thousand" and inserting in lieu thereof the words "four hundred thousand".

On the question "Shall amendment S—3814 be adopted?" (H.F. 864) the vote was:

Ayes, 21:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Hansen	Murray	Schwengels
Briles	Hill of Polk	Nystrom	Taylor
Burroughs	Hultman	Plymat	Tieden
Curtis	Lamborn	Rabedeaux	Winkelman
DeKoster			

Nays, 29:

Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Junkins	Norpel	Scott
Culver	Kelly	Orr	Shaff
Doderer	Kinley	Palmer	Shaw
Gallagher	Merritt	Priebe	Sovern
Glenn	Miller of Des Moines	Redmond	Van Gilst
Gluba	Nolin	Robinson	Willits
Heying			

Amendment S—3814 lost.

(House File 864 pending on recess.)

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert R. Rigler of New Hampton, Chickasaw County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial four-year term beginning July 1, 1974 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
LUCAS J. DeKOSTER
GENE GLENN
HILARIUS HEYING
ROGER SHAFF

The motion prevailed and the report was adopted.

Senator Coleman moved the appointment of Robert R. Rigler as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Griffin		Redmond	Winkelman
Hansen			

Nays, 1:

Gluba

Absent or not voting, 1:

Briles

President Neu declared the appointment of Robert R. Rigler as a member of the State Transportation Commission confirmed for an initial four-year term ending June 30, 1978.

BUSINESS PENDING

House File 864

The Senate resumed consideration of House File 864.

Senator Shaw withdrew amendment S—3815 filed by her on May 14, 1975, and found on page 1392 of the Senate Journal.

Senator Shaw offered amendment S—3854, moved its adoption and requested a record roll call:

S—3854
Amend House File 864, page 3, by inserting after line 18 the following: "For the academic year commencing in 1975, the rules of residency shall be at least as strict as those imposed by the Board of Regents under chapter one point four (1.4), paragraph four (4) and paragraph five (5) of the Iowa Departmental Rules as they exist on June 30, 1975."

On the question "Shall amendment S—3854 be adopted?" (H.F. 864) the vote was:

Ayes, 15:

Bergman	Hultman	Miller of Marshall	Shaff
Burroughs	Kelly	Murray	Shaw
Curtis	Miller of Des Moines	Nystrom	Taylor
DeKoster			Winkelman
Doderer			

Nays, 32:

Andersen	Heying	Norpel	Robinson
Carr	Hill of Jasper	Orr	Rodgers
Coleman	Hill of Polk	Palmer	Schwengels
Culver	Junkins	Plymat	Scott
Gallagher	Kinley	Priebe	Sovern
Glenn	Merritt	Rabedeaux	Tieden
Griffin	Nolin	Ramsey	Van Gilst
Hansen	Nolting	Redmond	Willits

Absent or not voting, 3:

Briles	Gluba	Lamborn

Amendment S—3854 lost.

Senator Murray offered amendment S—3805 filed by him, moved its adoption and requested a record roll call:

S—3805
Amend House File 864 as follows:
1. Page 4, line 15, by striking the figure $49,493,000 and inserting in lieu thereof the figure $50,043,500.
2. Page 4, line 22, by striking the figure $9,944,500 and inserting in lieu thereof the figure $10,079,500.
3. Page 4, line 28, by striking the figure $2,823,000 and inserting in lieu thereof the figure $2,844,000.
4. Page 4, line 31, by striking the figure $978,500 and inserting in lieu thereof the figure $987,500.

5. Page 4, line 34, by striking the figure $1,959,500 and inserting in lieu thereof the figure $1,977,500.

6. Page 5, line 6, by striking the figure $2,178,000 and inserting in lieu thereof the figure $2,205,000.

7. Page 5, line 11, by striking the figure $39,794,000 and inserting in lieu thereof the figure $40,244,000.

8. Page 5, line 14, by striking the figure $4,936,000 and inserting in lieu thereof the figure $4,970,500.

9. Page 5, line 18, by striking the figure $4,307,500 and inserting in lieu thereof the figure $4,348,000.

10. Page 5, line 32, by striking the figure $1,154,500 and inserting in lieu thereof the figure $1,163,500.

11. Page 5, line 35, by striking the figure $2,160,500 and inserting in lieu thereof the figure $2,177,000.

On the question "Shall amendment S—3805 be adopted?" (H.F. 864) the vote was:

Ayes, 22:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaff
Brilles	Hill of Polk	Nystrom	Shaw
Burroughs	Hultman	Plymat	Tieden
Curtis	Kelly	Ramsey	Winkelman
DeKoster	Lamborn		

Nays, 28:

Carr	Hill of Jasper	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Doderer	Merritt	Palmer	Sovern
Gallagher	Miller of Des Moines	Priebe	Taylor
Glenn	Nolin	Rabedeaux	Van Gilst
Gluba		Redmond	Willits
Heying			

Amendment S—3805 lost.

Senator Murray offered amendment S—3806 filed by him and moved its adoption:

S—3806

Amend House File 864 as follows:

1. Page 4, line 15, by striking the figure $49,493,000 and inserting in lieu thereof the figure $49,593,000.

2. Page 5, line 11, by striking the figure $39,794,000 and inserting in lieu thereof the figure $40,169,000.

A record roll call was requested.

On the question "Shall amendment S—3806 be adopted?" (H.F. 864) the vote was:

Ayes, 20:

Bergman	Griffin	Lamborn	Plymat
Briles	Hansen	Miller of Marshall	Schwengels
Burroughs	Hill of Polk	Murray	Shaff
Curtis	Hultman	Nystrom	Shaw
DeKoster	Kelly		Tieden
Doderer			

Nays, 29:

Andersen	Hill of Jasper	Norpel	Rodgers
Carr	Junkins	Orr	Scott
Coleman	Kinley	Palmer	Sovern
Culver	Merritt	Rabedeaux	Taylor
Gallagher	Miller of Des Moines	Ramsey	Van Gilst
Glenn	Nolin	Redmond	Willits
Gluba	Nolting	Robinson	Winkelman
Heying			

Absent or not voting, 1:

Priebe

Amendment S—3806 lost.

Senator Griffin offered amendment S—3850:

S—3850

Amend House File 864, as amended and passed by the House, page 5 by inserting after line 35 the following:

"For renovation of dining room and kitchen.....$600,000"

Senator Griffin withdrew amendment S—3850.

Senator DeKoster offered amendment S—3817 filed by him, moved its adoption and requested a record roll call:

S—3817

Amend House File 864 as amended and passed by the House, page 6, line 7, by striking the figures "720,000" and inserting in lieu thereof the figures "900,000".

On the question "Shall amendment S—3817 be adopted?" (H.F. 864) the vote was:

Ayes, 23:

Andersen	Hill of Polk	Murray	Shaff
Bergman	Hultman	Nystrom	Shaw
Briles	Kelly	Plymat	Taylor
Burroughs	Lamborn	Rabedeaux	Tieden
Curtis	Miller of Marshall	Ramsey	Winkelman
DeKoster		Schwengels	
Hansen			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of	Priebe	Willits
Gluba	Des Moines	Redmond	

Absent or not voting, 1:

Griffin

Amendment S—3817 lost.

Senator Winkelman offered amendment S—3829 filed by him, moved its adoption and requested a record roll call:

S—3829

Amend House File 864, as amended and passed by the House, as follows:

1. Page 6, after line 7, by inserting the following:

"8. RURAL PHYSICIANS ASSOCIATE PROGRAM

For allocation by the dean of the college of medicine to qualified participants to carry out the provisions of sections eight (8), nine (9), and ten 10 of this Act.....$100,000

Sec. 8. *NEW SECTION.* ESTABLISHMENT. There is established a rural physicians associate program within the college of medicine of the state university of Iowa. A medical student who has completed his second academic year may obtain, at any time during the third or fourth year of medical school, one academic year of experience and training as a physician's associate in a rural community of the student's choice. The first semester of the student's associate year shall be devoted to basic learning, for which the student shall receive up to one semester of academic credit and a stipend provided in the form of a scholarship through funds appropriated pursuant to section seven (7) of this Act. This scholarship shall provide two thousand five hundred dollars per student and shall be paid in monthly installments during the first semester. Rural communities may provide assistance in an amount not to exceed two thousand five hundred dollars. During the second semester of the associate year, for which the student shall receive up to one semester of academic credit, the stipend to the student associate shall be paid by the physician with whom the student is associated in an amount not to exceed seven thousand five hundred dollars.

Sec. 9. *NEW SECTION.* IMPLEMENTATION. The faculty required to implement the program shall be recruited from among physicians who are general practitioners and specialists throughout the state and who are

selected by the college of medicine for their medical skills and interest in medical education.

Sec. 10. *NEW SECTION.* APPROVED PROGRAMS. The college of medicine shall make arrangements with the governing body of the community and the participating physician for the purpose of providing for the receipt of the stipend necessary for the student to complete the year as an associate and for the purpose of gaining the approval of the community regarding services to be rendered by the physician's associate. Medical students may contact physician's residing in rural communities for the purpose of making application

Page 2

for the scholarship. The college of medicine shall determine policies to be followed in regard to malpractice insurance for student associates.

Sec. 11. Section two hundred sixty-two point nine (262.9), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Receive, administer, and grant funds for scholarships to medical students who have completed their second academic year and who become physicians' associates for one year in rural communities."

2. By renumbering the remaining sections in accordance with this amendment.

On the question "Shall amendment S—3829 be adopted?" (H.F. 864) the vote was:

Ayes, 20:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Hansen	Murray	Schwengels
Briles	Heying	Nystrom	Shaff
Burroughs	Kelly	Plymat	Tieden
Curtis	Lamborn		Winkelman
DeKoster			

Nays, 27:

Carr	Hill of Polk	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Doderer	Merritt	Palmer	Shaw
Gallagher	Miller of Des Moines	Priebe	Sovern
Glenn	Nolin	Rabedeaux	Van Gilst
Hill of Jasper		Redmond	Willits

Absent or not voting, 3:

Gluba	Hultman	Taylor

Amendment S—3829 lost.

Senator Hansen offered amendment S—3847 filed by him, moved its adoption and requested a record roll call:

S—3847

Amend House File 864 as amended and passed by the House as follows:

1. Page 6, after line 15, by adding the following new section:

Sec. ..... The state board of regents shall, for the purpose of resource allocation and budget requests give equal priority to undergraduate teaching and excellence in undergraduate teaching as to other goal areas such as research and service.

2. By renumbering the remaining sections.

On the question "Shall amendment S—3847 be adopted?" (H.F. 864) the vote was:

Ayes, 20:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Hill of Polk	Murray	Schwengels
Briles	Kelly	Nystrom	Taylor
Burroughs	Lamborn	Plymat	Tieden
Curtis	Merritt		Winkelman
Griffin			

Nays, 29:

Carr	Heying	Norpel	Rodgers
Coleman	Hill of Jasper	Orr	Scott
Culver	Junkins	Palmer	Shaff
DeKoster	Kinley	Priebe	Shaw
Doderer	Miller of Des Moines	Rabedeaux	Sovern
Gallagher	Nolin	Redmond	Van Gilst
Glenn	Nolting	Robinson	Willits
Gluba			

Absent or not voting, 1:

Hultman

Amendment S—3847 lost.

Senator Murray offered amendment S—3858:

S—3858

Amend House File 864 as follows:

1. Page 6, by inserting after line 15, the following:

"Sec. ..... Section two hundred sixty-two point nine (262.9), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Have authority to enter into agreements with appropriate state agencies or postsecondary educational institutions in contiguous states to provide for the remission of nonresident tuition on a reciprocal basis between some or all of the universities governed by the state board of regents and some or all of the public postsecondary educational institutions in the other states. The agreement shall provide for approximate equalization of the advantages between the contracting agencies or institutions in this state and in a contiguous state, or between the residents of this

state and a contiguous state, and may include provisions for the transfer of funds between the contracting agencies or institutions or between this state and a contiguous state, in order to accomplish approximate equalization. The board shall submit an annual report with its budget request, specifying the progress of negotiations under this subsection, details of proposed agreements, and funds needed to support agreements proposed or entered into under this subsection."

2. By renumbering the remaining sections and correcting the internal references in accordance with this amendment.

Senator Palmer raised the point of order that amendment S—3858 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3858 in order.

Senator Murray moved the adoption of amendment S—3858 and requested a record roll call.

On the question "Shall amendment S—3858 be adopted?" (H.F. 864) the vote was:

Ayes, 22:

Andersen	Griffin	Miller of Marshall	Schwengels
Bergman	Hansen	Murray	Shaff
Burroughs	Hill of Polk	Nystrom	Shaw
Curtis	Hultman	Ramsey	Taylor
DeKoster	Kelly	Robinson	Tieden
Gluba	Lamborn		

Nays, 27:

Carr	Hill of Jasper	Nolting	Redmond
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Doderer	Merritt	Palmer	Sovern
Gallagher	Miller of Des Moines	Plymat	Van Gilst
Glenn	Nolin	Priebe	Willits
Heying		Rabedeaux	Winkelman

Absent or not voting, 1:

Briles

Amendment S—3858 lost.

Senator Shaff offered amendment S—3851, moved its adoption and requested a record roll call:

S—3851

Amend House File 864, as amended and passed by the House, page 10, line 33, by striking the figures "1,201,000" and inserting in lieu thereof the figures "1,701,000".

On the question "Shall amendment S—3851 be adopted?" (H.F. 864) the vote was:

Rule 25 was invoked.

Ayes, 23:

Andersen	Griffin	Murray	Shaff
Bergman	Hansen	Nystrom	Shaw
Briles	Hill of Polk	Plymat	Taylor
Burroughs	Hultman	Rabedeaux	Tieden
Curtis	Kelly	Ramsey	Winkelman
DeKoster	Lamborn	Schwengels	

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 1:

Miller of Marshall

Amendment S—3851 lost.

Senator DeKoster offered amendment S—3804 by the committee on appropriations, moved its adoption, and requested a record roll call:

S—3804

Amend House File 864, as amended and passed by the House, page 2, by striking lines 22 through 35 and renumbering the remaining sections in accordance with this amendment.

On the question "Shall amendment S—3804 be adopted?" (H.F. 864) the vote was:

Rule 25 was invoked.

Ayes, 20:

Andersen	Griffin	Murray	Shaff
Briles	Hansen	Plymat	Shaw
Burroughs	Hill of Polk	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn	Schwengels	Winkelman

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 4:

Bergman	Hultman	Miller of Marshall	Nystrom

Amendment S—3804 lost.

Senator Taylor took the chair at 5:14 p.m.

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. 864) the vote was:

Ayes, 45:

Andersen	Griffin	Miller of Des Moines	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Carr	Hill of Jasper	Nolting	Scott
Coleman	Hill of Polk	Norpel	Shaw
Culver	Hultman	Orr	Sovern
Curtis	Junkins	Palmer	Taylor
DeKoster	Kelly	Plymat	Tieden
Doderer	Kinley	Priebe	Van Gilst
Gallagher	Lamborn	Rabedeaux	Willits
Glenn	Merritt	Redmond	Winkelman
Gluba			

Nays, 3:

Burroughs	Ramsey	Shaff

Absent or not voting, 2:

Miller of Marshall	Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Palmer asked and received unanimous consent that **Senate File 463** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 864 passed the Senate on May 20, 1975.

PHILIP B. HILL

INTRODUCTION OF BILLS

Senator File 536, by committee on commerce, a bill for an act relating to the use of electronic facilities and electronic transfers

of funds by banks, credit unions and savings and loan associations.

Read first time and **placed on calendar.**

Senate File 537, by Senator Kelly, a bill for an act relating to forfeiture of real estate contracts.

Read first time and **passed on file.**

Senate File 538, by Senators Kelly and Doderer, a bill for an act relating to conditional release for inmates of correctional institutions.

Read first time and **passed on file.**

Senate File 539, by committee on ways and means, a bill for an act providing for the disclosure of the actual sales price in real estate transfers and providing penalties for violations of this Act.

Read first time and **placed on calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 532 Cities

S. F. 533 Judiciary

S. F. 534 Education

S. R. 11 Rules and administration

S.C.R. 40 Rules and administration

H. F. 217 Agriculture

H. F. 704 Transportation

H. F. 776 Judiciary

H. F. 824 Commerce

H. F. 825 Commerce

H. F. 848 Appropriations

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber Monday morning, May 19, 1975, because of the death of a close family friend. Had I been present, I would have voted "aye" on the following

appointments: Irene Wiemers for the State Board of Psychology Examiners; Carol Schaefer for the State Board of Chiropractic Examiners; Clifford Welcher for the Iowa Board of Examiners for Hearing Aid Dealers; Edmund Chamberlain, Jr., for the Iowa Board of Hearing Aid Dealers. I would have voted "aye" on the following bills: Senate Files 253, 285; and House Files 206, 395, 575, and 679.

RICHARD J. NORPEL, SR.

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with section 2.32, 1975 Code of Iowa, announced the appointment of the following Senators to investigating committees:

As members of the State Board of Medical Examiners:

Cyrus L. Beye, M.D., Sioux City, Woodbury County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Griffin, chairman
Senator Culver
Senator Hill of Jasper
Senator Kelly
Senator Orr

Kenneth R. Carrell, D.O., Columbus Junction, Louisa County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Palmer, chairman
Senator Bergman
Senator Miller of Des Moines
Senator Norpel
Senator Rabedeaux

Howard G. Ellis, M.D., Des Moines, Polk County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Miller of Marshall, chairman
Senator Hill of Polk
Senator Junkins
Senator Scott
Senator Willits

Frederick V. Hetzler, D.O., Davenport, Scott County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Rodgers, chairman
Senator Gluba
Senator Norpel
Senator Plymat
Senator Shaff

Hal R. Hirleman, M.D., Cedar Rapids, Linn County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Rabedeaux, chairman
Senator Gallagher
Senator Merritt
Senator Ramsey
Senator Redmond

Rosalie B. Neligh, M.D., Council Bluffs, Pottawattamie County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Van Gilst, chairman
Senator Glenn
Senator Griffin
Senator Nolin
Senator Winkelman

John M. Rhodes, M.D., Pocahontas, Pocahontas County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Schwengels, chairman
Senator Curtis
Senator Doderer
Senator Nolting
Senator Priebe

Sheila Sidles, Centerville, Appanoose County, Iowa, as a public member for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Carr, chairman
Senator Burroughs
Senator Ramsey
Senator Rodgers
Senator Sovern

As a member of the Iowa Commission for the Blind:

Nel Bonnell, Fort Dodge, Webster County, Iowa, for a three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Tieden, chairman
Senator Coleman
Senator Heying
Senator Robinson
Senator Taylor

ANNOUNCEMENT BY COMMITTEE ON RULES AND ADMINISTRATION

Senator Palmer announced the resignation of Mary Warren, Des Moines, as Research Assistant to Majority Leader effective May 16, 1975.

REPORTS OF COMMITTEE

Senator Glenn submitted the following reports:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 255**, a bill for an act relating to the detention of a child prior to the adjudicative hearing, 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:**

S—3857
1 Amend Senate File 255, page 1, line 16, by
2 inserting after the word "hours" the words "exclud-
3 ing Sundays and holidays".

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 273**, a bill for an act relating to the issuance of a summons and notice by the juvenile court, 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:**

S—3856

Amend Senate File 273, by amending the title, line 1, by inserting after the word "issuance" the words "and service".

GENE W. GLENN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3852

Amend Senate File 218, page 33, line 14, by striking the word "forty" and inserting in lieu thereof the word "seventy".

E. KEVIN KELLY
JAMES W. GRIFFIN, SR.
WILLIAM E. GLUBA
RICHARD J. NORPEL, SR.

S—3864

Amend Senate File 488 as follows:

Page 1, line 10, after the period insert the following:

"In the case where the appointment of members of the general assembly is allowed, and the law does not otherwise provide, if an even number of legislators are appointed they shall be equally divided by political party affiliation; if an odd number of members of the general assembly is appointed, the number representing a certain political party shall not exceed by more than one the legislative members of the other political party who may be appointed."

CLIFTON C. LAMBORN

S—3855

Amend the amendment, S—3648, to House File 390, as passed by the House, as follows:

1. Page 1, by inserting after line 2 the following:

"1. Page 1, line 14, by inserting after the period the words '*If the amount of such funds to be expended by the board of supervisors to pay the cost of establishing, reconstructing, remodeling or improving a facility required for the center exceeds the dollar limitation specified in section three hundred forty-five point one (345.1) of the Code, the proposed expenditure shall be submitted for the approval of*

the electors of the county.'"

2. Page 1, by striking lines 3 through 6.

3. Page 1, by striking lines 11 and 12, and inserting in lieu thereof the following:

"3. Page 2, by striking lines 31 through 35 and on page 3, by striking lines 1 through 4."

CALVIN O. HULTMAN
RAY TAYLOR

S—3861

Amend House File 411 as amended, passed and reprinted by the House, page 7, by inserting after line 29 the following new section:

"Sec. ..... Section four hundred twenty-seven point three (427.3), subsection four (4), Code 1975, is amended by striking the subsection and inserting in lieu thereof the following:

4. The property, not to exceed one thousand eight hundred fifty-two dollars in taxable value of any honorably separated, retired, furloughed to a reserve, placed on inactive status, or discharged soldier, sailor, marine, or nurse of the navy and marine operations in China 1937-39 and Yangtze Valley 1930-1932 or the second World War from December 7, 1941 to December 31, 1946, both dates inclusive, or the Korean Conflict at any time between June 25, 1950, and January 31, 1955, both dates inclusive, or in Korea after January 31, 1955, with the armed forces retained there by the government of the United States, or in the Vietnam Conflict at any time between August 5, 1964, and August 15, 1973, both dates inclusive, or in Vietnam after August 15, 1973, until April 30, 1975, with the armed forces assigned there by the United States government, and as defined in section thirty-five C point 1 (35C.1) of the Code."

H. L. HEYING

S—3859

Amend House File 700 as amended, passed and reprinted by the House as follows:

1. Page 1, by inserting after line 16 the following:

"Sec. ..... Section thirteen point seven (13.7), Code 1975, is amended to read as follows:

13.7 SPECIAL COUNSEL. No compensation shall be allowed to any person for services as an attorney or counselor to any department of the state government, or the head thereof, or to any state board or commission, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department cannot for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. This section shall not affect the office of the commerce counsel, the

transportation regulation board counsel, *the special legal counsel to the state commissioner of elections and the electorate of Iowa appointed under section forty (40) of this Act* or the legal counsel of the Iowa employment security commission."

2. Page 21, line 30, by inserting after the word "opinions" the words "in writing".

3. Page 21, by striking lines 32 and 33 and inserting in lieu thereof the following:

"a commissioner, a county attorney, a member of the general assembly or the state chairperson of a political party."

4. Page 22, by striking lines 8 through 12, inclusive.

EARL M. WILLITS

S—3862

Amend House File 700 as amended, passed and reprinted by the House, page 16, by inserting after line 5 the following:

"Sec. ..... Chapter forty-three (43), Code 1975, is amended by inserting after section forty-three point ninety-two (43.92) the following new section:

NEW SECTION. PLACE OF HOLDING CAUCUS. Each precinct caucus shall be held in a building which is publicly owned or is suitable for and from time to time made available for holding public meetings, wherever it is possible to do so."

MINNETTE F. DODERER
JOHN N. NYSTROM

S—3860

Amend House File 700, as amended, passed, and reprinted by the House, page 65, after line 15, by adding the following new paragraph:

"7. The voting punch device shall be so constructed and designed so if an elector makes an error in marking the ballot, the machine shall indicate the error and permit the elector to make a correction according to the provisions of section one hundred eleven (111), paragraph four (4) of this Act."

JOHN N. NYSTROM
MINNETTE F. DODERER

S—3863

Amend House File 700 as amended, passed and reprinted by the House, as follows:

1. Page 75, by inserting after line 17 the following:

"Nothing in this subsection nor in section one hundred twenty-three (123) of this Act shall be construed to prohibit a qualified elector who is a hospital patient or resident of a health care facility, or who anticipates entering a hospital or health care facility before the date of a forthcoming election, from casting an absentee ballot in the manner

prescribed by section fifty-three point eleven (53.11) of the Code."

2. Page 76, line 7, by striking the words "An applicant" and inserting in lieu thereof the following:

"A qualified elector who has applied for an absentee ballot, in a manner other than that prescribed by section fifty-three point eleven (53.11) of the Code, and".

MINNETTE F. DODERER
JOHN N. NYSTROM

S—3853

Amend the committee on state government amendment S—3830 to House File 700 as amended, passed and reprinted by the House, as follows:

1. Page 5, line 23, by striking the words "that person's home" and inserting in lieu thereof the words "to the elector if he or she is currently residing in the county".

2. Page 5, line 36, by inserting after the word "commissioner" the words "not later than four hours before the close of the polls".

MINNETTE F. DODERER
JOHN N. NYSTROM

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:45 p.m., until 9:30 a.m., Wednesday, May 21, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MAY 21, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Warren Bintz, pastor of the United Methodist Church, Rolfe, Iowa.

The Journal of Tuesday, May 20, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William Seidler, Jamaica, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Briles for the day on request of Senator Murray.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-five students from Manning Elementary School, Manning, Iowa, accompanied by Margaret Ohde, Irma Bromert and Marjorie Bartholomew. Senator Nolin.

Sixty-one students from Mingo Community School, Mingo, Iowa, accompanied by Miss Nuehring and Miss Meyers. Senator Miller of Marshall.

Thirty-five students from Defiance-Westphalia School, Defiance, Iowa, accompanied by Sister Amelia. Senator Nolin.

Sixty-five students from Clarke Community Junior High School, Osceola, Iowa, accompanied by Bruce McKean. Senator Ramsey.

PETITIONS

The following petitions were presented and placed on file:

By Senator Carr from forty residents of Dubuque County favoring stringent obscenity laws at the state level.

By Senator Shaw from twenty-six residents of Scott County favoring legislation to improve the Iowa Public Employees' Retirement System, to establish a housing authority, and to provide for no-fault automobile insurance.

INTRODUCTION OF BILL

Senate File 540, by Senators Junkins, Miller of Des Moines, Rabedeaux, Lamborn and Schwengels, a bill for an act to appropriate funds from the general fund to the state department of transportation.

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 on May 19, 1975, passed the following bill in which concurrence of the House was asked.

Senate File 419, a bill for an act relating to the planning and implementation of resource recovery systems.

Also: That the House has on May 19, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 774, a bill for an act relating to the contents of a certificate of marriage.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 774, a bill for an act relating to the contents of a certificate of marriage.

Read first time and **passed on file.**

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 864 passed the Senate on May 20, 1975.

LOWELL JUNKINS

MOTION TO RECONSIDER WITHDRAWN

Senator Hultman withdrew the motion to reconsider the vote by which **Senate File 296** passed the Senate filed by him on May 16, 1975.

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILL

Senate File 541, by committee on judiciary, a bill for an act relating to the probate code.

Read first time and **placed on calendar.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of House File 700.

House File 700

On motion of Senator Doderer, House File 700, a bill for an act relating to procedures for, giving notice of, conducting and canvassing elections, to the election of presidential electors, and to the registration of voters, and prescribing penalties, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Doderer offered amendment S—3830 filed by the committee on state government on May 16, 1975, and found on pages 1438-1443, inclusive, of the Senate Journal.

Senator Doderer called for a division of the amendment, section 59, page 6, lines 16 through 33, to be considered as division S—3830B, and the remainder of the amendment to be considered as division S—3830A.

Senator Willits called for a further division of the amendment, section 55, page 5, lines 40 and 41, to be considered as division S—3830C.

Senator Coleman offered amendment S—3841 to division S—3830A of the amendment filed by him and moved its adoption:

S—3841
Amend the committee on state government amendment S—3830 to House File 700 as amended, passed and reprinted by the House, by striking from page 1 of the amendment lines 34 through 42, inclusive.

A record roll call was requested.

On the question "Shall amendment S—3841 to division S—3830A be adopted?" (H.F. 700) the vote was:

Ayes, 39:

Andersen	Heying	Miller of Marshall	Robinson
Bergman	Hill of Jasper	Murray	Schwengels
Burroughs	Hill of Polk	Nolin	Scott
Coleman	Hultman	Norpel	Shaff
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Gallagher	Lamborn	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman
Griffin			

Nays, 9:

Carr	Merritt	Nystrom	Rodgers
Doderer	Nolting	Redmond	Shaw
Hansen			

Absent or not voting, 2:

Briles	Orr

Amendment S—3841 to division S—3830A of the amendment was adopted.

Senator Nystrom offered amendment S—3846 to division S—3830A of the amendment filed by Senators Nystrom and Doderer and moved its adoption:

S—3846
Amend the committee on state government amendment S—3830 to House File 700, as amended, passed and reprinted by the House, as follows:
Page 2, line 17, by striking the word *"shall"* and inserting in lieu thereof the word *"may"*.

Amendment S—3846 to division S—3830A of the amendment was adopted.

Senator Nystrom offered amendment S—3853 to division S—3830A of the amendment filed by Senators Doderer and Nystrom and moved its adoption:

S—3853
Amend the committee on state government amendment S—3830 to House File 700 as amended, passed and

reprinted by the House, as follows:

1. Page 5, line 23, by striking the words "that person's home" and inserting in lieu thereof the words "to the elector if he or she is currently residing in the county".

2. Page 5, line 36, by inserting after the word "commissioner" the words "not later than four hours before the close of the polls".

Amendment S—3853 to division S—3830A of the amendment was adopted.

On motion of Senator Doderer, division S—3830A of the amendment as amended was adopted.

Action on division S—3830B of the amendment was temporarily deferred.

Senator Doderer moved the adoption of division S—3830C of the amendment.

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 25, nays 20.

Division S—3830C of the amendment was adopted.

Senator Willits offered amendment S—3859 filed by him:

S—3859

Amend House File 700 as amended, passed and reprinted by the House as follows:

Division S—3859A

1. Page 1, by inserting after line 16 the following:

"Sec. ..... Section thirteen point seven (13.7), Code 1975, is amended to read as follows:

13.7 SPECIAL COUNSEL. No compensation shall be allowed to any person for services as an attorney or counselor to any department of the state government, or the head thereof, or to any state board or commission, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department cannot for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. This section shall not affect the office of the commerce counsel, the transportation regulation board counsel, *the special legal counsel to the state commissioner of elections and the electorate of Iowa appointed under section*

forty (40) of this Act or the legal counsel of the Iowa employment security commission."

Division S—3859B

2. Page 21, line 30, by inserting after the word "opinions" the words "in writing".

Division S—3859A (Cont'd)

3. Page 21, by striking lines 32 and 33 and inserting in lieu thereof the following:

"a commissioner, a county attorney, a member of the general assembly or the state chairperson of a political party."

Division S—3859C

4. Page 22, by striking lines 8 through 12, inclusive.

Senator Murray took the chair at 3:04 p.m.

Senator Doderer called for a division of the amendment, sections 1 and 3 to be considered as division S—3859A, section 2 to be considered as division S—3859B, and section 4, as division S—3859C.

Senator Willits moved the adoption of division S—3859A of the amendment.

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 26, nays 20.

Division S—3859A of the amendment was adopted.

President Neu took the chair at 3:30 p.m.

On motion of Senator Willits, division S—3859B of the amendment was adopted.

Senator Doderer offered amendment S—3876 to division S—3859C of the amendment by Senators Doderer and Willits and moved its adoption:

S—3876

Amend the Willits amendment S—3859C, to House File 700 by striking lines 32 and 33 and inserting in lieu thereof the following:

4. Page 22, line 8, by striking the word "interpret" and inserting in lieu thereof the words "*issue oral interpretations of.*".

5. Page 22, line 12, by inserting after the period the words "These interpretations shall be reduced to writing as soon as reasonably possible."

Senator Ramsey asked unanimous consent that action on amendment S—3876 to division S—3859C of the Willits amendment be temporarily deferred.

Objection was raised.

Senator Doderer moved the adoption of amendment S—3876 to division S—3859C of the amendment and requested a record roll call.

Rule 25 was invoked.

The ayes were 25, nays 20.

Amendment S—3876 to division S—3859C of the amendment was adopted.

On motion of Senator Willits, division S—3859C of the amendment as amended was adopted.

Senator Tieden offered amendment S—3869 and moved its adoption:

S—3869

Amend House File 700 as amended, passed and reprinted by the House, as follows:

1. By striking everything beginning with page 6, line 2 and continuing to page 7, line 3, inclusive, and inserting in lieu thereof the following:

"Sec. ..... Section forty-three point twenty-six (43.26), Code 1975, is amended to read as follows:

43.26 BALLOT—FORM. The official primary election ballot shall *have the names of the candidates for the nominations of all political parties printed upon it. The ballot shall be in substantially the form prescribed by section forty-nine point fifty-seven (49.57) of the Code except that it shall also contain in prominent boldface print above the party columns or rows the words 'You are allowed to vote for the candidates of only one party. If you vote for candidates in more than one party column (or row) your ballot will be declared void and not counted.' Each party column or row shall* be prepared, arranged, and printed substantially in the following form:

Sec. ..... Section forty-three point thirty (43.30), Code 1975, is amended to read as follows:

43.30 SAMPLE BALLOTS. The commissioner shall take from the official printed ballots of each precinct a suitable number of *primary election* ballots [of each political party,] and shall write or stamp, in red tnk, near the top of each ballot, the words 'sample ballot' and shall sign or stamp his *or her* official signature thereunder. Said ballots shall be delivered to the [judges] *precinct election officials*, but shall not be voted, received, or counted. [Said judges] *The officials* shall, before the opening of the polls, cause said sample ballots to be posted in and about the polling places.

Sec. ..... Chapter forty-three (43), Code 1975, is amended by inserting after section forty-three point thirty-six (43.36) the following new section:

NEW SECTION. CASTING PRIMARY BALLOT IN MACHINE PRECINCTS.

1. An elector casting a nomination ballot at a primary election by means of a voting machine shall be instructed by a precinct election official how to open the machine for the ticket of the political party in whose primary the elector desires to vote.

2. At any polling place where there is in use for a primary election a voting machine so constructed that it is not possible for an elector to open the machine for the ticket of a political party in secret, the precinct election official shall give the elector the necessary instructions and then move to a position

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in the polling place from which the official cannot see the party selection made by the elector. The precinct election official shall not return to the voting machine until the elector has completed voting and left it, unless the elector requests assistance as permitted by law.

Sec. ..... Section forty-three point thirty-eight (43.38), Code 1975, is amended to read as follows:

43.38 VOTER CONFINED TO PARTY TICKET. The elector shall be allowed to vote for candidates for nomination [on the ballot] of the party [with which he is registered as affiliated] *of the elector's choice*, and [shall receive] no other [ballot]. The voter shall return the ballot, folded, to one of the precinct election officials who shall deposit it in the ballot box.

Sec. ..... Section forty-three point forty-five (43.45), subsections one (1) and two (2), Code 1975, are amended to read as follows:

1. [Place the ballots of the several political parties in separate piles] *Mark 'void' any ballot which contains votes for candidates of more than one party and place such ballot in an envelope marked 'ballots not counted'.*

2. Separately count the ballots *cast for the candidates* of each party, and make the correct entries thereof on the tally sheets."

2. Page 29, by striking lines 16 and 17 and inserting in lieu thereof the following:

"[8. Party affiliation. No party affiliation need be stated if the registrant declines to make such statement.]"

3. Page 61, by inserting after line 30 the following:

"Sec. ..... Section fifty-two point seven (52.7), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. It must also be constructed so as to permit each elector at a primary

election to open the machine, in secret, for the ticket of the political party in whose primary the elector desires to vote, and so as to then prevent that elector from voting for a candidate in the primary of any other political party."

4. Page 62, by inserting after line 20 the following:

"Sec. ..... Section fifty-two point twelve (52.12), Code 1975, is amended to read as follows:

52.12 EXCEPTION—PARTY CIRCLE AND GENERAL FORM--*PRIMARY VOTING ARRANGEMENT.*

1. The provisions of section 49.42 shall not be

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applicable to voting machines owned prior to April 1, 1921, by any county or municipality insofar as they relate to the party circle and the form of the ballot generally; but nothing herein contained shall prohibit the use of voting machines equipped to comply with the foregoing provisions.

2. Every voting machine acquired after July 1, 1975, unless it had been ordered but had not yet been delivered on that date, shall comply with the requirement added to section fifty-two point seven (52.7) of the Code by this Act. The county board of supervisors of each county owning voting machines acquired or ordered prior to that date shall either have the machines modified to comply with that requirement, or direct the commissioner of that county to have precinct election officials follow the alternative procedure provided for voting in primary elections by means of machines which do not comply with that requirement."

5. Page 95, line 3, by inserting after the word "Sections" the words and figures "forty-three point forty-one (43.41), forty-three point forty-two (43.42),".

The Chair requested a non-record roll call.

The ayes were 17, nays 24.

Amendment S—3869 lost.

Senator Doderer offered amendment S—3862 filed by Senators Doderer and Nystrom and moved its adoption:

S—3862

Amend House File 700 as amended, passed and reprinted by the House, page 16, by inserting after line 5 the following:

"Sec. ..... Chapter forty-three (43), Code 1975, is amended by inserting after section forty-three point ninety-two (43.92) the following new section:

NEW SECTION. PLACE OF HOLDING CAUCUS. Each precinct caucus shall be held in a building which is

publicly owned or is suitable for and from time to time made available for holding public meetings, wherever it is possible to do so."

Amendment S—3862 was adopted.

Senator Nystrom offered amendment S—3827 filed by Senators Nystrom and Doderer and moved its adoption:

S—3827

Amend House File 700, as amended, passed and reprinted by the House, as follows:

1. Page 21, by striking lines 24 through 35.
2. Page 22, by striking lines 1 through 12.

A record roll call was requested.

On the question "Shall amendment S—3827 be adopted?" (H.F. 700) the vote was:

Rule 25 was invoked.

Ayes, 24:

Andersen	Kelly	Murray	Schwengels
Bergman	Lamborn	Nolin	Shaff
Burroughs	Merritt	Norpel	Shaw
Curtis	Miller of Des Moines	Nystrom	Taylor
DeKoster	Miller of Marshall	Rabedeaux	Tieden
Hansen		Ramsey	Winkelman
Hultman			

Nays, 24:

Carr	Gluba	Nolting	Robinson
Coleman	Heying	Orr	Rodgers
Culver	Hill of Jasper	Palmer	Scott
Doderer	Hill of Polk	Plymat	Sovern
Gallagher	Junkins	Priebe	Van Gilst
Glenn	Kinley	Redmond	Willits

Absent or not voting, 2:

Briles	Griffin

The Chair cast an "aye" vote to break the tie and declared amendment S—3827 adopted.

Senator Shaw asked and received unanimous consent to withdraw amendment S—3867 by Senators Shaw and Nystrom:

S—3867

Amend House File 700 as amended, passed and reprinted by the House, page 22, line 32, by inserting before the period the words ", except that provisions of unnumbered paragraph five (5) shall continue to be operative through December 31, 1975".

Senator Schwengels withdrew amendment S—3868:

S—3868

Amend House File 700 as amended and passed by the House and reprinted as follows:

Page 24, line 33, by inserting after the word "completed" the words "and notarized".

Senator Nystrom withdrew amendment S—3870:

S—3870

Amend House File 700 as amended, passed and reprinted by the House, page 28, line 12 by inserting after the word "and" the words, "*those forms used for registration by mail*".

Senator Rabedeaux asked unanimous consent to withdraw amendment S—3865:

S—3865

Amend House File 700 as amended, passed and reprinted by the House, page 48, line 29, by striking the words "[eight] *nine*" and inserting in lieu thereof the word "eight".

Objection was raised.

Senator Rabedeaux withdrew amendment S—3865.

Senator Nystrom offered amendment S—3860 filed by Senators Nystrom and Doderer:

S—3860

Amend House File 700, as amended, passed, and reprinted by the House, page 65, after line 15, by adding the following new paragraph:

"7. The voting punch device shall be so constructed and designed so if an elector makes an error in marking the ballot, the machine shall indicate the error and permit the elector to make a correction according to the provisions of section one hundred eleven (111), paragraph four (4) of this Act."

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 26, nays 21.

Amendment S—3860 was adopted.

Senator Redmond offered amendment S—3839 filed by him and moved its adoption:

S—3839

Amend House File 700 as amended, passed and reprinted by the House, page 70, by striking lines 24 through 28, inclusive, and inserting in lieu thereof the following:

"In any county in which the board of supervisors has adopted voting by means of an electronic voting system, the commissioner may elect to also conduct absentee voting by use of such a system if the system so used is compatible with the counting center serving the precinct polling places in the county where voting is by means of an electronic voting system. In any other county, the commissioner may with approval of the board of supervisors conduct absentee voting by use of an electronic voting system. All provisions of chapter fifty-three".

Amendment S—3839 was adopted.

Senator Nystrom offered amendment S—3863 filed by Senators Doderer and Nystrom and moved its adoption:

S—3863

Amend House File 700 as amended, passed and reprinted by the House, as follows:

1. Page 75, by inserting after line 17 the following:

"Nothing in this subsection nor in section one hundred twenty-three (123) of this Act shall be construed to prohibit a qualified elector who is a hospital patient or resident of a health care facility, or who anticipates entering a hospital or health care facility before the date of a forthcoming election, from casting an absentee ballot in the manner prescribed by section fifty-three point eleven (53.11) of the Code."

2. Page 76, line 7, by striking the words "An applicant" and inserting in lieu thereof the following:

"A qualified elector who has applied for an absentee ballot, in a manner other than that prescribed by section fifty-three point eleven (53.11) of the Code, and".

Amendment S—3863 was adopted.

Senator Redmond offered amendment S—3872:

S—3872

Amend House File 700 as amended, passed and reprinted by the House, as follows:

1. Page 82, by striking lines 1 through 28, inclusive, and inserting in lieu thereof the following:

"Sec. ..... Section two hundred seventy-five point twelve (275.12), subsection two (2), Code 1975, is amended by striking paragraphs b and c.

Sec. ..... Section two hundred seventy-five point twelve (275.12), subsection two (2), paragraph d, Code 1975, is amended to read as follows:

[d] *b.* Division of the entire school district into designated".

2. Page 84, by inserting after line 5 the

following:

"Sec. ..... Section two hundred seventy-five point thirty-eight (275.38), Code 1975, is amended to read as follows:

275.38 IMPLEMENTING CHANGED METHOD OF ELECTION. If change in the method of election of school directors is approved at a regular or special school election, the directors who were serving unexpired terms or were elected concurrently with approval of the change of method shall serve out the terms for which they were elected. If the plan adopted is that described in section 275.12, subsection 2, paragraph 'b', ['c' or 'd,'] the board shall at the earliest practicable time designate the districts from which residents are to be elected as school directors at each of the next three succeeding annual school elections, arranging so far as possible for elections of directors as residents of the respective districts to coincide with the expiration of terms of incumbent members residing in those districts. If an increase in the size of the board from five to seven members is approved concurrently with the change in method of election of directors, the board shall make the necessary adjustment in the manner prescribed in section 275.37, as well as providing for implementation of the districting plan under this section."

A non-record roll call was requested.

The ayes were 14, nays 34.

Amendment S—3872 lost.

Senator Doderer moved to reconsider the vote by which division S—3830A of the committee amendment was adopted by the Senate.

The motion prevailed and division S—3830A of the committee amendment was taken up for reconsideration.

Senator Doderer offered amendment S—3879 to division S—3830A of the amendment by Senators Doderer and Nystrom and moved its adoption:

S—3879

Amend S—3830A to House File 700 as amended, passed and reprinted by the House, as follows:

Page 4, line 24, by striking the word "advise" and inserting in lieu thereof the word "advice".

Amendment S—3879 to division S—3830A of the amendment was adopted.

On motion of Senator Doderer, division S—3830A of the amendment as amended was adopted.

(House File 700 pending on adjournment.)

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 on May 13, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 881, a bill for an act relating to the taxation of individual retirement annuity premiums.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILLS

Senate File 542, by committee on judiciary, a bill for an act relating to lobbyists and providing penalties.

Read first time and **placed on calendar.**

Senate File 543, by committee on ways and means, a bill for an act relating to the taxation of individual retirement annuity premiums.

Read first time and **placed on calendar.**

Senate File 544, by committee on education, a bill for an act to abolish the state advisory committee on area schools.

Read first time and **placed on calendar.**

Senate File 545, by committee on ways and means, a bill for an act relating to the effective date of equalization orders issued by the director of revenue.

Read first time and **placed on calendar.**

HOUSE MESSAGE CONSIDERED

House File 881, a bill for an act relating to the taxation of individual retirement annuity premiums.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 537 Commerce

S. F. 538 Judiciary

COMMUNICATION FROM THE SECRETARY OF STATE

May 19, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 202 was published in The Sioux City Journal, Sioux City, Iowa, May 6, 1975, and in the Citizen Herald, Jesup, Iowa, May 7, 1975.

I further certify that House File 286 was published in The Algona Upper **Des Moines, Algona, Iowa, April 24, 1975,** and in The Humboldt Republican, Humboldt, Iowa, April 23, 1975.

I further certify that Senate File 233 was published in The Independent, Hawarden, Iowa, May 1, 1975, and in The Lyon County Reporter, Rock Rapids, Iowa, May 5, 1975.

I further certify that Senate File 351 was published in the Pella Chronicle, Pella, Iowa, April 30, 1975, and in the Carroll Daily Times Herald, Carroll, Iowa, April 25, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

REPORTS OF COMMITTEES

Senator Nolin submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 215, a bill for an act relating to farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain corporations, requiring reports, authorizing farming by certain corporations, providing civil procedures and remedies for enforcement of the provisions of the Act, and providing penalties for violation of 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:**

S—3874

Amend House File 215, as amended, passed by the House and reprinted, by striking everything after the enacting clause, and inserting in lieu thereof **the following:**

Section 1. *NEW SECTION.* DEFINITIONS. For the purposes of this Act:

1. "Corporation" means a domestic or foreign corporation as defined in chapters four hundred ninety-one (491), four hundred ninety-six A (496A), four hundred ninety-seven (497), four hundred ninety-eight (498), four hundred ninety-nine (499), five hundred four (504) and five hundred four A (504A) of the Code which owns or leases agricultural land or is engaged in farming.

2. "Limited partnership" means a partnership as defined in chapter five hundred forty-five (545) of the Code which owns or leases agricultural land or

is engaged in farming.

3. "Processor" means a person, firm, corporation, or limited partnership, which alone or in conjunction with others, directly or indirectly controls the manufacturing, processing or preparation for sale of beef or pork products having a total annual wholesale value of ten million dollars or more.

4. "Feedlot" means a lot, yard, corral, or other area in which hogs or cattle fed for slaughter are confined. The term includes areas which are used for the raising of crops or other vegetation and upon which hogs or cattle fed for slaughter are allowed to graze or feed.

5. "Agricultural land" means land suitable for use in farming.

6. "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing or the production of livestock. Farming shall not include the production of timber, forest products, nursery products, or sod, and farming shall not include a contract where a processor or distributor of farm products or supplies provides spraying, harvesting or other farm services.

7. "Full-time employee" means an employee who worked one hundred fifty days in the previous calendar year on a farm owned or held by the reporting entity.

8. "Part-time employee" means an employee who worked one hundred fifty days in the previous calendar year on a farm owned or held by the reporting entity.

9. "Fiduciary capacity" means an undertaking to act alone or jointly as trustee, executor,

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administrator, personal representative, agent, guardian, conservator, receiver, escrow agent, attorney-in-fact, and any other similar capacity.

Sec. 2. *NEW SECTION.* PROHIBITED OPERATION. In order to preserve free and private enterprise, prevent monopoly, and protect consumers, it is unlawful for any processor of beef or pork to own, control, or operate a feedlot in Iowa in which hogs or cattle are fed for slaughter; however, this shall not preclude the processor from contracting for the feeding of hogs or cattle. It is unlawful for a limited partnership to own, control, or operate a feedlot in Iowa in which hogs or cattle are fed for slaughter if a processor or processors of beef or pork hold partnership shares as general partners, or partnership shares as limited partners; however, this shall not preclude a partnership from contracting for the feeding of hogs or cattle. This section shall not prevent processors or educational institutions from carrying on legitimate research, educational, or demonstration activities, nor shall it prevent processors from

providing normal care and feeding of animals for a period not to exceed ten days prior to slaughter **except in an emergency. Any processor or limited** partnership engaged in the above prohibited activities on the effective date of this Act shall have until July 1, 1985 to dispose of the property.

Sec. 3. *NEW SECTION.* PENALTIES FOR PROHIBITED OPERATION—INJUNCTIVE RELIEF. Any processor violating **the provisions of section two (2) of this Act shall, upon conviction, be punished by a fine of not more** than fifty thousand dollars. The courts of this state may prevent and restrain violations of this Act through **the issuance of an injunction. The attorney general** or a county attorney shall institute suits on behalf of the state to prevent and restrain violations of this Act.

Sec. 4. *NEW SECTION.* REPORTS BY CORPORATIONS. All corporations, domestic or foreign, except where the corporation is acting in a fiduciary capacity, which own or lease agricultural land in the state of Iowa, or which own or lease any land on which poultry or livestock are confined for feeding or other purposes, or which contract for keeping and feeding poultry or livestock, or which contract for the growing of agricultural crops, fruits or other horticultural products in the state of Iowa, shall file with their annual report, as required by chapters four hundred ninety-one (491), four hundred ninety-six A (496A), four hundred ninety-seven (497), four hundred ninety-

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eight (498), four hundred ninety-nine (499), five hundred four (504), and five hundred four A (504A) of the Code and as a part thereof, on forms approved and supplied by the secretary of state, a special annual report setting forth, unless otherwise provided;

1. Declaration of the type of agricultural activity engaged in to any extent by the reporting corporation;

2. The acreage and location listed by township and county, or legally described urban plat of each lot or parcel of agricultural land in this state owned or leased by the corporation on December thirty-first of the previous year;

3. The total number and kind of poultry or livestock in numbers owned, contracted for, fed or kept by the corporation during the preceding calendar or fiscal year;

4. The total acres used for each agricultural crop, fruit or other horticultural product grown or contracted for during the preceding calendar or fiscal year;

5. Whether the corporation is an owner-operator as to land held by the corporation and to what extent;

6. Whether the corporation is a landlord or tenant, and to what extent, and the type of lease. If a livestock or crop-share lease, the corporation shall

disclose the share of the livestock or the crop to which the corporation is entitled under the lease;

7. The names and addresses of, and the number of shares of stock by class held by shareholders owning ten percent or more of any class of stock of the corporation;

8. The number of full-time employees, the number of full-time employees who are not shareholders, and the number of full-time employees who are not shareholders and are not related to any shareholder;

9. The number of part-time employees, the number of part-time employees who are not shareholders, and the number of part-time employees who are not shareholders and are not related to any shareholder;

10. The number of shareholders and the number of shareholders related to the largest shareholder as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses; and

11. The name, address, residence, citizenship of, and number of shares of each class held by any nonresident alien shareholder.

This section shall not apply to land held for the purpose of right-of-way for railroads or highways,

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nor shall it apply to lots within city limits which are smaller than twenty acres.

The annual report from any corporation owning agricultural land in Iowa used for research, testing or experimental purposes or held for the potential expansion of its physical facilities shall include only the information required by subsections one (1) through six (6) of this section, and shall also set forth the number of the corporation's full-time and part-time employees who work on a farm owned by the corporation.

Sec. 5. *NEW SECTION.* REPORTING BY LIMITED PARTNERSHIPS. Each limited partnership owning or leasing agricultural land or engaged in farming shall file with the secretary of state on or before March thirty-first of each year on forms approved and supplied by the secretary of state an annual report setting forth the following:

1. The name of the limited partnership;

2. Declaration of the type of agricultural activity engaged in to any extent by the reporting limited partnership;

3. The acreage and location listed by section and county, or legally described urban plat, of each lot or parcel of agricultural land in this state owned or leased by the limited partnership on December thirty-first of the previous year;

4. The total number and kind of poultry or livestock in numbers owned, contracted for, fed or

kept by the limited partnership during the preceding calendar or fiscal year;

5. The total acres used for each agricultural crop, fruit or other horticultural product grown or contracted for during the preceding calendar or fiscal year;

6. Whether the limited partnership is an owner-operator as to land held by the limited partnership and to what extent;

7. Whether the limited partnership is a landlord or tenant, and to what extent, and the type of lease. If a livestock or crop-share lease, the limited partnership shall disclose the share of the livestock or the crop to which the limited partnership is entitled under the lease;

8. The name and place of residence of each member of the limited partnership, general and limited partners being respectively designated;

9. The number of full-time employees, the number of full-time employees who are not general or limited partners, and the number of full-time employees who

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are not general or limited partners and are not related to any general or limited partner;

10. The number of part-time employees, the number of part-time employees who are not general or limited partners, and the number of part-time employees who are not general or limited partners and are not related to any general or limited partner;

11. The number of general and limited partners, separately stated, and the number in each group related to the holder of the largest partnership share in each group as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses;

12. The term for which the partnership is to exist;

13. The amount of cash and a description of and the agreed value of the other property contributed by each limited partner;

14. The share of the profits or the other compensation by way of income which each limited partner shall receive by reason of the limited partner's contribution;

15. The amount of cash and a description of and the agreed value of the other property contributed by each limited partner during the preceding calendar year, and the amount of cash received by each limited partner from the partnership during the preceding calendar or fiscal year; and

16. The name, address, residence, citizenship, and partnership share of any nonresident alien partner.

Sec. 6. Chapter five hundred sixty-seven (567), Code 1975, is amended by adding the following new

section:

NEW SECTION. REPORTS BY NONRESIDENT ALIENS. Every nonresident alien, owning or leasing agricultural land, or engaged in farming outside the corporate limits of any city of this state, shall file with the secretary of state on or before March thirty-first of each year, a report containing the following:

1. The nonresident alien's name, address, residence and citizenship;

2. A declaration of the type of agricultural activity engaged in to any extent by the reporting nonresident alien;

3. The acreage and location of agricultural land owned outside corporate limits of any city of this state listed by township and county on December thirty-first of the preceding calendar year;

4. The total number of livestock or poultry owned

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or contracted for, and the amount of grain or vegetables grown in this state during the preceding calendar or fiscal year;

5. Whether the nonresident alien, acting directly or through an agent or other representative, is an owner-operator as to land held by the nonresident alien; and

6. Whether the nonresident alien, acting directly or through an agent or other representative, is a landlord or tenant, and to what extent, and the type of lease. If a livestock or crop-share lease, the nonresident alien shall disclose the share of the livestock or the crop to which the nonresident alien is entitled under the lease. The nonresident shall also disclose whether such nonresident alien is represented in Iowa by an agent or other representative and, if so represented, the name of the individual or firm acting in such capacity.

Sec. 7. *NEW SECTION.* REPORTS BY FIDUCIARIES. Every person acting in a fiduciary capacity on behalf of any corporation, limited partnership, or nonresident alien individual, who holds agricultural land in this state outside the corporate limits of any city, shall file with the secretary of state on or before January thirty-first of each year a report containing:

1. If acting in a fiduciary capacity for a corporation:

a. The name and address of the corporation;

b. The name and address of the corporation's registered agent or agents, if any, in this state;

c. The acreage and location of the land owned in such fiduciary capacity listed by township and county on December thirty-first of the year reported.

2. If acting in a fiduciary capacity for a limited partnership:

a. The name and address of the partnership;

b. The name and place of residence of each member, general and limited partners being respectively designated;

c. The acreage and location of the land owned in such fiduciary capacity listed by township and county on December thirty-first of the year reported.

3. If acting in a fiduciary capacity for a nonresident alien:

a. The name, address, residence and citizenship of the nonresident alien;

b. The acreage and location of the land owned in such fiduciary capacity listed by township and county on December thirty-first of the year reported.

Sec. 8. *NEW SECTION.* REPORTS BY BENEFICIARIES.

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1. Any corporation identified as a beneficiary in a report filed with the secretary of state pursuant to subsection one (1) of section seven (7) of this Act shall file with the secretary of state on or before March thirty-first of each year, on forms supplied by the secretary of state, a report containing the information set forth in section four (4) of this Act, with respect to land owned by a fiduciary on behalf of the corporation.

2. Any limited partnership identified as a beneficiary in a report filed with the secretary of state pursuant to subsection two (2) of section seven (7) shall file with the secretary of state on or before March thirty-first of each year, on forms supplied by the secretary of state, a report containing the information set forth in section five (5) of this Act, with respect to land owned by a fiduciary on behalf of the limited partnership.

3. Any nonresident alien identified as a beneficiary in a report filed with the secretary of state pursuant to subsection three (3) of section seven (7) shall file with the secretary of state on or before March thirty-first of each year, on forms supplied by the secretary of state, a report containing the information set forth in section six (6) of this Act, with respect to land owned by a fiduciary on behalf of the nonresident alien.

Sec. 9. *NEW SECTION.* REPORTS BY PROCESSORS.

Any processor of beef or pork in this state shall file with the secretary of state on or before March thirty-first of each year, a report setting forth:

1. The number of hogs and the number of cattle owned and fed more than thirty days by the processor in Iowa during the preceding calendar or fiscal year.

2. The total number of hogs and the total number of cattle owned and fed more than thirty days by the processor during the preceding calendar year.

3. The number of hogs and the number of cattle slaughtered in Iowa by the processor during the preceding calendar or fiscal year.

4. The total number of hogs and the total number of cattle slaughtered by the processor during the preceding calendar or fiscal year.

Sec. 10. *NEW SECTION.* SIGNING REPORTS. Reports by corporations shall be signed by the president or other officer or authorized representative. Reports by limited partnerships shall be signed by the president or other authorized representative of the partnership. Reports by individuals shall be signed by the individual or an authorized representative.

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Sec. 11. *NEW SECTION.* PENALTIES. Any person who knowingly or through the lack of due care and diligence submits false or materially misleading information and statements, or who fails or refuses to submit such information and statements, shall be guilty of a misdemeanor, and shall be subject to a fine of not more than one hundred dollars or imprisonment for not more than thirty days, or be subject to both such fine and punishment.

Sec. 12. *NEW SECTION.* COUNTY ASSESSOR'S REPORT. Each county assessor shall forward to the secretary of state, by October first of each year, the name and address of every corporation, nonresident alien, trust, or other business entity owning agricultural land in the county as shown by the assessment rolls of the county.

Sec. 13. *NEW SECTION.* COUNTY RECORDER'S REPORT. Each county recorder shall forward to the secretary of state, by December first of each year, the names and addresses of each limited partnership owning agricultural land or engaged in farming in the county as shown by county records.

Sec. 14. *NEW SECTION.* DUTIES OF SECRETARY OF STATE-LEGISLATIVE USE. The secretary of state shall do all things necessary to implement this Act. It is the intent of this section that information shall be made available to members of the general assembly and appropriate committees of the general assembly in order to determine the extent of farming being carried out in this state by corporations and other business entities and the effect of such farming practices upon the economy of this state. The secretary of state shall assist any committee of the general assembly existing or established for the purposes of studying the effects of this Act and the practices this Act seeks to study and regulate.

Sec. 15. *NEW SECTION.* The secretary of state shall request additional information as may be necessary or appropriate to enable the secretary of state to administer this Act.

2. Amend the title page, line 1 by striking everything after the word "Act", and inserting in lieu thereof the following:

"prohibiting any processor or limited partnership,

with certain exceptions from owning, controlling or operating a feedlot in Iowa; providing for divestment of prohibited operations; requiring reports from corporations, limited partnerships, fiduciaries, nonresident aliens and nonresident alien corporations; and providing penalties."

KARL NOLIN, Chairman

Ordered passed on file.

Senator Miller of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on county government to which was referred **House File 12**, a bill for an act relating to the indemnification of county officers and employees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHARLES P. MILLER, Chairman

Ordered passed on file.

Senator Orr submitted the following reports:

MR. PRESIDENT: Your committee on education to which was referred **House File 386**, a bill for an act relating to the issuance of high school equivalency diplomas, including changes in fees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOAN ORR, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on education to which was referred **House File 801**, a bill for an act relating to the requirement for special education programs and services in the school standards, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOAN ORR, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 520**, a bill for an act establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemptions and appropriations, and providing coordinating amendments related to implementation of the authority's programs, 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:**

S—3880

Amend Senate File 520 as follows:

1. Page 12, strike lines 3 **through 13 and insert** in lieu thereof the following:

"Sec. 8. *NEW SECTION.* PERCENTAGE REQUIREMENT.

The goal of the authority shall be to assure that fifty percent or more of the housing units provided directly or indirectly by the authority in each three-year period beginning July 1, 1975, but in no case less than thirty percent of such units, are units specially designed for and directed to elderly families, families which include one or more persons who are handicapped or disabled, or very low-income families. Failure to meet this goal does not invalidate any bonds, notes or other obligations of the authority, but in case of noncompliance with this requirement, the authority shall make a special report to the governor and to the general assembly as to the reasons for noncompliance, and the authority shall not commit further funds for housing units which do not help meet this goal, until the goal is reached, other than to complete projects already started."

2. Page 23, strike lines 19 through 34 and insert in lieu thereof the following:

"local public or private agencies an eighteen month demonstration program of rent supplements designed for very low-income and lower income families, to provide for payment of a maximum of the difference between twenty-five percent of an eligible family's income and the fair market rental of a unit of housing, as established by the authority. Eligibility of a housing unit for participation in the demonstration rent supplement program is subject to approval by the authority based on compliance with the definition of adequate housing in this Act, and agreement by the owner to comply with authority rules pertaining to equal housing opportunity, maintenance, occupancy, and other authority policies. The authority shall, by rule, establish criteria for participation in the demonstration project, based upon the provisions of this section and section four (4) of this Act, including but not limited to the selection of target groups, determined by geographical location or special needs, to receive the benefits of the program under the demonstration project. It shall then receive applications for participation in the demonstration project from agencies or organizations described in subsection two (2) of this section, prepare a detailed plan for the total demonstration project including a statement of funding needs, and submit the plan to the general assembly with its budget request."

Page 2

3. Page 34, insert after line 1 the following new subsection and renumber the remaining subsection:

"..... The authority may not commit more than fifteen percent of its total bonding capacity as authorized by law to mortgage purchases under this section, except that this limit shall not apply to the purchase of mortgages on newly constructed single or multiple dwellings."

4. Page 36, line 7, insert after the period the words "However, the authority may not have a total principal amount of bonds and notes outstanding at any time in excess of one hundred million dollars."

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Rodgers submitted the following reports:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 396**, a bill for an act relating to the service tax on storage of goods, 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:**

S—3877

Amend Senate File 396 as follows:

1. Page 1, by striking lines 1 and 2 and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-two point forty-three (442.43), unnumbered paragraph nine (9), Code 1975,".

2. Page 1, line 25, by striking the word "[and]" and inserting in lieu thereof the words "*storage of raw agricultural products* and".

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 811**, a bill for an act relating to the military service tax exemption and making the Act retroactive, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3875

Amend Senate File 493 as follows:

1. Page 1, by striking lines 13 and 14 and inserting in lieu thereof, "*division four (IV) of this chapter until July 1, 1978.* Sanitary disposal projects *and resource recovery systems* may be".

2. Page 1, by inserting after the period on line 17, the following: "*If a county or municipality has reached its maximum general and emergency levy limit, the department of environmental quality shall provide a conditional permit for the operation of existing disposal facilities. The department shall continue to grant such permits until adequate funds are made available to counties or municipalities*

so affected. Counties and municipalities having maximum general and emergency levies shall not be subject to pecuniary or criminal penalties established in sections four hundred fifty-five B point seventy-nine (455B.79) and four hundred fifty-five B point eighty-two (455B.82) of the Code."

RICHARD R. RAMSEY

S—3882

Amend Senate File 525, as follows:

1. Page 16, by inserting after line 13 the following:

"When plans and specifications submitted as required by this subsection have been properly approved by the department or other appropriate state agency, the facility or the portion of the facility constructed or altered in accord with the plans so approved shall not for a period of at least five years from completion of the construction or alteration be considered deficient or ineligible for licensing by reason of failure to meet any rule or standard established subsequent to approval of the plans and specifications, unless a clear and present danger exists that would adversely affect the residents of the facility."

2. Page 18, by striking line 8 and inserting in lieu thereof the following:

"about placement in the facility.

3. A copy of each citation".

3. Page 18, by inserting after line 10 the following:

"If the facility cited subsequently advises the department of social services that the violation has been corrected to the satisfaction of the department of health, the department of social services must maintain this advisory in the same file with the copy of the citation. The department of social services shall not disseminate to the public any information regarding citations issued by the department of health, but shall forward or refer such inquiries to the department of health."

4. Page 24, line 3, by inserting after the word "individuality," the words "in violation of a specific rule adopted by the department,".

5. Page 25, line 5, by inserting after the period the following:

"Upon arrival at the facility to be inspected the inspector shall identify himself or herself to an employee of the facility and state that an inspection is to be made, before beginning the inspection."

6. Page 29, line 22, by striking the words "one hundred twenty" and inserting in lieu thereof the word "ninety".

WILLIAM E. GLUBA

S—3878

Amend Senate File 542, page 5, lines 28 and 29 by striking the words "This statement shall compile for the year the information contained in the monthly statements."

GENE W. GLENN

S—3871

Amend House File 700 as amended and passed by the House and reprinted, as follows:

1. Page 82, by striking lines 18, 19 and 20 and inserting in lieu thereof the following:

"election. [Insofar as may be practicable, the boundaries of such districts shall follow established political or natural geographical divisions] *The districts shall be contiguous and, insofar as practicable, shall be compact and have boundaries in conformity with city wards and election precincts."*

2. Page 83, by striking lines 2 through 17, inclusive, and inserting in lieu thereof the following:

"five (275.25), Code 1975, is amended by striking unnumbered paragraph two (2)."

3. Page 83, line 22, by striking the words "from five to" and inserting in lieu thereof the words "[from] *to either* five [to] *or*".

4. Page 85, line 17, by striking the words "from five to" and inserting in lieu thereof the words "[from] *to either* five [to] *or*".

5. Page 85, by striking lines 19 and 20 and inserting in lieu thereof the words *"directors to be elected, and which of the"*.

JAMES M. REDMOND

S—3866

Amend House File 700 as amended, passed and reprinted by the House, page 82, by striking lines 28 through 35 inclusive and inserting in lieu thereof the following:

"[d. Division of the entire school district into designated geographical subdistricts, to be known as director districts, each of which director districts shall be represented on the school board by one director who shall be a resident of such director district and who shall be elected by the voters of said director district. Place of voting in such director districts shall be designated by the county board.]"

JOAN ORR

S—3873

Amend House File 700 as amended, passed and reprinted by the House, page 86, by inserting after line 11 the following:

"Sec. ..... Chapter two hundred seventy-eight (278), Code 1975, is amended by adding the following

new section:

NEW SECTION. NEW DISTRICTS DRAWN PURSUANT TO VOTER AUTHORIZATION—APPROVAL—IMPLEMENTATION.

1. When the voters of a school district authorize establishment of or a change in boundaries of school director districts by approval of a proposition submitted under section two hundred seventy-eight point one (278.1), subsection nine (9) or ten (10) of the Code, the board shall cause proposed new director districts to be drawn in accordance with the proposition approved by the voters, not later than February first next following the election at which the proposition was approved. When the plan is completed to the board's satisfaction, it shall file the plan with its secretary.

2. If the board fails to comply with subsection one (1) of this section at the time required, the state superintendent of public instruction shall cause the proposed new director districts to be drawn in accordance with the proposition approved by the voters and shall file the plan with the school board secretary not later than April first next following the election at which the proposition was approved. The state superintendent shall certify the cost of preparing the plan to the state comptroller, who shall deduct that amount from the next installment of state aid to be paid the district involved, under section four hundred forty-two point twenty-six (442.26) of the Code.

3. Upon the filing of proposed new director districts with the school board secretary under subsection one (1) or subsection two (2) of this section, as the case may be, the secretary shall promptly cause a notice of the proposed new districts, including a map clearly indicating the boundaries thereof, to be published in a newspaper of general circulation in the district. The notice shall be published no later than April fifteenth next following the election at which the proposition for establishment of or a change in boundaries of school director districts was approved. Copies of the plan shall be made available for public inspection in the office of the school board secretary, and in the office of the county commissioner of elections responsible under section forty-seven point two (47.2) of the Code for

Page 2

conducting that school district's elections, for not less than ten business days immediately following publication of the notice.

4. A petition may be filed with the secretary of the school board or the responsible county commissioner of elections, within ten business days after publication of the notice required by subsection

three (3) of this section, requesting a referendum on the proposed districts. The petition must bear the signatures of qualified electors of the district equal in number to at least ten percent of those voting for and against the proposition pursuant to which the proposed districts have been drawn. If a petition is so filed, the proposed districts shall be submitted to the voters of the district at the next succeeding regular school election in the same manner as any proposition authorized by section two hundred seventy-eight point one (278.1) of the Code. If the proposed districts are approved by a majority of the votes cast for and against them, they shall be adopted; if not, the vote shall be deemed a reversal of the proposition for establishment of or a change in the boundaries of director districts pursuant to which the proposed districts were drawn.

5. If no valid petition is submitted under subsection four (4) of this section, the school board shall formally adopt the proposed new director districts, and prepare a plan for implementing them pursuant to section two hundred seventy-five point thirty-eight (275.38) of the Code. The plan shall be completed not less than thirty days before the first day for filing of nomination papers for candidates in the next succeeding regular school election. If a valid petition for a referendum is submitted, and the proposed new director districts are adopted at the referendum, the school board shall prepare a plan for implementing them pursuant to section two hundred seventy-five point thirty-eight (275.38) of the Code, not less than thirty days before the first day for filing of nomination papers for candidates in the next regular school election succeeding the one at which the referendum is held."

JAMES M. REDMOND

S—3881

Amend House File 811 as amended and passed by the House, page 1, line 18, by striking "1955" and inserting in lieu thereof "1965".

H. L. HEYING

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:55 p.m., until 9:30 a.m., Thursday, May 22, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MAY 22, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Richard Gaul, pastor of the Sacred Heart Catholic Church, Oelwein, Iowa.

The Journal of Wednesday, May 21, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. D. J. Ottilie, Oelwein, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-seven students from Harris-Lake Park Elementary School, Harris, Iowa, accompanied by their principal, Laurence J. Dodd, Mrs. Erickson, Mrs. Zahren, Mr. and Mrs. Steele and Mr. Schumacher. Senator Bergman.

Fifty students from Chariton, Iowa, accompanied by Mrs. Letchford and Mrs. Swanson. Senators Ramsey and Van Gilst.

Twenty-eight students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Charles Sheridan. Senators Lamborn and Norpel.

Fifty students from Central Webster Community School, Harcourt, Iowa, accompanied by Mrs. Madson, Mrs. Platt, Miss Peterson and Mr. Peterson. Senator Coleman.

PETITIONS

The following petitions were presented and placed on file:

By Senator Carr from eight thousand three hundred ten residents of Dubuque County favoring stringent pornography laws at the state level.

By Senator Hill of Jasper from six residents of Marshall and Polk Counties favoring rescission of the Equal Rights Amendment.

By Senator Bergman from four hundred ninety-two residents of Clay County urging rescission of the Equal Rights Amendment.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

May 21, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Thomas A. Bates, Bellevue, Jackson County, Iowa, for reappointment to the Iowa Conservation Commission pursuant to Section 107.1-4, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of John C. Brophy, Lansing, Allamakee County, Iowa, for appointment to the Iowa Conservation Commission pursuant to Section 107.1-4, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Marian Pike, Whiting, Monona County, Iowa, for appointment to the Iowa Conservation Commission pursuant to Section 107.1-4, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

SPECIAL ORDER

Senator Kinley asked and received unanimous consent that **House File 215** be made a **special order** of business for Tuesday, May 27, 1975, at 1:30 p.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Van Gilst called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William F. McGrath of Melrose, Monroe County, Iowa, for appointment as a member of the State Transportation Commission under the provisions of Chapter 1180, Section 3, Acts of the Sixty-fifth General Assembly, 1974 Regular Session, for an initial two-year term beginning July 1, 1974 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH MILLER
RICHARD R. RAMSEY
KENNETH SCOTT
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Van Gilst asked unanimous consent that action on the confirmation of the appointment of William F. McGrath be deferred.

Objection was raised.

Senator Orr moved that action on the confirmation of the appointment of William F. McGrath as a member of the State Transportation Commission be deferred.

A record roll call was requested.

On the question "Shall motion to defer confirmation of the appointment be adopted?" the vote was:

Ayes, 20:

Coleman	Junkins	Nolting	Rodgers
Doderer	Kelly	Orr	Sovern
Gallagher	Kinley	Palmer	Tieden
Glenn	Merritt	Redmond	Willits
Gluba	Miller of Des Moines	Robinson	
Heying			

Nays, 28:

Anderson	Hansen	Murray	Ramsey
Bergman	Hill of Jasper	Nolin	Scott
Briles	Hill of Polk	Norpel	Shaff
Burroughs	Hultman	Nystrom	Shaw
Carr	Lamborn	Plymat	Taylor
Culver	Miller of Marshall	Priebe	Van Gilst
Curtis		Rabedeaux	Winkelman
Griffin			

Absent or not voting, 2:

DeKoster Schwengels

The motion lost.

Senator Van Gilst moved the appointment of William F. McGrath as a member of the State Transportation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 34:

Andersen	Hansen	Murray	Schwengels
Bergman	Hill of Polk	Nolin	Scott
Briles	Hultman	Norpel	Shaff
Burroughs	Junkins	Nystrom	Shaw
Carr	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Winkelman
Griffin		Rodgers	

Nays, 11:

Coleman	Gluba	Orr	Sovern
Culver	Hill of Jasper	Priebe	Willits
Gallagher	Merritt	Robinson	

Voting present, 3:

Miller of Des Moines	Nolting	Redmond

Absent or not voting, 2:

DeKoster	Heying

President Neu declared the appointment of William F. McGrath as a member of the State Transportation Commission confirmed for an initial two-year term ending June 30, 1976.

MOTION TO RECONSIDER LOST

House File 864

Senator Junkins called up the following motion to reconsider filed by him on May 21, 1975:

MR. PRESIDENT: I move to reconsider the vote by which House File 864 passed the Senate on May 20, 1975.

Senator Hill of Polk moved that action on the Junkins motion to reconsider be deferred.

Senator Shaff took the chair at 11:12 a.m.

President Neu took the chair at 11:25 a.m.

Senator Hill of Polk requested a non-record roll call on his motion to defer.

Rule 25 was invoked.

The ayes were 22, nays 26.

The motion lost.

Senator Nystrom took the chair at 1:10 p.m.

Senator Junkins moved the adoption of his motion to reconsider the vote by which House File 864 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (H.F. 864) the vote was:

Ayes, 23:

Andersen	Hill of Polk	Murray	Shaff
Bergman	Hultman	Nystrom	Shaw
Briles	Kelly	Plymat	Taylor
Burroughs	Lamborn	Rabedeaux	Tieden
Curtis	Miller of Marshall	Ramsey	Winkelman
Griffin		Schwengels	
Hansen			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 1:
DeKoster

The motion lost.

On motion of Senator Kinley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

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 on May 20, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 499, a bill for an act relating to hospitalization of the mentally ill.

Also: That the House has on May 20, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 863, a bill for an act relating to workmen's compensation laws.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 499

S—3884

Amend Senate File 499, as amended and passed by the Senate as follows:

1. Page 11, line 29, by striking the word "shall" and inserting in lieu thereof the word "may".

2. Page 12, line 1, by striking the word "shall" and inserting in lieu thereof the word "may".

3. Page 23, line 11, by inserting after the word "physician" the words "or attorney".

4. Page 23, line 18, by striking the word ". Information" and inserting in lieu thereof the words ", however information".

5. Page 23, line 20, by striking the word "identity." and inserting in lieu thereof the following: "identity; or

4. The person who is hospitalized or that person's guardian, if the person is a minor or is not legally competent to do so, signs an informal consent to release information. Each signed consent shall designate specifically the person or agency to whom the information is to be sent, and the information may be sent only to that person or agency."

HOUSE MESSAGE CONSIDERED

House File 863, a bill for an act relating to workmen's compensation laws.

Read first time and **passed on file.**

UNFINISHED BUSINESS

House File 700

The Senate resumed consideration of House File 700, a bill for an act relating to procedures for, giving notice of, conducting and canvassing elections, to the election of presidential electors, and to the registration of voters, and prescribing penalties.

Senator Redmond offered amendment S—3871 filed by him and called for a division of the amendment, as follows:

S—3871

Amend House File 700 as amended and passed by the House and reprinted, as follows:

Division S—3871A

1. Page 82, by striking lines 18, 19 and 20 and inserting in lieu thereof the following:

"election. [Insofar as may be practicable, the boundaries of such districts shall follow established political or natural geographical divisions] *The districts shall be contiguous and, insofar as practicable, shall be compact and have boundaries in conformity with city wards and election precincts."*

Division S—3871B

2. Page 83, by striking lines 2 through 17, inclusive, and inserting in lieu thereof the following:

"five (275.25), Code 1975, is amended by striking unnumbered paragraph two (2)."

Division S—3871C

3. Page 83, line 22, by striking the words "from five to" and inserting in lieu thereof the words "[from] *to either* five [to] *or*".

4. Page 85, line 17, by striking the words "from five to" and inserting in lieu thereof the words "[from] *to either* five [to] *or*".

5. Page 85, by striking lines 19 and 20 and inserting in lieu thereof the words *"directors to be elected, and which of the"*.

Senator Redmond moved the adoption of division S—3871A of the amendment.

A non-record roll call was requested.

The ayes were 17, nays 24.

Division S—3871A of the amendment lost.

Senator Redmond moved the adoption of division S—3871B of the amendment.

A non-record roll call was requested.

The ayes were 17, nays 26.

Division S—3871B of the amendment lost.

On motion of Senator Redmond, division S—3871C of the amendment was adopted.

Senator Orr offered amendment S—3866 filed by her:

S—3866

Amend House File 700 as amended, passed and reprinted by the House, page 82, by striking lines 28 through 35 inclusive and inserting in lieu thereof the following:

"[d. Division of the entire school district into designated geographical subdistricts, to be known as director districts, each of which director districts shall be represented on the school board by one director who shall be a resident of such director district and who shall be elected by the voters of

said director district. Place of voting in such director districts shall be designated by the county board.]"

Senator Orr offered amendment S—3885 to amendment S—3866:

S—3885

Amend the Orr amendment S—3866 to House File 700 as amended, passed and reprinted by the House, by striking lines 2 through 13 and inserting in lieu thereof the following:

"printed by the House, as follows:

1. Page 82, by striking lines 28 through 35 inclusive and inserting in lieu thereof the following:

['d. Division of the entire school district into designated geographical subdistricts, to be known as director districts, each of which director districts shall be represented on the school board by one director who shall be a resident of such director district and who shall be elected by the voters of said director district. Place of voting in such director districts shall be designated by the county board.']

2. Page 95, by inserting after line 15 the following new section:

'Sec. ..... The amendment made by this Act to section two hundred seventy-five point twelve (275.12), subsection two (2), Code 1975, shall not be construed to alter the boundaries of director districts nor the terms of office of directors in school districts which, on the effective date of this Act, are using the method of electing school district directors prescribed by paragraph d of that subsection. Each such district shall, effective on that date, be considered to have adopted the method of electing school district directors prescribed by section two hundred seventy-five point twelve (275.12), subsection two (2), paragraph b of the Code, in the absence of specific action to the contrary.'"

President Neu took the chair at 3:00 p.m.

Senator Orr moved the adoption of amendment S—3885 to amendment S—3866.

A record roll call was requested.

On the question "Shall amendment S—3885 to amendment S—3866 be adopted?" (H.F. 700) the vote was:

Ayes, 24:

Burroughs	Culver	Griffin	Junkins
Carr	Doderer	Hansen	Kelly
Coleman	Gluba	Hultman	Kinley

Lamborn	Nystrom	Schwengels	Tieden
Miller of Des Moines	Orr	Shaw	Van Gilst
Murray	Rabedeaux	Taylor	Willits

Nays, 22:

Andersen	Heying	Nolin	Redmond
Bergman	Hill of Jasper	Nolting	Scott
Briles	Hill of Polk	Norpel	Shaff
Curtis	Merritt	Palmer	Sovern
Gallagher	Miller of Marshall	Priebe	Winkelman
Glenn		Ramsey	

Absent or not voting, 4:

DeKoster	Plymat	Robinson	Rodgers

Amendment S—3885 to amendment S—3866 was adopted.

Senator Orr moved the adoption of amendment S—3866 as amended.

A record roll call was requested.

On the question "Shall amendment S—3866 as amended be adopted?" (H.F. 700) the vote was:

Rule 25 was invoked.

Ayes, 23:

Burroughs	Hultman	Murray	Robinson
Carr	Junkins	Nolting	Shaw
Curtis	Kelly	Nystrom	Taylor
Doderer	Kinley	Orr	Tieden
Gluba	Miller of Des Moines	Plymat	Van Gilst
Griffin		Rabedeaux	Willits

Nays, 26:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Jasper	Norpel	Schwengels
Briles	Hill of Polk	Palmer	Scott
Coleman	Lamborn	Priebe	Shaff
Culver	Merritt	Ramsey	Sovern
Gallagher	Miller of Marshall	Redmond	Winkelman
Glenn			
Hansen			

Absent or not voting, 1:

DeKoster

Amendment S—3866 as amended lost.

Senator Redmond offered amendment S—3838 filed by him and moved its adoption:

S—3838

Amend House File 700 as amended, passed and reprinted by the House as follows:

1. Page 84, by striking lines 21 through 28, inclusive.

2. Page 86, line 14, by striking the words "[AND TREASURER]" and inserting in lieu thereof the words "AND TREASURER".

3. Page 86, by striking lines 17, 18 and 19 and inserting in lieu thereof the following:

"not be a teacher or other employee of the board. It shall also[, except in districts composed in whole or in part of a city,] appoint a treasurer. [Such] *These* officers".

4. Page 86, line 24, by striking the words "[They] *The secretary*" and inserting in lieu thereof the word "They".

5. Page 86, lines 27 and 28, by striking the words "[their successors are] *a successor is*" and inserting in lieu thereof the words "their successors are".

6. Page 95, line 14, by inserting after the figure "(49.62)," the words and figure "two hundred seventy-seven point twenty-six (277.26)".

Amendment S—3838 was adopted.

Senator Redmond offered amendment S—3873 filed by him on May 21, 1975, and found on pages 1520-1522, inclusive of the Senate Journal and moved its adoption.

A non-record roll call was requested.

The ayes were 9, nays 36.

Amendment S—3873 lost.

Senator Shaw offered amendment S—3824 filed by Senators Shaw and Nolin and moved its adoption:

S—3824

Amend House File 700 as amended, passed and reprinted by the House as follows:

1. Page 90, line 6, by striking the words "[elected] *appointed*" and inserting in lieu thereof the word "elected".

2. Page 90, by striking lines 8 through 15.

3. Page 90, lines 19 and 20 by striking words "[the general election] *their appointment*" and inserting in lieu thereof the words "the general election".

4. Page 90, lines 25 and 26, by striking the words "[next general election] *expiration of the term in which the vacancy occurs*" and inserting in lieu thereof the words "next general election".

A non-record roll call was requested.

The ayes were 32, nays 15.

Amendment S—3824 was adopted.

Senator Gluba offered amendment S—3765 filed by him and moved its adoption:

S—3765

Amend House File 700 as amended, passed and reprinted by the House, page 90, line 34, by striking the word "nine" and inserting in lieu thereof the word "thirty-two".

A record roll call was requested.

On the question "Shall amendment S—3765 be adopted?" (H.F. 700) the vote was:

Ayes, 31:

Andersen	Hansen	Nolting	Schwengels
Briles	Heying	Norpel	Scott
Carr	Hill of Polk	Orr	Shaff
Coleman	Junkins	Palmer	Sovern
Culver	Lamborn	Priebe	Van Gilst
Curtis	Merritt	Rabedeaux	Willits
Gallagher	Miller of	Robinson	Winkelman
Gluba	Des Moines	Rodgers	
Griffin			

Nays, 15:

Bergman	Kelly	Murray	Redmond
Burroughs	Kinley	Nystrom	Shaw
Doderer	Miller of	Plymat	Taylor
Glenn	Marshall	Ramsey	Tieden

Voting present, 1:

Hultman

Absent or not voting, 3:

DeKoster	Hill of Jasper	Nolin

Amendment S—3765 was adopted.

Senator Nystrom withdrew amendment S—3883:

S—3883

Amend House File 700 as amended, passed and reprinted by the House, page 28, line 12 by inserting after the word "and" the words, "*those forms used for registration by mail*".

Senator Doderer withdrew amendment S—3886 to amendment S—3883 by Senators Doderer and Kinley:

S—3886

Amend the Nystrom amendment S—3883 to House File 700 as amended, passed and reprinted by the House by striking lines 2 through 4 and inserting in lieu thereof the following:

"reprinted by the House as follows:

1. Page 28, line 12, by inserting after the word 'and' the words '*those forms used for registration by mail*'.

2. Page 28, by inserting after the period the following:

'An applicant may use a form which is substantially similar to the one issued by the commissioner but provided by another person.'"

Senator Orr offered amendment S—3889 and moved its adoption:

S—3889

Amend House File 700 as amended, passed and reprinted by the House, page 82, line 35, by striking the words "county board" and inserting in lieu thereof the words "[county board] commissioner".

Amendment S—3889 was adopted.

Division S—3830B of the committee amendment, offered and deferred on May 21, 1975, was taken up for further consideration.

Senator Doderer withdrew division S—3830B of the amendment.

Senator Miller of Des Moines moved to reconsider the vote by which amendment S—3827 was adopted by the Senate on May 21, 1975.

A record roll call was requested.

On the question "Shall the motion to reconsider amendment S—3827 be adopted?" (H.F. 700) the vote was:

Rule 25 was invoked.

Ayes, 22:

Carr	Hill of Jasper	Miller of Des Moines	Redmond
Culver	Hill of Polk	Nolting	Robinson
Doderer	Junkins	Orr	Rodgers
Gallagher	Kinley	Palmer	Scott
Glenn	Merritt	Priebe	Sovern
Gluba			Willits

Nays, 25:

Andersen	Hansen	Nolin	Schwengels
Bergman	Heying	Norpel	Shaff
Briles	Hultman	Nystrom	Shaw
Burroughs	Kelly	Plymat	Taylor
Coleman	Lamborn	Rabedeaux	Tieden
Curtis	Murray	Ramsey	Winkelman
Griffin			

Absent or not voting, 3:

DeKoster	Miller of Marshall	Van Gilst

The motion lost.

Senator Kinley moved to reconsider the vote by which division S—3859A of the Willits amendment was adopted by the Senate on May 21, 1975.

The motion prevailed and division S—3859A of the amendment was taken up for reconsideration.

Senator Kinley asked and received unanimous consent to withdraw division S—3859A of the amendment.

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?" (H.F. 700) the vote was:

Ayes, 32:

Andersen	Hansen	Murray	Priebe
Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Robinson
Culver	Hill of Polk	Norpel	Rodgers
Doderer	Junkins	Nystrom	Scott
Gallagher	Kinley	Orr	Sovern
Glenn	Merritt	Palmer	Willits
Gluba	Miller of Des Moines	Plymat	
Griffin			

Nays, 15:

Bergman	Hultman	Ramsey	Taylor
Briles	Kelly	Schwengels	Tieden
Burroughs	Lamborn	Shaff	Winkelman
Curtis	Rabedeaux	Shaw	

Absent or not voting, 3:

DeKoster	Miller of Marshall	Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Redmond asked and received unanimous consent that **Senate File 46** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER RULED OUT OF ORDER

The motion to reconsider the vote by which **House File 864** passed the Senate filed by Senator Hill of Polk on May 20, 1975, was ruled out of order.

INTRODUCTION OF BILL

Senate File 546, by committee on state government, a bill for an act to exempt certain publicly-owned motor vehicles used for venereal disease investigation from use of state sign or other labeling and of official registration plates.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 41
By Van Gilst, Briles, Nystrom, and Coleman

Whereas, the federal government has enacted legislation making major changes in disaster assistance laws affecting state and federal administration of civil defense operations, and

Whereas, certain requirements under Chapter 29C, Code 1975, have not been fulfilled, and further omissions in Iowa law may disqualify the state and local units of government from receiving federal assistance under disaster circumstances; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee as provided by law, composed of members of the Senate, members of the House of Representatives, and qualified lay personnel to conduct a study during the 1975 legislative interim relating to civil defense and disaster assistance; and

Be It Further Resolved, That the study committee shall prepare a report of its findings and submit it to the legislative council and members of the Sixty-sixth General Assembly of the 1976 session.

Read first time and **passed on file.**

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Sherri Y. Alston, Washington, D. C., for appointment to the Transportation Regulation Board, Division of the Iowa Department of Transportation, pursuant to Section 307.15, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Conrad A. Amend, Des Moines, Polk County, Iowa, for appointment to the Transportation Regulation Board, Division of the Iowa Department of Transportation, pursuant to Section 307.15, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Richard D. Howe, Des Moines, Polk County, Iowa, for appointment to the Transportation Regulation Board, Division of Iowa Department of Transportation, pursuant to Section 307.15, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1979.

Sincerely,
ROBERT D. RAY
Governor

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 540 Appropriations

H. F. 774 Judiciary

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert C. Yapp of Des Moines, Polk County, Iowa, for reappointment as a member of the Chemical Technology Commission of the Department of Environmental Quality under the provisions of Section 455B.4, Code 1975, for the regular four-year term commencing July 1, 1974, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
HILARIUS L. HEYING
WILLIAM N. PLYMAT
JAMES M. REDMOND
WILLIAM P. WINKELMAN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Joan Ballantyne of Cherokee, Cherokee County, Iowa, for reappointment as a member of the Iowa Beer and Liquor Control Council under the provisions of Section 123.6, Code 1975, for the regular five-year term commencing July 1, 1975, and ending June 30, 1980, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
WARREN E. CURTIS
RICHARD R. RAMSEY
NORMAN RODGERS
STEVE SOVERN

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with section 2.32, 1975 Code of Iowa, announced the appointment of the following Senators to investigating committees:

As members of the Iowa Conservation Commission.

Thomas A. Bates, Bellevue, Jackson County, Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Hansen, Chairman
Senator Gallagher
Senator Junkins
Senator Lamborn
Senator Norpel

John C. Brophy, Lansing, Allamakee County, Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Priebe, Chairman
Senator Miller of Des Moines
Senator Nystrom
Senator Robinson
Senator Tieden

Marian Pike, Whiting, Monona County, Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Shaff, Chairman
Senator Andersen
Senator Culver
Senator Glenn
Senator Hill of Jasper

REPORTS OF COMMITTEES

Senator Willits submitted the following reports:

MR. PRESIDENT: Your committee on cities to which was referred **Senate File 356**, a bill for an act authorizing the establishment and funding of self-supported municipal improvement districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL M. WILLITS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities to which was referred **Senate File 410**, a bill for an act relating to the computation of monthly pensions for firemen and policemen, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL M. WILLITS, Chairman

Ordered passed on file.

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 724**, a bill for an act relating to motor vehicles providing for

registration of trailers and semitrailers for a three-year period and trip permits for commercial vehicles and the authority of the state department of transportation to negotiate vehicle registration apportionment agreements and providing a penalty, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3915

Amend Senate File 226, page 1, line 8 by inserting after the word "buses," the words "trucks licensed under five ton,".

ELIZABETH SHAW
CLIFTON C. LAMBORN

S—3916

Amend Senate File 489 as follows:

1. Page 1, by striking lines 4 through 35 and inserting in lieu thereof the following:

"*NEW UNNUMBERED PARAGRAPH.* However, a bus operated by an urban transit company as defined by Section three hundred twenty-one point nineteen (321.19), subsection two (2), may be operated on the highways if its total outside width does not exceed eight feet six inches."

2. By striking lines 1 through 24 on page 2.

3. By amending the title in line 1 by striking the words "commercial vehicles" and inserting in lieu thereof the words "buses operated by an urban transit company".

EARL M. WILLITS
WILLARD R. HANSEN
MINNETTE DODERER
NORMAN RODGERS
ELIZABETH SHAW

S—3887

Amend the Gluba amendment S—3882 to Senate File 525 as follows:

1. By inserting after line 41 the following:

"6. Page 26, by striking from line 34 the word 'five' and inserting in lieu thereof the word 'twenty' ".

2. By renumbering the succeeding section of the amendment accordingly.

WILLIAM E. GLUBA

S—3917

Amend Senate File 542 by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section fifty-six point one (56.1), Code 1975, is amended to read as follows:

56.1 CITATION. This chapter may be cited as the "**Campaign Disclosure-Income Tax** Checkoff *and Lobbyist Regulation* Act".

Sec. 2. Section fifty-six point two (56.2), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. "Commission" means the campaign finance disclosure-state ethics commission created by section fifty-six point nine (56.9) of the Code.

Sec. 3. Section fifty-six point nine (56.9), subsection one (1), Code 1975, is amended to read as follows:

1. There is created a campaign finance disclosure— *state ethics* commission which shall consist of five members, not more than three of whom shall be from the same political party. The governor shall appoint the members of the commission for a term of six years, subject to the confirmation of the senate. Of the members first appointed one member shall be appointed for a term of two years, two members shall be appointed for a term of four years, and two members shall be appointed for a term of six years, beginning July 1, 1973. Any vacancy shall be filled by appointment for the unexpired portion of the term in accordance with the provisions for regular appointment insofar as is applicable.

Sec. 4. Chapter fifty-six (56), Code 1975, is amended by adding sections five (5) through fourteen (14) of this Act as a division of chapter fifty-six (56).

Sec. 5. *NEW SECTION.* DEFINITIONS. As used in this division, unless the context otherwise requires:

1. "Lobbying" means the practice of promoting or opposing the introduction, passage, defeat, or modification of legislation before the general assembly, legislative committees, or members of the general assembly. "Lobbying" also means the practice of promoting or opposing state agency administrative action.

2. "Lobbyist" means an individual who meets any of the following:

a. Is employed or engaged for compensation or is authorized to spend money for the purpose of attempting to influence legislative or administrative action.

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b. Is an officially designated representative of any person or organization which has as one of its major purposes the influencing of legislative or administrative action.

c. Attempts to influence legislative or administrative action on a regular basis.

d. Is a federal, state, or local government official or employee representing the official position of his or her department, commission, board, or agency

and who attempts to influence legislative or administrative action.

3. "Lobbyist" does not include any of the following:

a. Persons and their legal representatives appearing in a proceeding before a state department, commission, board, or agency unless the department, commission, board, or agency is taking administrative action as defined in subsection five (5) of this section.

b. Officials or employees of a political party organized in the state of Iowa which represents more than two percent of the total votes cast for president in the last preceding general election, but only when the officials or employees represent the political party in an official capacity.

c. Representatives of the news media, while acting in the ordinary course of business of publishing, reporting, broadcasting, or disseminating news items, editorials, or other comments.

d. Federal, state, and local government officials and employees who in the course of their official duties submit proposed legislation or amendments to a legislator or legislative committee or who provide information or are requested or required to provide information to a legislator or appear before a legislative committee, and who do not otherwise actively attempt to influence legislative or administrative action.

e. Federal, state, and local government officials and employees who in the course of their official duties submit proposed legislation or amendments to their superiors or are requested or required to provide information, suggestions, or ideas regarding the administrative operation of their respective department, commission, board, or agency to their superiors, and who do not otherwise attempt to influence legislative or administrative action.

f. The governor and lieutenant governor of the state of Iowa, and all other elected state officials.

4. "Legislative action" means action upon

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legislative bills, resolutions, amendments, nominations, and any other matters pending or proposed in either house of the general assembly.

5. "Administrative action" means the making of rules, regulations, rates, purchases, or general policy by any department, commission, board, agency or council of state government. "Administrative action" includes the application of those rules, regulations, rates, purchases or general policy only to the extent that the application or administration affects, directly or indirectly, the interested lobbyist, client or cause.

6. "Legislative official" means the elected members of the Iowa general assembly. "Legislative official" also includes the lieutenant governor of the state of Iowa, the secretary of the senate, and the chief clerk of the house of representatives.

7. "Administrative official" means:

a. Elected state officials.

b. The directors of all state departments, commissions, boards, agencies, and councils and their principal deputies.

c. The directors or chiefs of divisions within departments, commissions, boards, agencies, and councils.

d. Members of all boards, commissions, and councils.

e. Any other persons designated by the commission.

The commission shall compile and maintain a list of administrative officials who are covered by this Act.

Sec. 6. *NEW SECTION.* REGISTRATION OF LOBBYISTS. All lobbyists shall, on or before the day their lobbying activity begins, register with the commission by filing a lobbyist registration statement listing:

1. Name, permanent business address, any temporary residential and business addresses, and telephone numbers.

2. The name and address of the individual, company, firm, corporation, union, association, or cause for which he or she lobbies.

3. The general subjects of legislative or administrative action in which the lobbyist is or may be interested and the specific legislation or the name of the specific department, commission, board, or agency which will be lobbied.

4. Whether the lobbyist is a person defined in section five (5), subsection two (2), paragraph a, b, c, or d of this division.

5. Any other information prescribed by the

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commission.

A separate lobbyist registration statement shall be filed for each individual, company, firm, corporation, union, association, or cause represented. Any change in or addition to the required information shall be registered with the commission within five days after the change or addition is known to the lobbyist.

A lobbyist's registration shall be valid for one calendar year. If an individual desires to continue lobbying, he or she must re-register at the beginning of each calendar year.

All federal, state, and local government officials and employees representing the official position of their departments, commissions, boards, or agencies shall present to the commission letters of

authorization from their department or agency heads prior to the commencement of their lobbying activity. The lobbyist registration of such officials and employees shall not be complete until the letter of authorization is attached to the registration.

Federal, state, and local government officials and employees who wish to lobby in opposition to the official position of their departments, commissions, boards, or agencies must indicate such on their lobbyist registration statements.

Sec. 7. *NEW SECTION.* REPORT OF LOBBYING ACTIVITY--EXPENDITURES.

1. Each month of the year, by the twentieth day of that month, lobbyists shall file with the commission a report concerning their lobbying activity during the preceding calendar month. The monthly report shall list the totals of all expenditures made or incurred by the lobbyist and his or her employer which were expended directly upon legislative and administrative officials, collectively, in the performance of lobbying service during the period covered, and shall include subtotals recorded for each of the following categories:

a. Food and refreshments.

b. Entertainment.

c. The provision of travel for legislative or administrative officials.

d. Contributions to legislators, legislative candidates, and committees and organizations established to support the campaign of a legislative official, whether for reelection or other office, or legislative candidate.

e. Recreation expenses.

f. Lodging expenses away from home.

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g. Other expenditures as specified by the commission.

The report also shall list, if applicable, the legislative and administrative officials, legislative candidates, and their immediate families, for whom amounts in excess of five dollars were expended directly during the preceding month, shall list such totals, and shall include subtotals recorded for the foregoing listed categories.

2. In addition, the report filed by lobbyists shall list the amounts for other direct expenses incurred in the performance of lobbying service which did not provide benefits to any legislative or administrative official, for each of the following categories; however subtotals shall not be reported except as otherwise provided in this rule:

a. Food and refreshments.

b. Entertainment.

c. Travel expenses.

d. Lodging expenses away from home.

e. Telephone.
f. Postage and mailings.
g. Printing and copying.
h. Advertising.
i. Other expenses as determined by the commission.
3. Separate monthly lobbyist activity reports shall be filed for each individual, company, firm, corporation, union, association, or cause represented. However, when no expenses are incurred for one or more clients, the lobbyist may file a joint report for such clients. Monthly lobbyist activity reports shall be filed regardless of whether or not a lobbyist incurred expenses during the preceding calendar month.

The commission shall compile, by the tweny-fifth of each month, a list of lobbyists who have failed to file a monthly report.

Sec. 8. *NEW SECTION.* TERMINATION OF REGISTRATION--VOLUNTARY. If a lobbyist's service on behalf of a particular employer, client, or cause is concluded prior to the end of a calendar year, the lobbyist may cancel his or her registration on appropriate forms supplied by the commission. Upon cancellation of registration, the lobbyist is not required to file monthly lobbyist activity reports, but is prohibited from engaging in any lobbying activity on behalf of that particular employer, client, or cause until re-registering and complying with the provisions of this division.

Sec. 9. *NEW SECTION.* TERMINATION OF REGISTRATION--INVOLUNTARY. Any lobbyist who fails to file a monthly

lobbyist activity report as required by this division shall be deemed to have voluntarily cancelled his or her registration. The commission shall notify the lobbyist of such cancellation. Such lobbyist shall be prohibited from engaging in lobbying activity for the remainder of that calendar year on behalf of any employer, client, or cause unless he or she re-registers to lobby and files all delinquent reports or other reports that may be required by the commission.

Sec. 10. *NEW SECTION.* PROHIBITED PRACTICES.

1. Lobbyists and the organizations they represent shall not allow any legislative or administrative official to charge any amounts or items to any charge account to be paid for by the lobbyists or the organizations they represent.
2. A lobbyist, or employer of a lobbyist, shall not pay for memberships in or contributions to clubs or organizations on behalf of a senator.
3. Lobbyists shall not be permitted on the floor of the senate while the senate is in session.
4. A lobbyist shall not be employed for compensation dependent on a contingency.

Sec. 11. *NEW SECTION.* REPORTS BY LEGISLATIVE

AND ADMINISTRATIVE OFFICIALS.

Each legislative and administrative official shall file with the commission, each month of the year by the twentieth day of that month, a report of all items or services in excess of five dollars which he or she received during the preceding calendar month from a lobbyist, or the individual, company, firm, corporation, union, association, or cause represented by the lobbyist.

The report shall include:

1. The date each item or service was received.

2. The name of the lobbyist.

3. The name of the individual, company, firm, corporation, union, association, or cause represented by the lobbyist.

4. A description of the item or service received. The description of items or services may include but shall not necessarily be limited to: food and refreshments, entertainment, travel, material goods, and contributions. It shall not be necessary to affix a monetary value to each listing.

5. Such other information as required by the commission.

Reports by legislative and administrative officials shall be filed whether or not any items or services were actually received during the preceding calendar

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month.

The commission shall compile, by the twenty-fifth of each month, a list of legislative and administrative officials who have failed to file a monthly report.

Sec. 12. *NEW SECTION.* FORMS—RULES. The commission shall prescribe all forms and procedures necessary for compliance with the provisions of this division.

The commission shall promulgate such rules and regulations, in accordance with the provisions of chapter seventeen A (17A) of the Code as are necessary.

Sec. 13. *NEW SECTION.* PENALTY. Violation of any provision of this division shall be punishable by a fine not to exceed one thousand dollars, or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment.

Sec. 14. *NEW SECTION.* PUBLIC RECORDS. All statements and reports filed in accordance with the provisions of this division shall be public records open to public inspection at all reasonable times.

ROGER J. SHAFF
ELIZABETH SHAW
PHILIP B. HILL
WILLIAM N. PLYMAT

S—3913

Amend House File 215, as amended, passed and reprinted by the House, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. *NEW SECTION.* Any person holding title to one thousand acres or more of land in the state **must file a report with the secretary** of state giving the range, section number, township, county, and number of acres of each parcel of land. The report shall also list any real estate mortgage or trust deed on the parcel and the identity of the holder of the mortgage or trust deed. If a corporation is the owner of a processing plant or livestock, this must also be noted. The secretary of **state and any other agency** of the state shall not require the reporting of any other business matters other than that expressly required by statute except in the instance of a default of a debt.

Section 2. *NEW SECTION.* Each county assessor shall forward to the secretary of state the names of all owners of a thousand or more acres of land.

Section 3. *NEW SECTION.* Owners of a thousand acres of land or more who refuse to file the following report will be guilty of a misdemeanor, and shall be subject to a fine of not more than one hundred dollars or imprisonment of no more than thirty days.

REPORT TO SECRETARY OF STATE FOR FISCAL YEAR _____ _____

Name _____ Address _____

Corporation☐ Individual☐ Other _____☐
NAME

Title to number of acres _____

Location:

Section _____ Township _____ County _____

1st Mortgage held by _____

2nd Mortgage held by _____

Owner of Processing Plant☐ ☐
yes no

Number owned _____ _____ _____ _____
cattle hogs sheep chickens

MORTGAGE on Livestock held by _____
name of bank or other lender.

Signed _____

Witness _____."

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2. Amend the title page, line 1, by striking everything after the word "Act", and inserting in lieu thereof the following: "requiring reports of owners of one thousand acres or more of land in the state."

HILARIUS L. HEYING

S—3890

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 1, line 24, by striking the word "ten" and insert in lieu thereof the word "thirty".

H. L. HEYING

S—3892

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 1, by striking lines 43 through 48.

H. L. HEYING

S—3891

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 1, line 47, by inserting after the word "worked" the words "less than".

H. L. HEYING

S—3888

Amend the committee on agriculture amendment S—3874, to House File 215, as amended, passed and reprinted by the House, as follows:

1. Page 1, line 47, by inserting after the word "worked" the words "less than".
2. Page 8, line 5, by striking the word "such" and inserting in lieu thereof the words "the required".
3. Page 8, line 9, by striking the word "punishment" and inserting in lieu thereof the word "imprisonment".

BASS VAN GILST

S—3893

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. Page 2, line 10, by inserting after the word "processor" the words "of beef and pork".
2. Page 2, line 19, by inserting after the word "processor" the words "of beef and pork".
3. Page 2, line 21, by inserting after the word "processor" the words "of beef and pork".
4. Page 2, line 24, by inserting after the word "processor" the words "of beef and pork".
5. Page 2, line 29, by inserting after the word "processor" the words "of beef and pork".
6. Page 7, line 28, by inserting after the word "PROCESSORS" the words "OF BEEF AND PORK".
7. Page 7, line 33, by inserting after the word "processor" the words "of beef and pork".
8. Page 7, line 37, by inserting after the word "processor" the words "of beef and pork".
9. Page 7, line 39, by inserting after the word "processor" the words "of beef and pork".
10. Page 7, line 42, by inserting after the word "processor" the words "of beef and pork".

H. L. HEYING

S—3894
Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 2, line 32, by striking the word "fifty" and inserting in lieu thereof the word "ten".
H. L. HEYING

S—3895
Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 2, line 32, by striking the words "The courts of this state" and by striking all of line 33 through 37.
H. L. HEYING

S—3896
Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 3, line 13, by striking the word "total" and inserting in lieu thereof the word "approximate".
H. L. HEYING

S—3897
Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 3, line 17, by striking the word "total" and inserting in lieu thereof the word "approximate".
H. L. HEYING

S—3898
Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:
1. Page 3, line 32, by inserting after the word "The" the word "approximate".
2. Page 3, line 32, by inserting after the word "the" the word "approximate".
3. Page 3, line 34, by inserting after the word "the" the word "approximate".
4. Page 3, line 36, by inserting after the word "The" the word "approximate".
5. Page 3, line 36, by inserting after the word "the" the word "approximate".
6. Page 3, line 38, by inserting after the word "the" the word "approximate".
H. L. HEYING

S—3899
Amend the agriculture committee amendment S—3874 to House File 215, page 3, by striking lines 40 through 45.
H. L. HEYING

S—3900
Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 4, line 28, by striking the word "total" and inserting in lieu thereof the word "approximate".
H. L. HEYING

S—3901

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 4, line 32, by striking the word "total" and inserting in lieu thereof the word "approximate".

H. L. HEYING

S—3902

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. Page 4, line 48, by inserting after the word "The" the word "approximate".
2. Page 4, line 48, by inserting after the word "the" the word "approximate".
3. Page 4, line 50, by inserting after the word "the" the word "approximate".
4. Page 5, line 3, by inserting after the word "The" the word "approximate".
5. Page 5, line 3, by inserting after the word "the" the word "approximate".
6. Page 5, line 5, by inserting after the word "the" the word "approximate".

H. L. HEYING

S—3903

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 5, by striking lines 8 through 14.

H. L. HEYING

S—3906

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 5, by striking lines 24 through 29.

H. L. HEYING

S—3905

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 5, line 26, by inserting after the word "calendar" the words "or fiscal".

H. L. HEYING

S—3907

Amend the Senate amendment S—3874 to House File 215, as amended, passed and reprinted by the House, as follows:

1. Page 7, by inserting after line 43 the following:

"Sec. ..... *NEW SECTION.* Any three or more attorneys practicing as a professional corporation or partnership shall file with the auditor of state on or before January thirty-first of each year a report containing:

1. The source of the funds used to pay for the educational opportunities of each attorney.

2. The number of clients with a net worth of one hundred thousand dollars or more.

3. The number of foreign corporations or clients represented by the firm.

4. The number of employees.

5. The number of offices maintained.

6. The number and nature of investments held.

7. The amount of wood, fiber, steel, glass and cement used in the business structure and furnishings.

8. The amount of paper used annually."

2. By renumbering the sections and correcting internal references to conform with this amendment.

3. Page 8, line 48, by inserting after the word "fiduciaries," the word "attorneys,".

HILARIUS L. HEYING

S—3908

Amend the Senate amendment S—3874 to House File 215, as amended, passed and reprinted by the House, as follows:

1. Page 7, by inserting after line 43 the following:

"Sec. ..... *NEW SECTION.* Every statute and rule-making body in the state shall submit a report to the secretary of state on the nature of consumer protection legislation which it proposes to impose on agricultural producers before the crops are planted and investments are made in livestock."

2. By renumbering the sections and correcting internal references to conform with this amendment.

3. Page 8, line 48, by inserting after the word "fiduciaries," the words "lawmaking bodies,".

HILARIUS L. HEYING

S—3909

Amend the Senate amendment S—3874 to House File 215, as amended, passed and reprinted by the House, as follows:

1. Page 7, by inserting after line 43 the following:

"Sec. ..... *NEW SECTION.* Every mercantile exchange doing business in Iowa shall file a report with the secretary of state on or before January thirty-first of each year setting forth the amount of profit taking or other movement affecting the price of agricultural products during the year."

2. By renumbering the sections and correcting internal references to conform with this amendment.

3. Page 8, by inserting after the word "partnerships," the words "mercantile exchanges,".

HILARIUS L. HEYING

S—3910

Amend the Senate amendment S—3874 to House File 215, as amended, passed and reprinted by the House, as follows:

1. Page 7, by inserting after line 43 the following:

"Sec. ..... *NEW SECTION.* Every consumer of agricultural products shall file with the secretary of state on or before January thirty-first, a report setting forth the amount of agricultural products which that consumer will purchase during the year including the pounds of pork, beef, lamb, poultry, butter, and cheese and the amounts of milk, cream, eggs, cereal grains, soybean products and vegetables."

2. By renumbering the sections and correcting internal references to conform with this amendment.

3. Page 8, line 48, by inserting after the word "fiduciaries," the word "consumers,".

HILARIUS L. HEYING

S—3911

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 8, line 7, by striking the word "or" and inserting in lieu thereof a period and by striking lines 8 and 9.

H. L. HEYING

S—3912

Amend the Senate amendment S—3874, to House File 215, as amended, passed and reprinted by the House as follows:

1. Page 8, by inserting after line 40 the following:

"Sec. ..... *NEW SECTION.* There is hereby imposed a one percent tax on the sale of agricultural products payable by both the consumer and agricultural producer. The revenue shall be deposited in a fund administered by the bureau of labor. Producers of agricultural products who suffer crop failure or loss of income because of inclement weather, flood, hail, storm, or drought shall be eligible for benefits payable from the fund at the rate of ninety dollars per week for a period of six months."

2. By renumbering the sections and correcting internal references to conform with this amendment.

3. Page 8, by inserting in line 50 before the word "and" the words "imposing a tax;".

HILARIUS L. HEYING

S—3914

Amend House File 217, as amended, passed and reprinted by the House, page 1, by inserting after line 22 the following paragraph:

"A person who is authorized to engage in business as a bank or trust company pursuant to the laws of this state or of another state or of the United States and who is the trustee of trusts of which nonresident aliens or persons controlled by nonresident aliens

are beneficiaries is not prohibited by this section from acquiring title to or holding property outside the corporate limits of a city in excess of six hundred forty acres provided that the amount held in any one such trust does not exceed six hundred forty acres and further provided that the sum of amounts held in all trusts having one or more common beneficiaries who are subject to the ownership limitation contained in this section does not exceed six hundred forty acres."

JAMES M. REDMOND

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:45 p.m., until 9:30 a.m., Friday, May 23, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 23, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend John M. Peters, pastor of the St. Mary Catholic Church, Vinton, Iowa.

The Journal of Thursday, May 22, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Don S. Tesdall, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator DeKoster for the day on request of Senator Lamborn; Senator Redmond for the day on request of Senator Kinley; Senator Shaw for the afternoon on request of Senator Hansen.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six students from Penn Elementary School, North Liberty, Iowa, accompanied by Ann Neihaus, Ted Williams and Larry Sharp. Senators Doderer and Redmond.

Twenty-one students from Holy Rosary School, Fort Dodge, Iowa, accompanied by Father Ries. Senator Coleman.

Fifty students from Clarksville Community School, Clarksville, Iowa, accompanied by Mrs. Ione Ringleb and Mrs. Ione Hardy. Senator Burroughs.

Eighty-seven students from Central Catholic Elementary School, Mason City, Iowa, accompanied by their principal, Sister Diane. Senator Scott.

Forty-four students from Bettendorf Middle School, Bettendorf, Iowa, accompanied by Mrs. Stotts. Senator Shaw.

Seventy-one students from Holy Family School, Davenport, Iowa, accompanied by Miss Hasso, Father Spiekermeier and Father Welch. Senator Gluba.

President pro tempore Doderer took the chair at 9:45 a.m.

MOTION TO RECONSIDER ADOPTED

Senate File 488

Senator Lamborn called up the following motion to reconsider filed by him on May 7, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 488 passed the Senate on Wednesday, May 7, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 488) the vote was:

Ayes, 44:

Andersen	Heying	Miller of	Rodgers
Bergman	Hill of Jasper	Marshall	Schwengels
Briles	Hill of Polk	Murray	Scott
Carr	Hultman	Nolin	Shaff
Coleman	Junkins	Nolting	Shaw
Culver	Kelly	Norpel	Sovern
Curtis	Kinley	Nystrom	Taylor
Doderer	Lamborn	Palmer	Tieden
Gallagher	Merritt	Plymat	Van Gilst
Glenn	Miller of	Priebe	Willits
Griffin	Des Moines	Rabedeaux	Winkelman
Hansen		Ramsey	

Nays, none.

Absent or not voting, 6:

Burroughs	Gluba	Redmond	Robinson
DeKoster	Orr		

The motion prevailed.

Senator Lamborn moved to reconsider the vote by which Senate File 488 went to its last reading, which motion prevailed.

Senate File 488

On motion of Senator Lamborn, Senate File 488, a bill for an act relating to the political affiliation of persons serving on state boards, commissions, and councils, was taken up for reconsideration.

Senator Lamborn offered amendment S—3864 filed by him and moved its adoption:

S—3864
Amend Senate File 488 as follows:
Page 1, line 10, after the period insert the

following:

"In the case where the appointment of members of the general assembly is allowed, and the law does not otherwise provide, if an even number of legislators are appointed they shall be equally divided by political party affiliation; if an odd number of members of the general assembly is appointed, the number representing a certain political party shall not exceed by more than one the legislative members of the other political party who may be appointed."

Amendment S—3864 was adopted.

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 bill pass?" (S.F. 488) the vote was:

Ayes, 41:

Andersen	Griffin	Miller of Marshall	Rodgers
Bergman	Hansen	Murray	Schwengels
Briles	Heying	Nolin	Scott
Carr	Hultman	Nolting	Shaff
Coleman	Junkins	Norpel	Shaw
Culver	Kelly	Nystrom	Sovern
Curtis	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Rabedeaux	Willits
Gluba			

Nays, 3:

Hill of Polk	Ramsey	Winkelman

Absent or not voting, 6:

Burroughs	Hill of Jasper	Redmond	Robinson
DeKoster	Orr		

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 Rabedeaux withdrew the motion to reconsider the vote by which **Senate File 491** passed the Senate, filed by him on May 5, 1975.

MOTION TO RECONSIDER LOST

House File 390

Senator Taylor called up the following motion to reconsider House File 390 filed by him on May 16, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 390 passed the Senate on May 15, 1975.

On the question "Shall the motion to reconsider be adopted?" (H.F. 390) the vote was:

Ayes, 21:

Bergman	Hultman	Miller of Marshall	Schwengels
Burroughs	Kelly	Nolin	Shaff
Coleman	Lamborn	Priebe	Taylor
Curtis	Merritt	Rabedeaux	Tieden
Griffin	Miller of Des Moines	Ramsey	Winkelman
Hill of Jasper			

Nays, 26:

Andersen	Gluba	Nolting	Rodgers
Briles	Hansen	Norpel	Scott
Carr	Heying	Nystrom	Shaw
Culver	Hill of Polk	Palmer	Sovern
Doderer	Junkins	Plymat	Van Gilst
Gallagher	Kinley	Robinson	Willits
Glenn	Murray		

Absent or not voting, 3:

DeKoster	Orr	Redmond

The motion lost.

HOUSE AMENDMENTS CONSIDERED

Senate File 397

Senator Willits called up for consideration Senate File 397, a bill for an act relating to benefited street lighting districts, amended by the House, and moved that the Senate concur in the following amendment:

S—3842

Amend Senate File 397, as passed by the Senate, on page 1, by striking lines 7 through 9 and inserting in lieu thereof the following: "if the assessed valuation of the property owned by the petitioners represents at least twenty-five percent of the total assessed value of the proposed district, *or the board of supervisors of any county with a population in excess of two hundred fifty thousand persons shall, on the petition of twenty-five percent of the resident property owners in any proposed benefited lighting district,* hold a public".

The motion prevailed and the Senate concurred in House amendment S—3842.

Senator Willits 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. 397) the vote was:

Ayes, 45:

Andersen	Hansen	Miller of Marshall	Rodgers
Bergman	Heying	Murray	Schwengels
Briles	Hill of Jasper	Nolin	Scott
Burroughs	Hill of Polk	Nolting	Shaff
Carr	Hultman	Norpel	Shaw
Coleman	Junkins	Nystrom	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Rabedeaux	Tieden
Doderer	Lamborn	Ramsey	Van Gilst
Gallagher	Merritt	Robinson	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			
Griffin			

Nays, none.

Absent or not voting, 5:

DeKoster	Plymat	Priebe	Redmond
Orr			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 499

Senator Murray called up for consideration Senate File 499, a bill for an act relating to hospitalization of the mentally ill, amended by the House, and moved that the Senate concur in the following amendment:

S—3884

Amend Senate File 499, as amended and passed by the Senate as follows:

1. Page 11, line 29, by striking the word "shall" and inserting in lieu thereof the word "may".

2. Page 12, line 1, by striking the word "shall" and inserting in lieu thereof the word "may".

3. Page 23, line 11, by inserting after the word "physician" the words "or attorney".

4. Page 23, line 18, by striking the word ". Information" and inserting in lieu thereof the words ", however information".

5. Page 23, line 20, by striking the word "identity." and inserting in lieu thereof the following: "identity; or

4. The person who is hospitalized or that person's guardian, if the person is a minor or is not legally competent to do so, signs an informal consent to release information. Each signed consent shall designate specifically the person or agency to whom the information is to be sent, and the information may be sent only to that person or agency."

The motion prevailed and the Senate concurred in House amendment S—3884.

Senator Murray 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. 499) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hill of Polk	Norpel	Shaff
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba	Miller of Marshall	Robinson	
Griffin			

Nays, none.

Absent or not voting, 3:

DeKoster	Hultman	Redmond

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 489** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 357

On motion of Senator Lamborn, Senate File 357, a bill for an act relating to investment by state banks in revenue bonds issued by municipalities in support of industrial projects, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Junkins offered amendment S—3689 by the committee on commerce and moved its adoption:

S—3689
1 **Amend Senate File 357 by striking lines 29**
2 **through 33.**

Amendment S—3689 was adopted.

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 bill pass?" (S.F. 357) the vote was:

Ayes, 45:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Briles	Heying	Nolting	Scott
Burroughs	Junkins	Norpel	Shaff
Carr	Kelly	Nystrom	Shaw
Coleman	Kinley	Orr	Sovern
Culver	Lamborn	Palmer	Taylor
Curtis	Merritt	Plymat	Tieden
Doderer	Miller of	Priebe	Van Gilst
Gallagher	Des Moines	Rabedeaux	Willits
Glenn	Miller of	Ramsey	Winkelman
Gluba	Marshall	Robinson	

Nays, none.

Absent or not voting, 5:

DeKoster	Hill of Polk	Hultman	Redmond
Hill of Jasper			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 449

On motion of Senator Burroughs, Senate File 449, a bill for an act relating to the establishment of a corn promotion fund to receive assessments made on the sale of corn, to establish an Iowa corn promotion board, to provide for a referendum among corn producers, and to provide penalties, was taken up for consideration.

Senator Gallagher raised the point of order that Senate File 449 should be referred to the committee on state government under Senate Rule 38.

The Chair ruled the point well taken and invoked Senate Rule 38.

Senator Nolin moved that Senate Rule 38 be suspended for the purpose of continuing consideration of Senate File 449.

On the question "Shall the motion to suspend Senate Rule 38 be adopted?" (S.F. 449) the vote was:

Ayes, 38:

Andersen	Hansen	Murray	Schwengels
Bergman	Heying	Nolin	Scott
Briles	Hill of Polk	Nolting	Shaff
Burroughs	Hultman	Norpel	Sovern
Carr	Junkins	Nystrom	Taylor
Coleman	Kinley	Plymat	Tieden
Culver	Lamborn	Priebe	Van Gilst
Curtis	Merritt	Rabedeaux	Willits
Glenn	Miller of	Robinson	Winkelman
Gluba	Des Moines	Rodgers	

Nays, 6:

Gallagher	Kelly	Miller of Marshall	Orr
Hill of Jasper			Shaw

Absent or not voting, 6:

DeKoster	Griffin	Ramsey	Redmond
Doderer	Palmer		

The motion prevailed and the Senate continued consideration of Senate File 449.

Senator Burroughs moved that the bill 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, 34:

Bergman	Hultman	Nystrom	Schwengels
Burroughs	Junkins	Orr	Scott
Carr	Kinley	Palmer	Shaff
Coleman	Lamborn	Plymat	Sovern
Culver	Merritt	Priebe	Taylor
Curtis	Murray	Rabedeaux	Tieden
Glenn	Nolin	Ramsey	Willits
Gluba	Nolting	Rodgers	Winkelman
Heying	Norpel		

Nays, 8:

Andersen	Gallagher	Hill of Polk	Shaw
Briles	Hill of Jasper	Kelly	Van Gilst

Voting present, 2:

Doderer	Miller of Des Moines

Absent or not voting, 6:

DeKoster	Hansen	Redmond	Robinson
Griffin	Miller of Marshall		

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 pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

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, on May 23, 1975, adopted the conference committee report and the amendments contained therein and passed Senate File 44, a bill for an act relating to the registration of motor trucks and trailers or semitrailers and making the Act retroactive.

Also: That the House has on May 21, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 309, a bill for an act relating to the reproduction and duplication of sound recordings and providing a penalty.

Also: That the House has on May 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 885, a bill for an act to exempt the equalization of property from the provisions of the Iowa administrative procedure act.

Also: That the House has on May 21, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 886, a bill for an act relating to changes in dates for a fiscal year beginning July first.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 309

S—3919

Amend Senate File 309 as amended and passed by the Senate as follows:

1. Page 1, by striking lines 1 through 9, and inserting in lieu thereof the following:

"Section 1. DEFINITIONS. For the purposes of this Act:

1. 'Person' shall mean person as defined in section four point one (4.1), subsection thirteen (13) of the Code.

2. 'Owner' means any person who owns the original fixation of sounds embodied in the master phonograph record, master disc, master tape, master film or other device used for reproducing sound on phonograph records, discs, tapes, films, or other articles upon which sound is recorded, and from which the transferred recorded sounds are derived.

Sec. 2. Chapter seven hundred thirteen (713), Code 1975, is amended by adding the following new section:

NEW SECTION. REPRODUCTION OF SOUND RECORDINGS.

1. Except as provided in subsection three (3) of this section, it is unlawful for a person knowingly to:

a. Transfer or cause to be transferred any sounds recorded on a phonograph record, disc, wire, tape, film or other article without the consent of the owner; or".

INTRODUCTION OF BILLS

Senate File 547, by committee on cities, a bill for an act relating to the financing of levees and drainage districts.

Read first time and **placed on calendar.**

Senate File 548, by committee on appropriations, a bill for an act to make an appropriation to the legislative council for a comprehensive study of mental health delivery systems in the state.

Read first time and **placed on calendar.**

Senate File 549, by committee on appropriations, a bill for an act making an appropriation to the Iowa law enforcement academy.

Read first time and **placed on calendar.**

Senate File 550, by committee on appropriations, a bill for an act making supplementary appropriations to designated boards.

Read first time and **placed on calendar.**

HOUSE MESSAGES CONSIDERED

House File 885, a bill for an act to exempt the equalization of property from the provisions of the Iowa administrative procedure act.

Read first time and **passed on file.**

House File 886, a bill for an act relating to changes in dates and clarification of dates for a fiscal year beginning July first of each calendar year.

Read first time and **passed on file.**

CONSIDERATION OF BILLS

Senate File 525

On motion of Senator Gluba, Senate File 525, a bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties for violations, was taken up for consideration.

Senator Gluba asked and received unanimous consent that Philip E. Burks, Senior Research Analyst, Legislative Service Bureau, Linda Cooper, Director, Long Term Care Section, Bureau of Medical Services, and Rick Middleton, Associate Director Licensing, State Department of Health, be permitted to remain in the Senate chamber as consultants during consideration of the bill.

Senator Gluba offered amendment S—3840 filed by him and moved its adoption:

S—3849

Amend Senate File 525 as follows:

1. Page 1, line 2, by inserting after the figure "1975," the words and figures "as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, Senate File one hundred ninety-three (193), section one (1),".

2. Page 1, line 4, by inserting after the word "[foster]" the word "[family]".

3. Page 1, line 7, by striking the word "[two]" and inserting in lieu thereof the word "[five]".

4. Page 3, line 12, by inserting after the word "[foster]" the word "[family]".

5. Page 6, line 3, by inserting after the figure "1975," the words and figures "as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, Senate File one hundred ninety-three (193), section two (2),".

6. Page 6, line 12, by striking the first comma in that line and inserting in lieu thereof the word "[or]".

7. Page 6, line 12, by striking the words "[or adult foster]" and inserting in lieu thereof the words "[and all placements in adult foster family]".

8. Page 6, line 14, by inserting after the word "admitted" the words "[or placed]".

9. Page 7, line 29, by inserting after the figure "1975," the words and figures "as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, Senate File one hundred ninety-three (193), sections three (3) and four (4),".

10. Page 8, line 19, by striking both the words "[adult foster homes,]" and also the second comma in that line.

11. Page 8, line 20, by striking the comma in that line.

12. Page 8, by inserting after line 28 the following:

"[3. For adult foster family homes, five dollars.]"

13. Page 15, line 24, by inserting after the word "INSPECTIONS." the word "[The]".

14. Page 15, line 25, by striking the figure and word "1. [The]" and inserting in lieu thereof the figure "*1.*".

Amendment S—3849 was adopted.

Senator Miller of Des Moines offered amendment S—3924 and moved its adoption:

S—3924

Amend Senate File 525 as follows:

1. Page 1, line 28, by striking the word "age,".

2. Page 2, line 16, by striking the word "age,".

3. Page 2, line 32, by striking the word "*age,*".

4. Page 9, line 12, by striking the word *"and"* and inserting in lieu thereof the words *"within ten working days and returned to the applicant. The resume"*.

5. Page 15, line 5, by striking the word "heath" and inserting in lieu thereof the word "health".

6. Page 15, line 10, by inserting after the period the following:

"The commissioner may grant successive thirty-day extensions of the time for compliance where evidence of a good faith attempt to achieve compliance is furnished, if the extensions will not place in undue jeopardy the residents of the facility to which the extensions are granted."

7. Page 28, line 35, by striking the word "CIVIL".

Amendment S—3924 was adopted.

Senator Gluba offered amendment S—3882 filed by him:

S—3882

Amend Senate File 525, as follows:

1. Page 16, by inserting after line 13 the following:

"When plans and specifications submitted as required by this subsection have been properly approved by the department or other appropriate state agency, the facility or the portion of the facility constructed or altered in accord with the plans so approved shall not for a period of at least five years from completion of the construction or alteration be considered deficient or ineligible for licensing by reason of failure to meet any rule or standard established subsequent to approval of the plans and specifications, unless a clear and present danger exists that would adversely affect the residents of the facility."

2. Page 18, by striking line 8 and inserting in lieu thereof the following:

"about placement in the facility.

3. A copy of each citation".

3. Page 18, by inserting after line 10 the following:

"If the facility cited subsequently advises the department of social services that the violation has been corrected to the satisfaction of the department of health, the department of social services must maintain this advisory in the same file with the copy of the citation. The department of social services shall not disseminate to the public any information regarding citations issued by the department of health, but shall forward or refer such inquiries to the department of health."

4. Page 24, line 3, by inserting after the word "individuality," the words "in violation of a specific rule adopted by the department,".

5. Page 25, line 5, by inserting after the period

the following:
"Upon arrival at the facility to be inspected the inspector shall identify himself or herself to an employee of the facility and state that an inspection is to be made, before beginning the inspection."
6. Page 29, line 22, by striking the words "one hundred twenty" and inserting in lieu thereof the word "ninety".

Senator Gluba offered amendment S—3887 to amendment S—3882 filed by him and moved its adoption:

S—3887
Amend the Gluba amendment S—3882 to Senate File 525 as follows:
1. By inserting after line 41 the following:
"6. Page 26, by striking from line 34 the word 'five' and inserting in lieu thereof the word 'twenty' ".
2. By renumbering the succeeding section of the amendment accordingly.

A non-record roll call was requested.

The ayes were 39, nays none.

Amendment S—3887 to amendment S—3882 was adopted.

On motion of Senator Gluba, amendment S—3882 as amended was adopted.

Senator Gluba moved that the bill 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. 525) the vote was:

Ayes, 36:

Andersen	Gluba	Murray	Rodgers
Bergman	Griffin	Nolin	Schwengels
Burroughs	Hansen	Nolting	Scott
Carr	Heying	Norpel	Sovern
Coleman	Hill of Jasper	Nystrom	Taylor
Culver	Junkins	Orr	Tieden
Curtis	Kinley	Palmer	Van Gilst
Doderer	Merritt	Plymat	Willits
Gallagher	Miller of Des Moines	Robinson	
Glenn			

Nays, 3:

Briles	Ramsey	Winkelman

Absent or not voting, 11:

DeKoster	Kelly	Priebe	Shaff
Hill of Polk	Lamborn	Rabedeaux	Shaw
Hultman	Miller of Marshall	Redmond	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gluba asked and received unanimous consent that **Senate File 324** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 156.

House File 156

On motion of Senator Heying, House File 156, a bill for an act relating to the disposition of certain game by the state conservation commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heying moved that the bill 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. 156) the vote was:

Ayes, 35:

Andersen	Gluba	Murray	Rodgers
Bergman	Griffin	Nolin	Schwengels
Briles	Hansen	Nolting	Scott
Burroughs	Heying	Norpel	Sovern
Carr	Junkins	Nystrom	Taylor
Coleman	Kinley	Orr	Van Gilst
Culver	Merritt	Palmer	Willits
Curtis	Miller of Des Moines	Plymat	Winkelman
Doderer		Ramsey	
Glenn			

Nays, none.

Absent or not voting, 15:

DeKoster	Kelly	Priebe	Shaff
Gallagher	Lamborn	Rabedeaux	Shaw
Hill of Jasper	Miller of Marshall	Redmond	Tieden
Hill of Polk		Robinson	
Hultman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 497.

House File 497

On motion of Senator Heying, House File 497, a bill for an act relating to the conservation management and protection of fish, plant life, and wildlife species endangered or threatened with

extinction and prescribing penalties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn took the chair at 2:06 p.m.

Senator Heying moved that the bill 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. 497) the vote was:

Ayes, 37:

Andersen	Gluba	Murray	Rodgers
Bergman	Griffin	Nolin	Schwengels
Briles	Hansen	Nolting	Scott
Burroughs	Heying	Norpel	Sovern
Carr	Hill of Jasper	Nystrom	Taylor
Coleman	Junkins	Orr	Tieden
Culver	Kinley	Palmer	Van Gilst
Curtis	Merritt	Plymat	Willits
Doderer	Miller of Des Moines	Ramsey	Winkelman
Glenn			

Nays, none.

Absent or not voting, 13:

DeKoster	Kelly	Priebe	Robinson
Gallagher	Lamborn	Rabedeaux	Shaff
Hill of Polk	Miller of Marshall	Redmond	Shaw
Hultman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 264.

House File 264

On motion of Senator Gluba, House File 264, a bill for an act to allow the destruction of abandoned animals by veterinarians, boarding and commercial kennels, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Gluba offered amendment S—3279 filed by him and recommended by the committee on human resources:

S—3279

Amend House File 264, as passed by the House, as follows:

1. Page 1, by striking lines 3 through 11 and inserting in lieu thereof the following:

"NEW SECTION. **Whenever any animal is left with a veterinarian, boarding kennel, or commercial kennel pursuant to a written agreement and the owner does not claim the animal by the agreed date, the animal shall be deemed abandoned, and a notice of abandonment and its consequences shall be sent within seven days**

by certified mail to the last known address of the owner. For fourteen days after mailing of the notice the owner shall have the right to reclaim the animal upon payment of all reasonable charges, and after the fourteen days the owner shall be deemed to have waived all rights to the abandoned animal. If despite diligent effort an owner cannot be found for the abandoned animal within another seven days, the veterinarian, boarding kennel, or commercial kennel may humanely destroy the abandoned animal."

Senator Gluba moved the adoption of amendment S—3279, and requested a record roll call.

On the question "Shall amendment S—3279 be adopted?" (H.F. 264) the vote was:

Ayes, 32:

Andersen	Gluba	Nolin	Schwengels
Bergman	Hansen	Nolting	Scott
Briles	Heying	Norpel	Sovern
Burroughs	Kinley	Nystrom	Taylor
Carr	Merritt	Orr	Tieden
Culver	Miller of Des Moines	Palmer	Van Gilst
Curtis	Murray	Plymat	Willits
Doderer		Ramsey	Winkelman
Glenn			

Nays, 4:

Coleman	Hill of Jasper	Junkins	Rodgers

Absent or not voting, 14:

DeKoster	Hultman	Priebe	Robinson
Gallagher	Kelly	Rabedeaux	Shaff
Griffin	Lamborn	Redmond	Shaw
Hill of Polk	Miller of Marshall		

Amendment S—3279 was adopted.

Senator Gluba offered amendment S—3929 and moved its adoption:

S—3929

Amend House File 264 as amended and passed by the House by striking line 12.

Amendment S—3929 was adopted.

Senator Gluba moved that the bill 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. 264) the vote was:

Ayes, 35:

Andersen	Carr	Glenn	Hill of Jasper
Bergman	Coleman	Gluba	Junkins
Briles	Culver	Hansen	Kinley
Burroughs	Curtis	Heying	Merritt

Miller of Des Moines	Norpel	Ramsey	Taylor
Murray	Nystrom	Rodgers	Tieden
Nolin	Orr	Schwengels	Van Gilst
Nolting	Palmer	Scott	Willits
	Plymat	Sovern	Winkelman

Nays, none.

Voting present, 1:

Doderer

Absent or not voting, 14:

DeKoster	Kelly	Priebe	Robinson
Gallagher	Lamborn	Rabedeaux	Shaff
Griffin	Miller of Marshall	Redmond	Shaw
Hill of Polk			
Hultman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 244.

Senate File 244

On motion of Senator Doderer, Senate File 244, a bill for an act relating to the copying of public records, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Doderer offered amendment S—3818 by the committee on judiciary and moved its adoption:

S—3818

Amend Senate File 244, page 1, line 19, after the word *"record"* by inserting the words *"in the custody of the office"*.

Amendment S—3818 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. 244) the vote was:

Ayes, 35:

Andersen	Glenn	Murray	Rodgers
Bergman	Gluba	Nolin	Schwengels
Briles	Hansen	Nolting	Scott
Burroughs	Heying	Norpel	Sovern
Carr	Hill of Jasper	Nystrom	Taylor
Coleman	Junkins	Orr	Tieden
Culver	Kinley	Palmer	Van Gilst
Curtis	Merritt	Plymat	Winkelman
Doderer	Miller of Des Moines	Ramsey	

Nays, none.

Absent or not voting, 15:

DeKoster	Kelly	Priebe	Shaff
Gallagher	Lamborn	Rabedeaux	Shaw
Griffin	Miller of Marshall	Redmond	Willits
Hill of Polk		Robinson	
Hultman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 396.

House File 396

On motion of Senator Van Gilst, House File 396, a bill for an act relating to the issuing of certificates to veterinary lay assistants, 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. 396) the vote was:

Ayes, 34:

Andersen	Gluba	Nolting	Schwengels
Bergman	Hansen	Norpel	Scott
Burroughs	Heying	Nystrom	Sovern
Carr	Hill of Jasper	Orr	Taylor
Coleman	Junkins	Palmer	Tieden
Culver	Kinley	Plymat	Van Gilst
Curtis	Merritt	Ramsey	Willits
Doderer	Murray	Rodgers	Winkelman
Glenn	Nolin		

Nays, none.

Voting present, 1:

Miller of Des Moines

Absent or not voting, 15:

Briles	Hill of Polk	Miller of Marshall	Redmond
DeKoster	Hultman	Priebe	Robinson
Gallagher	Kelly	Rabedeaux	Shaff
Griffin	Lamborn	Redmond	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 551, by committee on ways and means, a bill for an act to allow counties to levy a tax for historical purposes.

Read first time and **placed on calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.C.R. 41 Rules and administration

H. F. 863 Labor and industrial relations

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu announced, in accordance with Section 2.32, 1975 Code of Iowa, the appointment of the following Senators to investigating committees:

As members of the Transportation Regulation Board of the State Department of Transportation:

Sherri Y. Alston, Washington, D. C., for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Burroughs, Chairman
Senator Curtis
Senator Palmer
Senator Rodgers
Senator Sovern

Conrad A. Amend, Des Moines, Polk County, Iowa, for an initial six-year term commencing July 1, 1975 and ending June 30, 1981.

Senator Nolin, Chairman
Senator Briles
Senator Hill of Polk
Senator Robinson
Senator Willits

Richard D. Howe, Des Moines, Polk County, Iowa, for an initial four-year term, commencing July 1, 1975 and ending June 30, 1979.

Senator Taylor, Chairman
Senator Carr
Senator Merritt
Senator Plymat
Senator Scott

SUBCOMMITTEE ASSIGNMENTS

Senate File 498
Appropriations
Hill of Jasper, Chairman
Junkins
Plymat

Senate File 528
State Government
Kinley, Chairman
Hill of Jasper
Glenn

Senate File 533
Judiciary
Carr, Chairman
Doderer
Kelly

Senate File 534
Education
Sovern, Chairman
Merritt
Shaw

Senate File 538
Judiciary
Carr, Chairman
Doderer
Kelly

Senate Concurrent Resolution 38
Rules and Administration
Junkins, Chairman
Van Gilst
Lamborn

House File 776
Judiciary
DeKoster, Chairman
Hill of Polk
Coleman

House File 793
Appropriations
Junkins, Chairman
Robinson
Hultman

House File 824
Commerce
Rabedeaux, Chairman
Carr
Rodgers

House File 825
Commerce
Glenn, Chairman
Carr
Curtis

House File 844
Ways and Means
Hill of Jasper, Chairman
Van Gilst
Taylor

House File 848
Appropriations
Transportation

House File 867
Ways and Means
Junkins, Chairman
Gluba
Shaff

House File 870
Appropriations
Natural Resources

House File 880
Appropriations
State Departments

House Concurrent Resolution 39
Miller of Des Moines, Chairman
Rodgers
DeKoster

REPORTS OF COMMITTEES

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 793**, a bill for an act relating to the marketing board of the department of agriculture, begs leave to report that it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 880**, a bill for an act appropriating funds to the Iowa state historical department, the Iowa library department, the Iowa state arts council and the academy of science, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Glenn submitted the following reports:

MR. PRESIDENT: Your committee on judiciary to which was referred **Senate File 345**, a bill for an act relating to the method used by judges of election to select and certify potential 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:**

S—3925
Amend Senate File 345, page 1, as follows:
1. Lines 6, 13, 14 and 15, by striking the words "judges of election" and inserting in lieu thereof the words "precinct election officials".
2. Line 19, by striking the word "judges" and inserting in lieu thereof the word "officials".
3. By striking line 20 and inserting in lieu thereof the following:
"election officials. The precinct election

officials may adopt those".

4. Line 22, by striking the word "judges" and inserting in lieu thereof the word "officials".

5. Lines 23 and 24, by striking the words "judges of election" and inserting in lieu thereof the words "precinct election officials".

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 816**, a bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of 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:**

S—3926

Amend House File 816 as follows:

1. Page 1, line 6, by striking the word *"no"*.

2. Page 1, line 6, by striking the words *"director, officer, member"* and by inserting in lieu thereof the words *"directors, officers, members"*.

3. Page 1, line 7, by striking the word *"non-compensated"* and by inserting in lieu thereof the word *"other"*.

4. Page 1, line 7, by striking the words *"volunteer person"* and by inserting in lieu thereof the word *"volunteers"*.

5. Page 1, line 7, by inserting the word *"not"* after the word *"shall"*.

GENE W. GLENN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3923

Amend Senate File 530, page 1, by inserting after line 15, the following:

"Sec. ..... Section six hundred six point sixteen (606.16), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. During each semiannual period prior to payment into the county treasury, the clerk of the district court may deposit any funds held by him or her whether in trust or otherwise in interest bearing accounts or certificates of deposit with a bank approved as provided in section four hundred fifty-three point one (453.1) of the Code. Interest earned on those deposits shall be paid to the county treasurer as provided in this section and shall be credited to the general fund of the county."

JAMES W. GRIFFIN, SR.

S—3918

Amend House File 18, page 1, line 10, by striking the words "*one hundred*".

RICHARD R. RAMSEY

S—3921

Amend the agriculture committee amendment S—3874 to House File 215, as amended, passed, and reprinted by the House, as follows:

1. Page 1, insert after line 24 the following:

"Any person, firm, corporation or limited partner with a ten percent or greater interest in another person, firm, corporation, or limited partner involved in the manufacturing, processing or preparation for sale of beef or pork products having a total annual wholesale value of ten million dollars or more shall also be considered a processor."

2. Page 2, by striking lines 9 through 17 and inserting in lieu thereof the following:

"are fed for slaughter. It is unlawful for a limited partnership to own, control, or operate a feedlot in Iowa in which hogs or cattle are fed for slaughter if a processor or processors of beef or pork holds partnership shares as general partners or partnership shares as limited partners. This section shall not preclude a processor or partnership from contracting for the feeding".

3. Page 2, line 23, by inserting before the word "prior" the word "immediately".

4. Page 3, by striking lines 8 through 12 and inserting in lieu thereof the following:

"2. The acreage and location of each lot or parcel of agricultural land in this state owned or leased by the corporation on December thirty-first of the previous year, listed by township and county or legally described urban plat;".

5. Page 3, line 14, by striking the word "in numbers".

6. Page 3, line 41, by striking the words "the largest shareholder" and inserting in lieu thereof the words "any person holding ten percent or more of any class of stock of the corporation".

7. Page 3, line 46, by inserting before the word "citizenship" the word "and".

8. Page 3, line 48, by striking the word "shareholder" and inserting in lieu thereof the words "holding ten percent or more of any class of stock of the corporation".

9. Page 3, by striking line 50 and inserting in lieu thereof the following: "purpose of railroad or highway right-of-ways".

10. Page 4, by striking lines 23 through 27 and inserting in lieu thereof the following:

"3. The acreage and location of each lot or parcel of agricultural land in this state owned or leased by the limited partnership on December

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thirty-first of the previous year, listed by township and county or legally described urban plat;".

11. Page 4, line 29, by striking the words "in numbers".

12. Page 5, by striking lines 46 through 49 and inserting in lieu thereof the following:

"3. The acreage and location of agricultural land owned outside corporate limits of any city of this state on December thirty-first of the preceding calendar year, listed by township and county;".

13. Page 6, by striking lines 17 and 18 and inserting in lieu thereof the following:

"and the name of the individual or firm acting in such representative capacity."

14. Page 6, by striking lines 31 through 33 and inserting in lieu thereof the following:

"c. The acreage and location of the land held in such fiduciary capacity on December thirty-first of the year reported, listed by township and county."

15. Page 6, by striking lines 40 through 42 and inserting in lieu thereof the following:

"c. The acreage and location of the land held in such fiduciary capacity on December thirty-first of the year reported, listed by township and county."

16. Page 6, by striking lines 47 through 49 and inserting in lieu thereof the following:

"b. The acreage and location of the land held in such fiduciary capacity on December thirty-first of the year reported, listed by township and county."

17. Page 7, line 8, by striking the word "owned" and inserting in lieu thereof the word "held".

18. Page 7, line 17, by striking the word "owned" and inserting in lieu thereof the word "held".

19. Page 7, line 26, by striking the word "owned" and inserting in lieu thereof the word "held".

20. Page 7, by striking lines 33 and 34 and inserting in lieu thereof the following:

"owned and fed in Iowa more than thirty days by the processor during the preceding calendar or fiscal year."

21. Page 8, line 5, by striking the word "such" and inserting in lieu thereof the word "the required".

22. Page 8, line 9, by striking the word "punishment" and inserting in lieu thereof the word "imprisonment".

23. Page 8, line 38, by striking the word "request" and inserting in lieu thereof the words "required submission of such".

ROGER J. SHAFF

S—3922

Amend the agriculture committee amendment, S—3874 to House File 215, as amended, passed, and reprinted by the House, page 1, line 44, by

inserting following the word "fifty" the words "or more".

BASS VAN GILST

S—3928

Amend the agriculture committee amendment, S—3874, to House 215, as amended, passed and reprinted by the House, page 2, line 11, by inserting after the word "cattle," the words "provided that no such contract shall specify an exact delivery date".

BASS VAN GILST

S—3920

Amend the agriculture committee amendment, S—3874, to House 215, as amended, passed and reprinted by the House, as follows:

1. Page 2, line 27, by striking the word "property" and inserting in lieu thereof the words "feedlot or to convert it to another use".

2. Page 3, line 29, by inserting before the word "shareholders" the word "individual".

ROGER J. SHAFF
BASS VAN GILST

S—3927

Amend the agriculture committee amendment, S—3874, to House 215, as amended, passed and reprinted by the House, page 2, line 44, by inserting after the word "purposes" the words "for ten days or more".

E. KEVIN KELLY
LEONARD C. ANDERSEN

S—3940

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 3, line 12, by inserting after the word "previous" the words "calendar or fiscal".

H. L. HEYING

S—3941

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 3, line 13, by striking the words "and kind".

H. L. HEYING

S—3942

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. Page 3, line 21, by inserting a semicolon after the word "owner-operator".

2. Page 3, by striking line 22.

H. L. HEYING

S—3943

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 3, line 24, by striking the words "and to what extent, and the type of lease".

H. L. HEYING

S—3944

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. Page 3, line 29, by inserting a semicolon after the word "shareholders".

2. Page 3, by striking lines 30 and 31.

H. L. HEYING

S—3945

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 3, by striking lines 32 through 39.

H. L. HEYING

S—3938

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 4, line 8, by striking the words ", and shall also set" and inserting in lieu thereof a period and also by striking lines 9 through 11.

H. L. HEYING

S—3931

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. Page 4, by inserting after line 11 the following new paragraph:

"A corporation may, in lieu of filing a report required by this section, file with the secretary of state a notice of intent to dissolve. Such notice may be in letter form, signed by the president of the corporation upon authorization by the board of directors, and need only state that the corporation will dissolve rather than file the report required by this section. Dissolution as provided for by law shall be begun within thirty days of the notice and shall be concluded within one year. The state of Iowa shall be liable to the corporation and its stockholders for all costs and losses in dissolving the corporation including the costs of winding-up business, disposing of property and attorney's fees. Upon the filing with the secretary of state of a verified statement of these costs and losses, the secretary of state shall investigate and upon finding the costs and losses to be correct, shall remit payment within thirty days."

2. Page 5, by inserting after line 31 the following new paragraph:

"A limited partnership may, in lieu of filing a report required by this section, file with the secretary of state a notice of intent to dissolve the partnership and wind up its business. Such notice may be in letter form, signed by the partners, and need only state that the partnership will dissolve and wind up its affairs rather than file the report required by this section. Dissolution and winding up of affairs as provided for by law shall be begun within thirty days of the notice and shall be concluded within one year. The state of Iowa shall be liable to the partnership and its partners for all costs and losses in dissolving the partnership and winding up its affairs including the costs of disposing of property and attorney's fees. Upon the filing with the secretary of state of a verified statement of these costs and losses, the secretary of state shall investigate and upon finding the costs and losses to be correct, shall remit payment within thirty days."

3. Page 6, by inserting after line 18 the following new paragraph:

"A nonresident alien may, in lieu of filing a report required by this section, file with the secretary of state a notice of intent to cease ownership of agricultural land and farming. Such notice may be in letter form, signed by the person, and need only state that the person

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will cease ownership of agricultural land and farming. Sale of the property and the cessation of farming shall be begun within thirty days of the notice and shall be concluded within one year. The state of Iowa shall be liable to the person for all costs and losses in selling the property and cessation of farming including attorney's fees. Upon the filing with the secretary of state of a verified statement of these costs and losses, the secretary of state shall investigate and upon finding the costs and losses to be correct, shall remit payment within thirty days."

H. L. HEYING

S—3937

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. Page 4, line 20, by inserting a semicolon after the word "activity".

2. Page 4, by striking lines 21 and 22.

H. L. HEYING

S—3939

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 4, line 23, by striking the word "section" and insert in lieu thereof the word "township".

H. L. HEYING

S—3936

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 4, lines 26 through 27, by striking the words "December thirty-first of the previous" and inserting in lieu thereof the words "the last day of the previous calendar or fiscal".

H. L. HEYING

S—3935

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 4, lines 37 and 38, by striking the words "by the limited partnership and to what extent".

H. L. HEYING

S—3934

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 4, line 40, by striking the words "and to what extent,".

H. L. HEYING

S—3932

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 6, line 25, by inserting after the word "each" the words "calendar or fiscal".

H. L. HEYING

S—3933

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. Page 5, by striking lines 3 through 7.
2. Page 5, by striking lines 8 through 14.
3. Page 5, by striking lines 15 and 16.
4. Page 5, by striking lines 17 through 19.
5. Page 5, by striking lines 20 through 23.

H. L. HEYING

S—3946

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 8, by inserting after line 40 the following new section:

"Sec. ..... *NEW SECTION.* REPORTS BY THE STATE CONSERVATION COMMISSION. The state conservation commission shall file with the secretary of state on or before March thirty-first of each year, a report containing the following:

1. The acreage and location listed by section, township and county, or legally described urban plat, of each parcel of land which it owns, leases or manages.
2. Identify those parcels of land listed in response to subsection one (1) of this section which

are agricultural lands.

3. The purchase price or condemnation price of the land and its current appraised value for all parcels of land it owns.

4. The rental charge for all parcels of land which it leases and the other terms of the leases.

5. The current use of each parcel of land it owns, leases or manages."

H. L. HEYING

S—3930

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, page 8, by inserting after line 40 the following new section:

"Sec. ..... *NEW SECTION.* REPORTS BY THE STATE TRANSPORTATION COMMISSION. The state transportation commission shall file with the secretary of state on or before March thirty-first of each year, a report containing the following:

1. The acreage and location listed by section, township and county, or legally described urban plat, or each parcel of land which it owns or leases or on which it holds an easement.

2. Identify those parcels of land listed in response to subsection one (1) of this section which are agricultural lands.

3. The purchase price or condemnation price of the land and its current appraised value for all parcels of land it owns.

4. The current use of each parcel of land it owns, leases or on which it holds an easement."

H. L. HEYING

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 2:48 p.m., until 10:00 a.m., Tuesday, May 27, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FIFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MAY 27, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend J. R. Keys, pastor of the Payne African Methodist Episcopal Church, Waterloo, Iowa.

The Journal of Friday, May 23, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Forrest Smith, Davenport, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-six students from the Logan-Magnolia Community School, Logan, Iowa, accompanied by their principal, Lowell Arps, and Mrs. Rider, Mrs. Cohrs and Mrs. Kerster. Senator Culver.

Fifty students from Warren Harding Junior High School, Des Moines, Iowa, accompanied by Fred Geitz. Senator Palmer.

Twelve students from the St. Paul-Immanuel Lutheran School, Whittemore, Iowa, accompanied by Paul Buelow. Senator Priebe.

PETITION

The following petition was presented and placed on file:

By Senator Doderer from twenty-three residents of Johnson County favoring legislation that prohibits smoking tobacco in certain public areas and provides a penalty.

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 on May 20, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 823, a bill for an act establishing the Iowa housing finance authority.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 823, a bill for an act establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemptions and appropriations, and providing coordinating amendments related to implementation of the authority's programs.

Read first time and **passed on file.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Priebe called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert C. Yapp of Des Moines, Polk County, Iowa, for reappointment as a member of the Chemical Technology Commission of the Department of Environmental Quality under the provisions of Section 455B.4, Code 1975, for the regular four-year term commencing July 1, 1974, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
HILARIUS L. HEYING
WILLIAM N. PLYMAT
JAMES M. REDMOND
WILLIAM P. WINKELMAN

The motion prevailed and the report was adopted.

Senator Priebe moved the appointment of Robert C. Yapp as a member of the Chemical Technology Commission of the Department of Environmental Quality be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	**Curtis**	Hill of Jasper	**Miller of Des Moines**
Bergman	DeKoster	Hill of Polk	**Miller of Marshall**
Briles	**Doderer**	Junkins	**Murray**
Burroughs	Glenn	Kelly	**Nolin**
Carr	Griffin	Kinley	**Nolting**
Coleman	Hansen	Lamborn	
Culver	**Heying**	Merritt	

Norpel	Priebe	Rodgers	Taylor
Nystrom	Rabedeaux	Schwengels	Tieden
Orr	Ramsey	Scott	Van Gilst
Palmer	Redmond	Shaw	Willits
Plymat	Robinson	Sovern	Winkelman

Nays, 1:
Gluba

Absent or not voting, 3:

Gallagher	Hultman	Shaff

President pro tempore Doderer declared the appointment of Robert C. Yapp as a member of the Chemical Technology Commission of the Department of Environmental Quality confirmed for the regular four-year term ending June 30, 1978.

Senator Priebe called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Joan Ballantyne of Cherokee, Cherokee County, Iowa, for reappointment as a member of the Iowa Beer and Liquor Control Council under the provisions of Section 123.6, Code 1975, for the regular five-year term commencing July 1, 1975, and ending June 30, 1980, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
WARREN E. CURTIS
RICHARD R. RAMSEY
NORMAN RODGERS
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Priebe moved the appointment of Joan Ballantyne as a member of the Iowa Beer and Liquor Control Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Andersen	Hansen	Miller of Marshall	Rabedeaux
Bergman	Heying	Murray	Ramsey
Briles	Hill of Jasper	Nolin	Redmond
Burroughs	Hill of Polk	Nolting	Robinson
Carr	Junkins	Norpel	Rodgers
Coleman	Kelly	Nystrom	Schwengels
Culver	Kinley	Orr	Scott
Curtis	Lamborn	Palmer	Shaff
DeKoster	Merritt	Plymat	Shaw
Doderer	Miller of Des Moines	Priebe	Sovern
Glenn			Taylor
Griffin			

Tieden Van Gilst Willits Winkelman

Nays, 1:
Gluba

Absent or not voting, 2:
Gallagher Hultman

President pro tempore Doderer declared the appointment of Joan Ballantyne as a member of the Iowa Beer and Liquor Control Council confirmed for the regular five-year term ending June 30, 1980.

HOUSE AMENDMENT CONSIDERED

Senate File 309

Senator Willits called up for consideration Senate File 309, a bill for an act relating to the reproduction and duplication of sound recordings and providing a penalty, amended by the House, and moved that the Senate concur in the following amendment:

S—3919

Amend Senate File 309 as amended and passed by the Senate as follows:

1. Page 1, by striking lines 1 through 9, and inserting in lieu thereof the following:

"Section 1. DEFINITIONS. For the purposes of this Act:

1. 'Person' shall mean person as defined in section four point one (4.1), subsection thirteen (13) of the Code.

2. 'Owner' means any person who owns the original fixation of sounds embodied in the master phonograph record, master disc, master tape, master film or other device used for reproducing sound on phonograph records, discs, tapes, films, or other articles upon which sound is recorded, and from which the transferred recorded sounds are derived.

Sec. 2. Chapter seven hundred thirteen (713), Code 1975, is amended by adding the following new section:

NEW SECTION. REPRODUCTION OF SOUND RECORDINGS.

1. Except as provided in subsection three (3) of this section, it is unlawful for a person knowingly to:

a. Transfer or cause to be transferred any sounds recorded on a phonograph record, disc, wire, tape, film or other article without the consent of the owner; or".

The motion prevailed and the Senate concurred in House amendment S—3919.

Senator Willits 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. 309) the vote was:

Ayes, 47:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Redmond	Winkelman

Nays, none.

Absent or not voting, 3:

Gallagher	Hultman	Miller of Des Moines

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

House File 723

Senator Redmond called up for consideration House File 723, a bill for an act correcting and clarifying provisions in the city code of Iowa, amended by the Senate and further amended by the House, as follows:

S—3845

Amend the Senate amendment H—3782, to page 8 of House File 723, as follows:

1. By striking lines 7, 8 and 9 and inserting in lieu thereof the following:

"2. Amend the title page, line 2, by inserting after the word 'Iowa' the words 'and increasing the allowable levy for support of a symphony orchestra'."

REFERRED TO COMMITTEE

Senator Lamborn requested that Senate Rule 38 be invoked and House File 723 was referred to the committee on ways and means.

SENATE REFUSED TO CONCUR

House File 185

Senator Burroughs called up for consideration House File 185, a bill for an act relating to the transporting of livestock, amended by the Senate and further amended by House, and moved that the Senate refuse to concur in the following House amendment to the Senate amendment:

S—3844
Amend the Senate amendment H—3847, to House File 185, as follows:
By striking all of lines 3 through 7.

The motion prevailed and the Senate **refused to concur** in House amendment S—3844 to Senate amendment H—3847.

CONSIDERATION OF BILLS

House File 36

On motion of Senator Rabedeaux, House File 36, a bill for an act relating to discrimination in the renewal of automobile insurance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Orr asked and received unanimous consent that action on House File 36 be temporarily deferred for the preparation of an amendment.

House File 479

On motion of Senator Rabedeaux, House File 479, a bill for an act relating to the movement of mobile homes and factory-built structures of excessive size subject to penalties provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits offered amendment S—3949 and moved its adoption:

S—3949
Amend House File 479 as amended and passed by the House, page 2, by striking lines 28 through 32.

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 22, nays 22.

Amendment S—3949 lost.

Senator Redmond offered amendment S—3951 and called for a division of the amendment as follows:

S—3951

Amend House File 479 as amended and passed by the House, as follows:

Division S—3951A

1. Page 2, line 4, by inserting the word "feet" the words "and the total gross weight as prescribed in section three hundred twenty-one point four hundred sixty-three (321.463) of the Code".

Division S—3951B

2. Page 2, lines 10 and 11, by striking the words "and wherever possible" and insert in lieu thereof the words "and unless it is impossible".

Senator Redmond moved the adoption of division S—3951A of the amendment.

The Chair called for a non-record roll call.

The ayes were 16, nays 29.

Division S—3951A of the amendment lost.

Senator Redmond moved the adoption of division S—3951B of the amendment.

A non-record roll call was requested.

The ayes were 8, nays 36.

Division S—3951B of the amendment lost.

(House File 479 pending on recess.)

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 525 passed the Senate on May 23, 1975.

RAY TAYLOR

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of House File 215.

House File 215

On motion of Senator Van Gilst, House File 215, a bill for an act relating to farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain corporations, requiring reports, authorizing farming by certain corporations, providing civil procedures and remedies for enforcement of the provisions of the Act, and providing penalties for violation of the Act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Van Gilst offered amendment S—3874 by the committee on agriculture found on pages 1508-1516, inclusive, of the Senate Journal.

Senator Heying offered amendment S—3953 to amendment S—3874:

S—3953

Amend the agriculture committee amendment S—3874 to House File 215 as amended, passed and reprinted by the House, as follows:

1. By striking page 1, line 5, through page 8, line 40, and inserting in lieu thereof the following:

"Section 1. *NEW SECTION.* REPORTING BY CORPORATIONS AND LIMITED PARTNERSHIPS. Any corporations or limited partnerships holding title to land in the state must file a report with the secretary of state giving the range, section number, township, county and number of acres of each parcel of land. The report shall also list any real estate mortgage or trust deed on the parcel and the identity of the holder of the mortgage or trust deed. If a corporation is the owner of a processing plant or livestock, this must also be noted. The secretary of state and any other agency of the state shall not require the reporting of any other business matters other than that expressly required by statute in the instance of a default of a debt.

REPORT TO SECRETARY OF STATE FOR FISCAL YEAR _____

Name _____ Address _____

Corporation ☐ Individual ☐ Other _____ ☐

Name

Title to number of acres _____

Location:

Section _____ Township _____ County _____

1st Mortgage held by _____

2nd Mortgage held by _____
Owner of Processing Plant ☐ Yes ☐ No
Number owned _____ cattle _____ hogs _____ sheep _____ chickens
MORTGAGE of livestock held by _____ name of bank or other lender
Signed _____
Witness _____

Sec. 2. *NEW SECTION.* REPORTS FROM COUNTY ASSESSOR. Each county assessor shall forward to the secretary of state the names of all corporations and limited partnerships owning land.

Sec. 3. *NEW SECTION.* PENALTY. Corporations or limited partnerships which own land who refuse to file the report required by this Act will be guilty of a misdemeanor, and shall be subject to a fine of not more than one hundred dollars or imprisonment of no more than thirty days.

2. Page 8, by striking lines 44 through 50 and inserting in lieu thereof the following "requiring reports of the corporate or limited partnership owners of land in the state and providing a penalty."

Senator Heying moved the adoption of amendment S—3953 to amendment S—3874 and requested a record roll call.

On the question "Shall amendment S—3953 to amendment S—3874 be adopted?" (H.F. 215) the vote was:

Ayes, 26:

Andersen	Doderer	Miller of Des Moines	Rabedeaux
Bergman	Griffin	Miller of Marshall	Ramsey
Burroughs	Hansen	Nystrom	Schwengels
Coleman	Heying	Plymat	Shaw
Culver	Hill of Polk	Priebe	Taylor
Curtis	Hultman		Tieden
DeKoster	Lamborn		Winkelman

Nays, 22:

Briles	Kelly	Norpel	Scott
Carr	Kinley	Orr	Shaff
Gallagher	Merritt	Palmer	Sovern
Glenn	Murray	Redmond	Van Gilst
Hill of Jasper	Nolin	Rodgers	Willits
Junkins	Nolting		

Absent or not voting, 2:

Gluba	Robinson

Amendment S—3953 to amendment S—3874 was adopted.

The following amendments to amendment S—3874 were ruled out of order with the adoption of amendment S—3953: S—3888 by Senator Van Gilst; S—3920 by Senators Van Gilst and Shaff; S—3921 by Senator Shaff; S—3922 by Senator Van Gilst; S—3927 by Senators Kelly and Andersen, and S—3928 by Senator Van Gilst.

The following amendments to amendment S—3874 by Senator Heying were ruled out of order with the adoption of amendment S—3953: Filed May 22, 1975: S—3890, S—3891, S—3892, S—3893, S—3894, S—3895, S—3896, S—3897, S—3898, S—3899, S—3900, S—3901, S—3902, S—3903, S—3905, S—3906, S—3907, S—3908, S—3909, S—3910, S—3911 and S—3912. Filed May 23, 1975: S—3930, S—3931, S—3932, S—3933, S—3934, S—3935, S—3936, S—3937, S—3938, S—3939, S—3940, S—3941, S—3942, S—3943, S—3944, S—3945 and S—3946.

Senator Van Gilst moved the adoption of amendment S—3874 as amended.

A record roll call was requested.

On the question "Shall amendment S—3874 as amended be adopted?" (H.F. 215) the vote was:

Ayes, 27:

Andersen	Hansen	Miller of Des Moines	Priebe
Burroughs	Heying	Miller of Marshall	Rabedeaux
Coleman	Hill of Polk	Nolin	Ramsey
Culver	Hultman	Nystrom	Schwengels
Curtis	Junkins	Plymat	Shaw
DeKoster	Kelly		Taylor
Doderer	Lamborn		Tieden
Griffin			

Nays, 21:

Bergman	Kinley	Orr	Shaff
Briles	Merritt	Palmer	Sovern
Gallagher	Murray	Redmond	Van Gilst
Glenn	Nolting	Rodgers	Willits
Gluba	Norpel	Scott	Winkelman
Hill of Jasper			

Absent or not voting, 2:

Carr	Robinson

Amendment S—3874 as amended was adopted.

The following amendments were ruled out of order with the adoption of amendment S—3874 as amended:

Amendment S—3466 filed by Senator Curtis on April 3, 1975.

Amendment S—3913 filed by Senator Heying on May 22, 1975.

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. 215) the vote was:

Ayes, 41:

Andersen	Gluba	Miller of Des Moines	Rabedeaux
Bergman	Griffin		Ramsey
Briles	Hansen	Miller of Marshall	Rodgers
Burroughs	Heying		Schwengels
Carr	Hill of Jasper	Nolin	Scott
Coleman	Hill of Polk	Norpel	Shaw
Culver	Hultman	Nystrom	Taylor
Curtis	Junkins	Orr	Tieden
DeKoster	Kelly	Palmer	Van Gilst
Doderer	Kinley	Plymat	Winkelman
Glenn	Lamborn	Priebe	

Nays, 8:

Gallagher	Nolting	Robinson	Sovern
Murray	Redmond	Shaff	Willits

Voting present, 1:

Merritt

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

House File 479

The Senate resumed consideration of House File 479.

Senator Willits withdrew amendment S—3952:

S—3952

Amend House File 479, page 2, by striking lines 23 through 26 and inserting in lieu thereof the following:

"of this section, 'resident' includes mobile home manufacturers licensed in this state and manufacturers of factory-built structures".

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. 479) the vote was:

Ayes, 42:

Andersen	Griffin	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Culver	Lamborn	Plymat	Taylor
Curtis	Miller of Des Moines	Priebe	Tieden
Gallagher		Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Gluba		Robinson	Winkelman

Nays, 7:

DeKoster	Hill of Jasper	Merritt	Redmond
Doderer	Hill of Polk	Nolting	

Absent or not voting, 1:

Hansen

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 489

On motion of Senator Coleman, Senate File 489, a bill for an act relating to the width of commercial vehicles subject to penalties provided by law, was taken up for consideration.

Senator Coleman offered amendment S—3948:

S—3948

Amend Senate File 489 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point four hundred fifty-four (321.454), Code 1975, is amended to read as follows:

321.454 WIDTH OF VEHICLES. The total outside width of any vehicle or the load thereon, except loose hay or straw, shall not exceed eight feet. *A tolerance of three inches above the maximum legal width may be allowed for tie-down ropes, belts, chains, and similar tie-down equipment.*

Sec. 2. Section three hundred twenty-one E point nine (321E.9), Code 1975, is amended by striking subsection six (6) and inserting in lieu thereof the following:

6. Vehicles with or without loads which exceed the maximum dimensions and weights specified in sections three hundred twenty-one point four hundred fifty-two (321.452) through three hundred twenty-one point four hundred sixty-six (321.466) of the Code may be moved in special or emergency situations provided the gross weight on any axle shall not exceed the maximum prescribed in section three hundred twenty-one point four hundred sixty-three (321.463) of the Code. The issuing authority may impose any special restrictions deemed necessary on movements by permit under this subsection.

Sec. 3. Section three hundred twenty-one E point ten (321E.10), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department or local authorities may in their discretion and upon application issue annual or single trip permits for the movement of urban transit company buses that exceed the maximum width specified in section three hundred twenty-one point four hundred fifty-four

(321.454) of the Code but not to exceed eight feet six inches in width. Movement of such buses shall be solely for the purpose of transporting passengers upon city streets or for the purpose of delivery or transfer to or from an urban transit company."

2. Amend the title, line 1, by inserting after the word "vehicles" the words "and movement of loads during special or emergency situations".

President pro tempore Doderer took the chair at 4:30 p.m.

DEFERRED

Senator Hill of Polk asked and received unanimous consent that further action on **Senate File 489** be deferred and that the bill be placed on the calendar under **unfinished business.**

CONSIDERATION OF BILLS

House File 36

The Senate resumed consideration of House File 36.

Senator Griffin asked unanimous consent that further action on House File 36 be deferred.

Objection was raised.

Senator Rodgers took the chair at 5:00 p.m.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

Senator Orr offered amendment S—3950 by Senators Orr, et al.:

S—3950

Amend House File 36, page 1, line 4, by inserting after the word "to" the words "*issue or*".

Senator Hill of Polk raised the point of order that amendment S—3950 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3950 out of order.

Senator Orr withdrew amendment S—3958 by Senators Orr, et al.:

S—3958

Amend House File 36, as follows:

1. Page 1, line 4, by inserting after the word "to"

the words *"issue or"*.

2. Amend the title, line 1, by inserting after the word "the" the words "issuance and".

President pro tempore Doderer took the chair at 5:20 p.m.

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. 36) the vote was:

Ayes, 44:

Andersen	Griffin	Miller of Des Moines	Ramsey
Bergman	Hansen	Murray	Redmond
Burroughs	Heying	Nolting	Rodgers
Carr	Hill of Jasper	Norpel	Schwengels
Coleman	Hill of Polk	Nystrom	Shaff
Culver	Hultman	Orr	Shaw
Curtis	Junkins	Palmer	Sovern
DeKoster	Kelly	Plymat	Taylor
Doderer	Kinley	Priebe	Tieden
Gallagher	Lamborn	Rabedeaux	Willits
Glenn	Merritt		Winkelman
Gluba			

Nays, none.

Absent or not voting, 6:

Briles	Miller of Marshall	Nolin	Scott
		Robinson	Van Gilst

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 552, by Senators Junkins, Lamborn, Schwengels and Miller of Des Moines, a bill for an act relating to the payment of services rendered to a state institution by a county medical examiner.

Read first time and **passed on filed.**

Senate File 553, by committee on judiciary, a bill for an act to exempt the equalization of property from the provisions of the Iowa administrative procedure act.

Read first time and **placed on calendar.**

REFERRED TO COMMITTEE

Senator Kinley asked and received unanimous consent that **Senate File 356** be referred to the committee on **ways and means** under Senate Rule 38.

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

H. F. 886 Ways and means

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Patricia E. Cornick, Des Moines, Polk County, Iowa, for appointment as a representative of the general public to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
LUCAS J. DeKOSTER
EUGENE M. HILL
WILLIAM N. PLYMAT
BASS VAN GILST

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of G. Thomas Reilly of Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Social Services Council under the provisions of Section 217.2, Code 1975, for an unexpired term ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ROBERT M. CARR, Chairman
JOHN S. MURRAY
C. JOSEPH COLEMAN
WILLIAM D. PALMER

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Leo E. Burger, Cedar Rapids, Linn County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
JAMES E. BRILES
JAMES W. GRIFFIN, SR.
JAMES M. REDMOND
KENNETH D. SCOTT

COMMUNICATION FROM THE SECRETARY OF STATE

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 43 was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, May 14, 1975, and in The Mount Vernon

Hawkeye and The Lisbon Herald, Mount Vernon, Iowa, May 15, 1975.

I further certify that House File 348 was published in the Farmer-Labor Press, Council Bluffs, Iowa, May 15, 1975, and in The Evening Sentinel, Shenandoah, Iowa, May 13, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

AMENDMENTS FILED

S—3947

Amend House File 411 as amended, passed and reprinted by the House, page 7, by inserting after line 29 the following new section:

"Sec. ..... Section four hundred twenty-seven point three (427.3), subsection four (4), Code 1975, is amended by striking the subsection and inserting in lieu thereof the following:

4. The property, not to exceed one thousand eight hundred fifty-two dollars in taxable value of any honorably separated, retired, furloughed to a reserve, placed on inactive status, or discharged soldier, sailor, marine, or nurse of the navy and marine operations in China 1937-1939 and Yangtze Valley 1930-1932 or the second World War from December 7, 1941 to December 31, 1946, both dates inclusive, or the Korean Conflict at any time between June 25, 1950, and January 31, 1955, both dates inclusive, or in Korea after January 31, 1955, until January 31, 1965, with the armed forces retained there by the government of the United States, or in the Vietnam Conflict at any time between August 5, 1964, and August 15, 1973, both dates inclusive, or in Vietnam after August 15, 1973, until April 30, 1975, with the armed forces assigned there by the United States government, and as defined in section thirty-five C point 1 (35C.1) of the Code."

H. L. HEYING

S—3959

Amend House File 450 as amended, passed and reprinted by the House, page 12, line 3, by inserting after the comma the words *"other than mobile homes eight feet or more in width or thirty-two feet or more in length"*.

BERL E. PRIEBE
KARL NOLIN
H. L. HEYING
IRVIN BERGMAN
DALE L. TIEDEN
C. JOSEPH COLEMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:55 p.m., until 9:30 a.m., Wednesday, May 28, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MAY 28, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Theodore Keyes, assistant pastor of the Antioch Baptist Church, Waterloo, Iowa.

The Journal of Tuesday, May 27, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. B. Widmer, West Branch, Iowa.

PRESENTATION OF VISITORS

President pro tempore Doderer welcomed the Honorable John C. Rhodes, former member of the Senate from Lucas County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty students from Warren Harding Junior High School, Des Moines, Iowa, accompanied by Mr. Geitz. Senator Palmer.

Twenty-one students from St. John's Lutheran School, Charter Oak, Iowa, accompanied by Bill Ziesemer. Senator Culver.

Twenty-four students from Storm Lake Junior High School, Storm Lake, Iowa, accompanied by Lorraine Peterson and Dorothy Weatherly. Senator Curtis.

PETITION

The following petition was presented and placed on file:

By Senator Briles from fifty-six residents of Montgomery County opposing pari-mutuel betting.

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 on May 23, 1975, concurred in Senate amendment to and passed the following bill:

House File 395, a bill for an act relating to the civil service systems of cities.

Also: That the House has on May 22, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 803, a bill for an act relating to the compensation of persons suffering loss as a result of medical malpractice.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 803, a bill for an act relating to the compensation of persons suffering loss as a result of medical malpractice.

Read first time and **passed on file.**

President pro tempore Doderer took the chair at 10:12 a.m.

CONSIDERATION OF BILLS

Senate File 548

On motion of Senator Priebe, Senate File 548, a bill for an act to make an appropriation to the legislative council for a comprehensive study of mental health delivery systems in the state, was taken up for consideration.

Senator Priebe moved that the bill 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. 548) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Rabedeaux	Willits
Gluba		Ramsey	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

DeKoster Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 550

On motion of Senator Priebe, Senate File 550, a bill for an act making supplementary appropriations to designated boards, was taken up for consideration.

Senator Priebe moved that the bill 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, 48:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Rabedeaux	Willits
Gluba		Ramsey	Winkelman
Griffin			

Nays, none.

Absent or not voting, 2:

DeKoster	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 793

On motion of Senator Robinson, House File 793, a bill for an act relating to the marketing board of the department of agriculture, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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. 793) the vote was:

Ayes, 46:

Andersen	Curtis	Heying	Miller of Des Moines
Bergman	DeKoster	Hill of Jasper	Miller of Marshall
Briles	Doderer	Hill of Polk	Murray
Burroughs	Glenn	Junkins	Nolin
Carr	Gluba	Kelly	Nolting
Coleman	Griffin	Kinley	
Culver	Hansen	Lamborn	

Norpel	Priebe	Schwengels	Taylor
Nystrom	Rabedeaux	Scott	Tieden
Orr	Ramsey	Shaff	Van Gilst
Palmer	Robinson	Shaw	Willits
Plymat	Rodgers	Sovern	Winkelman

Nays, 2:

Merritt Redmond

Voting present, 1:

Gallagher

Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 465

On motion of Senator Carr, House File 465, a bill for an act relating to the transportation of nonpublic school pupils outside the boundary lines of the school district of residence, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President Neu took the chair at 11:37 a.m.

Senator Hill of Jasper offered amendment S—3963:

S—3963

Amend House File 465 as amended and passed by the House, page 1, by inserting after line 24 the following new paragraph:

"*NEW PARAGRAPH.* Public school pupils may be transported to a public school outside the boundary lines of the public school district on the same basis as nonpublic school pupils are transported outside the public school district."

Senator Norpel raised the point of order that amendment S—3963 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3963 out of order.

President pro tempore Doderer took the chair at 11:48 a.m.

Senator Carr moved that the bill 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. 465) the vote was:

Ayes, 33:

Andersen	Briles	Coleman	Curtis
Bergman	Carr	Culver	DeKoster

Gallagher	Junkins	Nolting	Robinson
Glenn	Kelly	Norpel	Rodgers
Gluba	Kinley	Nystrom	Schwengels
Griffin	Merritt	Palmer	Sovern
Hansen	Miller of	Plymat	Tieden
Heying	Des Moines	Rabedeaux	Van Gilst
Hill of Polk	Nolin		

Nays, 15:

Burroughs	Miller of	Ramsey	Shaw
Doderer	Marshall	Redmond	Taylor
Hill of Jasper	Murray	Scott	Willits
Lamborn	Orr	Shaff	Winkelman

Absent or not voting, 2:

Hultman	Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **House File 880** be deferred and that the bill **retain its place on the calendar.**

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Glenn presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Doderer presiding.

CONSIDERATION OF BILLS

Senate File 549

On motion of Senator Norpel, Senate File 549, a bill for an act making an appropriation to the Iowa law enforcement academy, was taken up for consideration.

Senator Lamborn offered amendment S—3961:

S—3961
1 **Amend Senate File 549 as follows:**
2 **1. Page 1, by inserting after line 12, the**

following section:
"Sec. ..... There is appropriated from the general fund of the state to the Iowa law enforcement academy the sum of one hundred thousand (100,000) dollars, or so much thereof as may be necessary to be used to pay the tuition of selected law enforcement academy recruits assigned to an approved law enforcement training facility for training by the Iowa law enforcement academy."
2. By renumbering the remaining sections in accordance with this amendment.

Senator Schwengels offered amendment S—3966 to amendment S—3961 and moved its adoption:

S—3966
Amend the Lamborn amendment S—3961 to Senate File 549, on line 8, by inserting after the word "tuition" the words "and lodging".

Amendment S—3966 to amendment S—3961 was adopted.

Senator Lamborn moved the adoption of amendment S—3961 as amended.

A record roll call was requested.

On the question "Shall amendment S—3961 as amended be adopted?" (S.F. 549) the vote was:

Ayes, 19:

Andersen	Hansen	Nystrom	Shaw
Bergman	Heying	Plymat	Taylor
Briles	Lamborn	Rabedeaux	Tieden
Burroughs	Miller of Marshall	Ramsey	Winkelman
Curtis		Schwengels	
DeKoster			

Nays, 26:

Carr	Hill of Polk	Murray	Redmond
Coleman	Junkins	Nolin	Rodgers
Culver	Kelly	Nolting	Scott
Doderer	Kinley	Norpel	Sovern
Gallagher	Merritt	Orr	Van Gilst
Glenn	Miller of Des Moines	Palmer	Willits
Hill of Jasper		Priebe	

Absent or not voting, 5:

Gluba	Hultman	Robinson	Shaff
Griffin			

Amendment S—3961 as amended lost.

Senator Norpel moved that the bill 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, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 1:

Hultman

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 Kelly, House File 18, a bill for an act relating to expert witness fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ramsey offered amendment S—3918 filed by him and moved its adoption:

S—3918

Amend House File 18, page 1, line 10, by striking the words *"one hundred"*.

A record roll call was requested.

On the question "Shall amendment S—3918 be adopted?" (H.F. 18) the vote was:

Rule 25 was invoked.

Ayes, 24:

Andersen	Lamborn	Plymat	Scott
Bergman	Merritt	Priebe	Shaff
Briles	Miller of Marshall	Rabedeaux	Taylor
Burroughs	Murray	Ramsey	Tieden
Coleman	Nystrom	Rodgers	Van Gilst
Gallagher		Schwengels	Winkelman
Heying			

Nays, 24:

Carr	DeKoster	Gluba	Hill of Polk
Culver	Doderer	Hansen	Junkins
Curtis	Glenn	Hill of Jasper	Kelly

Kinley	Nolting	Palmer	Shaw
Miller of Des Moines	Norpel	Redmond	Sovern
Nolin	Orr	Robinson	Willits

Absent or not voting, 2:

Griffin	Hultman

Amendment S—3918 lost.

Senator Kelly moved that the bill 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, 39:

Andersen	Glenn	Lamborn	Plymat
Bergman	Gluba	Merritt	Rabedeaux
Briles	Griffin	Miller of Des Moines	Redmond
Burroughs	Hansen	Murray	Robinson
Carr	Heying	Nolting	Shaff
Coleman	Hill of Jasper	Norpel	Shaw
Culver	Hill of Polk	Nystrom	Sovern
Curtis	Junkins	Orr	Taylor
DeKoster	Kelly	Palmer	Van Gilst
Doderer	Kinley		Willits

Nays, 9:

Gallagher	Priebe	Schwengels	Tieden
Miller of Marshall	Ramsey	Scott	Winkelman
	Rodgers		

Absent or not voting, 2:

Hultman	Nolin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Kelly asked and received unanimous consent that **Senate File 97** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 742

On motion of Senator Kelly, House File 742, a bill for an act to legalize and validate proceedings of the city council of the city of Missouri Valley, Harrison County, Iowa, vacating and disposing of certain streets and alleys, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kelly moved that the bill 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, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Hultman Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 280.

Senate File 280

On motion of Senator Norpel, Senate File 280, a bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel asked and received unanimous consent that **House File 411** be **substituted** for **Senate File 280.**

House File 411

On motion of Senator Norpel, House File 411, a bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heying withdrew amendment S—3848 filed by him on May 19, 1975, and found on pages 1469 and 1470 of the Senate Journal.

Senator Heying withdrew amendment S—3861 filed by him on May 20, 1975, and found on page 1491 of the Senate Journal.

Senator Heying offered amendment S—3947 filed by him:

S—3947

Amend House File 411 as amended, passed and reprinted by the House, page 7, by inserting after line 29 the following new section:

"Sec. ..... Section four hundred twenty-seven point three (427.3), subsection four (4), Code 1975, is amended by striking the subsection and inserting in lieu thereof the following:

4. The property, not to exceed one thousand eight hundred fifty-two dollars in taxable value of any honorably separated, retired, furloughed to a reserve, placed on inactive status, or discharged soldier, sailor, marine, or nurse of the navy and marine operations in China 1937-1939 and Yangtze Valley 1930-1932 or the second World War from December 7, 1941 to December 31, 1946, both dates inclusive, or the Korean Conflict at any time between June 25, 1950, and January 31, 1955, both dates inclusive, or in Korea after January 31, 1955, until January 31, 1965, with the armed forces retained there by the government of the United States, or in the Vietnam Conflict at any time between August 5, 1964, and August 15, 1973, both dates inclusive, or in Vietnam after August 15, 1973, until April 30, 1975, with the armed forces assigned there by the United States government, and as defined in section thirty-five C point 1 (35C.1) of the Code."

Senator Norpel raised the point of order that amendment S—3947 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3947 out of order.

Senator Norpel moved that the bill 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. 411) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Junkins	Norpel	Scott
Coleman	Kelly	Nystrom	Shaff
Culver	Kinley	Orr	Sovern
Curtis	Lamborn	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher	Miller of Marshall	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba		Redmond	
Griffin			

Nays, 1:

Heying

Absent or not voting, 3:

Briles	Hultman	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Norpel asked and received unanimous consent that **Senate File 280** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 543.

Senate File 543

On motion of Senator Curtis, Senate File 543, a bill for an act relating to the taxation of individual retirement annuity premiums, was taken up for consideration.

Senator Curtis asked and received unanimous consent that **House File 881** be **substituted** for **Senate File 543.**

House File 881

On motion of Senator Curtis, House File 881, a bill for an act relating to the taxation of individual retirement annuity premiums, was taken up for consideration.

Senator Curtis moved that the bill 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. 881) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher		Rabedeaux	Willits
Glenn	Miller of Marshall	Ramsey	Winkelman
Gluba		Redmond	
Griffin			

Nays, 1:

DeKoster

Absent or not voting, 3:

Hultman	Merritt	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Curtis asked and received unanimous consent that **Senate File 543** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 811.

House File 811

On motion of Senator Lamborn, House File 811, a bill for an act relating to the military service tax exemption and making the Act retroactive, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Heying offered amendment S—3881 filed by him and moved its adoption:

S—3881

Amend House File 811 as amended and passed by the House, page 1, line 18, by striking "1955" and inserting in lieu thereof "1965".

DEFERRED

Senator Rabedeaux asked and received unanimous consent that further action on **House File 811** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 551.

Senate File 551

On motion of Senator Rodgers, Senate File 551, a bill for an act to allow counties to levy a tax for historical purposes, was taken up for consideration.

Senator Priebe offered amendment S—3964 by Senators Priebe, Nolting and Scott, and moved its adoption:

S—3964

Amend Senate File 551 as follows:

1. Page 1, lines 11 and 12, by striking the words

3 *", artifacts, places, and structures"* and inserting
4 in lieu thereof the words *"and artifacts"*.
5 2. Page 1, line 12, by inserting after the word
6 **"area,"** the words *"acquiring and maintaining historical*
7 *places and structures which are owned by the state*
8 *or a political subdivision of the state,"*.

Senator Glenn took the chair at 4:40 p.m.

A record roll call was requested.

On the question "Shall amendment S—3964 be adopted?" (S.F. 551) the vote was:

Ayes, 29:

Andersen	Junkins	Nolin	Shaff
Bergman	Kelly	Nolting	Shaw
Culver	Kinley	Plymat	Sovern
Curtis	Merritt	Priebe	Taylor
Doderer	Miller of	Ramsey	Tieden
Glenn	Des Moines	Redmond	Van Gilst
Gluba	Miller of	Scott	Winkelman
Heying	Marshall		
Hill of Jasper			

Nays, 19:

Briles	Griffin	Norpel	Robinson
Carr	Hansen	Nystrom	Rodgers
Coleman	Hill of Polk	Orr	Schwengels
DeKoster	Lamborn	Palmer	Willits
Gallagher	Murray	Rabedeaux	

Absent or not voting, 2:

Burroughs	Hultman

Amendment S—3964 was adopted.

Senator Rodgers moved that the bill 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 25 was invoked.

Ayes, 26:

Andersen	Gluba	Nolting	Scott
Bergman	Hansen	Norpel	Shaff
Burroughs	Kelly	Nystrom	Shaw
Coleman	Miller of	Plymat	Sovern
Culver	Des Moines	Priebe	Taylor
Curtis	Miller of	Redmond	Tieden
Gallagher	Marshall	Schwengels	
Glenn			

Nays, 22:

Briles	Griffin	Hill of Polk	Lamborn
Carr	Heying	Junkins	Merritt
DeKoster	Hill of Jasper	Kinley	Murray

Nolin	Rabedeaux	Rodgers	Willits
Orr	Ramsey	Van Gilst	Winkelman
Palmer	Robinson		

Absent or not voting, 2:

Doderer	Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 670

On motion of Senator Nolin, House File 670, a bill for an act relating to the salaries of juvenile court employees, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Nolin offered amendment S—3777 by the committee on state government:

S—3777

Amend House File 670, as passed by the House, as follows:

1. Page 1, line 10, by striking the words "the [judge or] judges" and inserting in lieu thereof the words "[the judge or judges]".

2. Page 1, lines 14 and 15, by striking the words "*of the judicial district in which the county is situated*" and inserting in lieu thereof the words "*a probation officer committee of three district court judges appointed by the chief judge of the judicial district. One member of the committee shall be a juvenile court judge.*"

3. Page 1, line 18, by striking the words "the judges" and inserting in lieu thereof the words "[the judges] *the probation officer committee of district court judges appointed by the chief judge.*"

4. Page 1, line 22, by striking the word "judges" and inserting in lieu thereof the words "[judges] *committee of district court judges appointed by the chief judge*".

5. Page 1, line 27, by striking the word "judges" and inserting in lieu thereof the words "[judges] *probation officer committee appointed by the chief judge*".

6. Page 2, lines 2 and 3, by striking the words "[who may fix their salaries, subject to the approval of the board of supervisors,]" and inserting in lieu thereof the words "who may fix their salaries, subject to the approval of the board of supervisors".

7. Page 2, by striking lines 5 through 10.

Senator Nolin offered amendment S—3972 to amendment S—3777 and moved its adoption:

S—3972

Amend the state government committee amendment S—3777 to House File 670, by striking lines 9 through 12 and inserting in lieu thereof the following:

"a probation officer committee of three judicial officers of the judicial district appointed by the chief judge of the district. One member of the committee shall be a district judge, district associate judge or magistrate regularly assigned to preside over the juvenile court within a county in that district".

The Chair requested a non-record roll call.

The ayes were 35, nays 6.

Amendment S—3972 to amendment S—3777 was adopted.

On motion of Senator Nolin, amendment S—3777 as amended was adopted.

Senator Norpel raised the point of order that House File 670 should be referred to the committee on ways and means under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Nolin moved that the bill 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. 670) the vote was:

Ayes, 38:

Andersen	Hansen	Murray	Ramsey
Bergman	Heying	Nolin	Redmond
Briles	Hill of Jasper	Nolting	Rodgers
Burroughs	Junkins	Nystrom	Schwengels
Carr	Kelly	Orr	Shaff
Coleman	Kirley	Palmer	Shaw
Culver	Lamborn	Plymat	Sovern
Curtis	Merritt	Priebe	Van Gilst
DeKoster	Miller of Des Moines	Rabedeaux	Willits
Glenn			
Gluba			

Nays, 4:

Norpel	Scott	Tieden	Winkelman

Voting present, 1:

Hill of Polk

Absent or not voting, 7:

Doderer	Griffin	Miller of Marshall	Robinson
Gallagher	Hultman		Taylor

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 on May 23, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 507, a bill for an act relating to the funding, compensation, expenses and membership of legislative members of committees and certain statutory or appointive boards, commissions, and councils.

Also: That the House has on May 23, 1975, 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 625, a bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILL

Senate File 554, by committee on cities, a bill for an act relating to interest rates for city bonds.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 42

By Norpel

Whereas, the legislative chambers of both houses of the general assembly and administrative offices of officers of the general assembly as well as legislative agencies are air-conditioned; and

Whereas, the lounges adjoining the legislative chambers of both houses of the general assembly are not air-conditioned; and

Whereas, it is necessary for legislators to visit with constituents and lobbyists in the lounges adjoining the legislative chambers during the day, which often necessitates leaving an air-conditioned area to a nonair-conditioned area; and

Whereas, it is not beneficial to the health of persons to leave an air-conditioned area and enter a nonair-conditioned area on a continuous basis; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council is requested to study and provide for air conditioning for the lounges adjoining the legislative chambers, obtain bids for the cost of such air conditioning, and let contracts for completion of such project during the interim between the 1975 and 1976 Sessions of the General Assembly; and

Be It Further Resolved, That costs of the air conditioning project for the two lounges adjoining the legislative chambers be paid from funds available pursuant to section two point twelve (2.12) of the Code.

Read first time and **passed on file.**

HOUSE AMENDMENT TO SENATE FILE 507

S—3967

Amend Senate File 507, as passed by the Senate, as follows:

1. Page 1, by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section two point ten (2.10), subsection six (6), Code 1975, is amended to read as follows:

6. In addition to the salaries and expenses [herein] authorized *by this section,* members of the general assembly shall be paid forty dollars per day, except the speaker of the house who shall be paid sixty dollars per day, and necessary travel and actual expenses incurred in attending *meetings for which per diem or expenses are authorized by law for members of the general assembly who serve on statutory boards, commissions, or councils, and for* standing or interim committee *or subcommittee* meetings subject to the provisions of section 2.14, or when on [official state] *authorized legislative* business[,] when the general assembly is not in session. *However, if a member of the general assembly or the lieutenant governor is engaged in authorized legislative business at a location other than at the seat of government during the time the general assembly is in session, payment may be made for the actual transportation and lodging costs incurred because of the business.* Such [salaries] *per diem* or expenses shall be paid promptly from funds appropriated pursuant to section 2.12[, unless otherwise provided by law].

Sec. 2. Section two point twelve (2.12), unnumbered paragraph two (2), Code 1975, is amended to read as follows:

There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, such sums as may be necessary, for each house of the general assembly for the payment of any unpaid expense [filed after adjournment of each annual session] of the general assembly [or] incurred *during or* in the interim between sessions of the general assembly, including but not limited to salaries *and necessary travel and actual expenses* of members and expenses of standing and interim committees *or subcommittees and per diem or expenses for members of the general assembly who serve on statutory boards, commissions, or councils for which per diem or expenses are authorized by law.* The state comptroller is hereby authorized and directed to issue warrants for such items of expense upon requisition of the president and secretary of the senate for senate expense or the speaker and chief clerk of the house for house expense.

Page 2

Sec. 3. Section two point forty-four (2.44), Code 1975, is amended to read as follows:

2.44 EXPENSES OF COUNCIL AND SPECIAL INTERIM COMMITTEES. Members of the legislative council shall be reimbursed for actual and necessary expenses incurred in the performance of their duties, and shall receive a per diem of forty dollars for each day in which engaged in the performance of such duties. However, such per diem compensation and expenses shall not be paid when the general assembly is actually in session at the seat of government. Such expenses and per diem shall be paid in the manner provided for in section [2.66] *two point twelve (2.12) of the Code.*

Members of special interim study committees which may from time to time be created and members of the legislative fiscal committee who are not members of the legislative council shall be entitled to receive the same expenses and compensation provided for the members of the legislative council. [Such expenses shall be paid in the manner provided for in section 2.66 within the limit of available funds. Upon motion approved by the legislative council, members of such special interim study committees may be paid for their expenses and per diem pursuant to the provisions of section 2.12.]

Sec. 4. Section two point sixty-six (2.66), Code 1975, is amended to read as follows:

2.66 OFFICE AND SUPPLIES—EXPENSES. The office of the service bureau shall be located in the statehouse. Supplies, postage, and equipment may be requisitioned from the [executive council] *department of general services.* [Per diem and expenses] *Expenses* of the legislative [council, special interim study committees, and] service bureau shall be paid upon the approval of the director of the bureau and, if an extraordinary expense, upon the approval of the legislative council or its chairman.

Sec. 5. Section eighteen A point five (18A.5), Code 1975, is amended to read as follows:

18A.5 COMPENSATION AND EXPENSES. The *nonlegislative* members of the commission shall be reimbursed for their actual and necessary expenses and shall be paid a forty-dollar per diem while in attendance at any meeting of the commission held at the seat of government and shall be reimbursed for their expenses for going to and from the seat of government to attend a meeting. All per diem and expense moneys paid to the *nonlegislative* commissioners shall be paid from funds appropriated to the

Page 3

commission. Service of the director of the department of general services and the state architect upon this commission shall be an additional duty conferred by statute. *Legislative members of the commission shall receive expenses only pursuant to section two point ten (2.10) and section two point twelve (2.12) of*

the Code.

Sec. 6. Section eighty B point eight (80B.8), Code 1975, is amended to read as follows:

80B.8 COMPENSATION AND EXPENSES. The *nonlegislative* members of the council, who are not employees of the state or a political subdivision, shall be paid a forty-dollar per diem. All members of the council shall be reimbursed for necessary and actual expenses incurred in attending meetings and in the performance of their duties. All per diem and expense moneys paid to *nonlegislative* members shall be paid from funds appropriated to the Iowa law enforcement academy. *Legislative members of the council shall receive expenses only pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.*

Sec. 7. Section ninety-three point five (93.5), Code 1975, is amended to read as follows:

93.5 COMPENSATION AND EXPENSES. [Council] *Nonlegislative council* members who are not employees of the state shall receive a per diem at the rate of forty dollars for each day devoted to council business and all *nonlegislative* members shall be reimbursed for actual expenses incurred in carrying out their duties as members of the council. *Legislative members shall receive expenses only pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.*

Sec. 8. Section two hundred thirty-five A point twenty-four (235A.24), subsection two (2), Code 1975, is amended to read as follows:

2. The council shall meet at least annually and at any other time upon the call of the chairman of the council, or any three of its members. Each *nonlegislative* council member shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties from funds appropriated to the department of social services. *Each legislative member shall receive expenses only pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.*

Sec. 9. Section two hundred forty-nine A point four (249A.4), subsection eight (8), unnumbered paragraph two (2), Code 1975, is amended by striking

Page 4

the paragraph and inserting in lieu thereof the following:

For attending each council meeting the nonlegislative members shall be reimbursed for their actual and necessary expenses and shall receive a forty-dollar per diem. The legislative members shall receive per diem and expenses pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.

Sec. 10. Section two hundred forty-nine B point

six (249B.6), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

249B.6. EXPENSES. Nonlegislative members of the commission while engaged in their official duties shall be reimbursed for their actual and necessary expenses and be paid a forty-dollar per diem. Legislative members of the commission shall receive expenses only pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.

Sec. 11. Section two hundred sixty-one point four (261.4), Code 1975, is amended to read as follows:

261.4 FUNDS—COMPTROLLER—COMPENSATION AND EXPENSES OF COMMISSION. The state comptroller shall keep an accounting of all funds received and expended by the commission. The *nonlegislative* members of the commission, except those members who are employees of the state, shall be paid a forty-dollar per diem and shall be reimbursed for actual and necessary expenses. All per diem and expense moneys paid to *nonlegislative* members shall be paid from funds appropriated to the commission. *Legislative members of the commission shall receive expenses only pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.*

Sec. 12. Section two hundred seventy-two B point two (272B.2), Code 1975, is amended to read as follows:

272B.2 EDUCATION COMMISSION OF THE STATES. The provisions of article III, paragraph 1, of the compact notwithstanding, the members of the education commission of the states representing this state shall consist of the governor, two *nonlegislative* members appointed by the governor, two members of the senate appointed by the president of the senate, and two members of the house of representatives appointed by the speaker of the house of representatives. The members shall serve four-year terms and for the initial appointments, half of the membership shall be appointed to two-year terms and half shall be appointed to four-year terms. [Members] *Nonlegislative members* shall serve on the education commission of the states without

Page 5

compensation, but shall receive their actual and necessary expenses and travel. *Legislative members shall receive actual and necessary expenses and travel pursuant to section two point ten (2.10) and two point twelve (2.12) of the Code.* Vacancies on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointment. If a member ceases to be a member of the general assembly, he shall no longer serve as a member of the education commission of the states.

Sec. 13. Section three hundred four point four (304.4), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

The nonlegislative members of the commission shall

serve without compensation but may receive their actual expenses incurred in the performance of their duties. Legislative members shall receive per diem and expenses pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.

Sec. 14. Section seven hundred forty-nine B point nineteen (749B.19), unnumbered paragraph two (2), Code 1975, is amended to read as follows:

The council shall meet at least annually and at any other time upon the call of the governor, the chairman of the council, or any three of its members. Each *nonlegislative* council member shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties from funds appropriated to the department of public safety. *Each legislative member shall receive expenses only pursuant to section two point ten (2.10) and section two point twelve (2.12) of the Code.*"

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 625

S—3968

Amend the Senate amendment H—3881, to House File 625 as passed by the House, as follows:

1. Page 1, by striking all of line 12.
2. Page 1, by striking all of line 16.
3. Page 1, by striking all of line 17.
4. Page 1, by striking all of lines 36 through 50.
5. Page 2, by striking all of lines 1 through 26.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 552 State government

H. F. 803 Commerce

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of George A. Lundberg, of Des Moines, Polk County, Iowa, for reappointment as a member of the Employment Security Commission for the State of Iowa under the provisions of Section 96.10, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LUCAS DeKOSTER
HILARIUS L. HEYING
FRED NOLTING
WILLIAM P. WINKELMAN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Donald W. Brown of Ames, Story County, Iowa, for appointment as a member of the State Board of Accountancy under the provisions of Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
MINNETTE DODERER
HILARIUS L. HEYING
MILO MERRITT
JOHN S. MURRAY

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harry B. Carlson of Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Accountancy under the provisions of Section 116.3, Code 1975, for the regular two-year term beginning July 1, 1975, 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
WILLIAM E. GLUBA
PHILIP B. HILL
BERL E. PRIEBE
STEVE SOVERN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Roger R. Cloutier of Des Moines, Polk County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
CLIFF BURROUGHS
FRED W. NOLTING
WILLIAM N. PLYMAT
NORMAN G. RODGERS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of David W. Frevert of West Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Architectural Examiners under the provisions of Section 118.1, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CALVIN O. HULTMAN, Chairman
MINNETTE F. DODERER
WILLIAM E. GLUBA
PHILIP B. HILL
LOWELL L. JUNKINS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Howard G. Ellis, M.D., of Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH R. MILLER, Chairman
PHILIP B. HILL
LOWELL L. JUNKINS
KENNETH D. SCOTT
EARL M. WILLITS

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate:

TO:

The Secretary of the Senate:

I, Thomas R. Mayer, the Citizens' Aide of Iowa, do hereby appoint Frank E. Thomas as Legal Analyst (position formerly designated as Second Deputy) effective May 27, 1975, at an annual salary of $12,900.

The undersigned as Citizens' Aide does hereby delegate to said Legal Analyst, all the Citizens' Aide's authority and duties except the duty of formally making recommendations or reports to the Governor or the General Assembly.

This instrument is made by authority of Chapter 601G, 1975 Code of Iowa.

Signed this 27th day of May, 1975.

THOMAS R. MAYER, Citizens' Aide

STATE OF IOWA)
) ss.
COUNTY OF POLK)

OATH OF OFFICE

I, Frank E. Thomas, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all the duties of the office of Legal Analyst, Office of Citizens' Aide in the State of Iowa, as now or hereafter required by law.

FRANK THOMAS

Subscribed and sworn to before me by Frank Thomas this 27th day of May, 1975.

THOMAS R. MAYER

AMENDMENTS FILED

S—3970

Amend the committee on ways and means amendment S—3877 to Senate File 396 by striking lines 7 through

9 and inserting in lieu thereof the following:
"2. Page 1, line 25, by inserting after the word '[and]' the words *'storage of raw agricultural products other than corn and soybeans;'*."

ROGER J. SHAFF

S—3962

Amend the committee on ways and means amendment S—3877 to Senate File 396, line 9, by inserting before the word "and" the words *"excluding storage of corn or soybeans"*.

ROGER J. SHAFF

S—3960

Amend Senate File 489, as follows:
1. Page 1, by striking lines 1 through 8 and inserting in lieu thereof the following:
Section 1. Section three hundred twenty-one point four hundred fifty-four (321.454), Code 1975, is amended to read as follows:
321.454 WIDTH OF VEHICLES. The total outside width of any vehicle or the load thereon[, except loose hay or straw,] shall not exceed eight feet. *However, if hay, straw, or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry shall not be subject to the permit requirements of chapter three hundred twenty-one E (321E) of the Code. If hay, straw, or stover is moved on any other vehicle subject to registration, such moves shall be subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter three hundred twenty-one (321E) of the Code.*
However, any commercial vehicle designed primarily for carrying more than nine passengers for hire or carrying modular building materials having a dimension of eight feet may be operated on the highways if its total outside width does not exceed eight feet six inches.
2. Amend the title, line 1, by striking the word "commercial" and inserting in lieu thereof the word "certain".

C. JOSEPH COLEMAN
BERL E. PRIEBE
KARL NOLIN
KENNETH D. SCOTT
DALE L. TIEDEN
CLIFTON C. LAMBORN
IRVIN L. BERGMAN

S—3965

Amend the Coleman amendment S—3948 to Senate File 489, on line 9, by inserting after the period the following:
"However, if hay, straw, or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry shall not be sub-

ject to the permit requirements of chapter three hundred twenty-one E (321E) of the Code. If hay, straw, or stover is moved on any other vehicle subject to registration, such moves shall be subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter three hundred twenty-one E (321E) of the Code."

C. JOSEPH COLEMAN
KARL NOLIN

S—3969

Amend House File 823 as amended, passed and reprinted by the House as follows:

1. Page 3, line 5, insert after the word "property" the words "which includes completed housing".

2. Page 3, line 7, insert after the word "exceeds" the words "by not less than ten years".

3. Page 14, strike lines 6 through 9 and insert in lieu thereof the following:

"housing sponsor to execute assurances and guarantees reasonably related to".

4. Page 16, line 18, insert after the word "or" the words "a substantial portion of the property".

5. Page 46, line 23, strike the word ", officer".

6. Page 46, line 23, insert after the word "employee" the words "other than the executive director".

7. Page 46, line 29, strike the word ", officer".

8. Page 46, insert after line 34 the words "to limit the right of a member or employee other than the executive director".

9. Page 47, insert after line 4 the following:

"3. The executive director shall not have an interest in a bank or other financial institution in which the funds of the authority are, or are to be, deposited or which is, or is to be, acting as trustee or paying agent under a trust indenture to which the authority is a party. The executive director shall not receive, in addition to fixed salary or compensation, any money or valuable thing, either directly or indirectly, or through any substantial interest in any other corporation or business unit, for negotiating, procuring, recommending or aiding in any purchase or sale of property, or loan, made by the authority, nor shall the executive director be pecuniarily interested, either as principal, coprincipal, agent or beneficiary, either directly or indirectly, or through any substantial interest in any other corporation or business unit, in any such purchase, sale or loan."

PHILIP B. HILL

S—3974

Amend House File 823 as amended, passed and reprinted by the House as follows:

1. Page 3, line 11, by inserting after the word

"company," the words "any governmental agency,".

2. Page 22, lines 28 and 29, by striking the words "seventeen (517)" and inserting in lieu thereof the words "fifteen (515)".

3. Page 23, line 17, by inserting after the period the words "However, failure of the authority to participate in the federal programs set out in this section does not invalidate any bonds, notes or other obligations of the authority."

4. Page 31, line 24, by inserting after the word "make" the word "advance".

5. Page 32, line 7, by inserting after the word "families" the words "or certify that mortgage loans purchased are mortgage loans made to low or moderate income families".

6. Page 32, line 7, by inserting after the word "loans" the words "to be made by mortgage lenders".

7. Page 32, line 8, by inserting after the period the words "The authority may make a commitment to purchase mortgage loans from mortgage lenders in advance of the time such loans are made by mortgage lenders. The authority shall require as a condition of such commitment that mortgage lenders certify in writing that all mortgage loans represented by the commitment will be made to low or moderate income families, and that other authority specifications will be complied with."

PHILIP B. HILL
WILLIAM E. GLUBA

S—3971

Amend House File 823, as amended, passed and reprinted by the House, as follows:

1. Page 5, by inserting after line 17, "i. Average taxpayer".

2. Page 36, line 33, by inserting after the word "authority" the following:

", nor shall any tax revenue be used to pay principal or interest of any bonds or notes issued by the authority unless issuance of said bonds or notes has been approved by a vote of the people as set out in section five (5) of article seven (VII) of the Constitution of the State of Iowa."

WILLIAM P. WINKELMAN
KARL NOLIN
WARREN E. CURTIS
FORREST V. SCHWENGELS

S—3975

Amend House File 823, as amended, passed and reprinted by the House as follows:

1. Page 12, strike lines 3 through 11 and insert in lieu thereof the following:

"Sec. 8. *NEW SECTION.* PERCENTAGE REQUIREMENT.

The goal of the authority shall be to assure that fifty percent or more of the housing units provided directly or indirectly by the authority in each three-year period beginning July 1, 1975, but in no case less than thirty percent of such units, are units specially designed for and directed to elderly families, families which include one or more persons who are handicapped or disabled, or very low-income families. Failure to meet this goal does not invalidate any bonds, notes or other obligations of the authority, but in case of noncompliance with this requirement, the authority shall make a special report to the governor and to the general assembly as to the reasons for noncompliance, and the authority shall not commit further funds for housing units which do not help meet this goal, until the goal is reached, other than to complete projects already started."

2. Page 34, insert after line 10 the following new subsection and renumber the remaining subsection:

"..... The authority may not commit more than fifteen percent of its total bonding capacity as authorized by law to mortgage purchases under this section, except that this limit shall not apply to the purchase of mortgages on newly constructed single or multiple dwellings."

3. Page 36, line 16, insert after the period the words "However, the authority may not have a total principal amount of bonds and notes outstanding at any time in excess of one hundred million dollars."

COMMITTEE ON STATE GOVERNMENT
EUGENE M. HILL, Chairman

S—3973

Amend House File 823 as amended, passed and reprinted by the House as follows:

1. Page 13, line 25, by striking the word "building".

PHILIP B. HILL

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:45 p.m., until 9:30 a.m., Thursday, May 29, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MAY 29, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Rex Spicer, pastor of the St. John's Lutheran Church, Fenton, Iowa.

The Journal of Wednesday, May 28, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. P. Hawkins, Clarion, Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty students from Colo High School, Colo, Iowa, accompanied by Steve Lively and Paula Zarestky. Senator Murray.

Forty students from Mitchell Elementary School, Ames, Iowa, accompanied by Mrs. Shrum and Mr. Gray. Senator Murray.

Forty students from Central Lutheran School, Newhall, Iowa, accompanied by Mr. Brandt. Senator Orr.

PETITIONS

The following petitions were presented and placed on file:

By Senator Briles from seventeen residents of Adams County opposing pari-mutuel betting.

By Senator Carr from twelve residents of Dubuque County favoring Senate File 454, which would make sexual contact for a fee a misdemeanor.

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 on May 27, 1975, adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 12 to provide for an interim study of malpractice insurance.

Also: That the House has on May 27, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 504, a bill for an act making an appropriation to continue a study of the problems of Spanish-speaking persons.

Also: That the House has on May 27, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 505, a bill for an act to appropriate money from the dairy industry fund to the Iowa dairy industry commission.

Also: That the House has on May 27, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 522, a bill for an act making an appropriation to supplement funds appropriated to the state board of veterinary examiners fund.

Also: That the House has on May 27, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 523, a bill for an act relating to and appropriating funds to legislative agencies.

Also: That the House has on May 27, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 787, a bill for an act relating to minimum percentages of plant nutrients in fertilizers.

Also: That the House has on May 27, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 790, a bill for an act creating immunity from civil liability of persons serving on peer review committees.

Also: That the House has on May 27, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 883, a bill for an act relating to and appropriating funds to judicial courts and agencies and appropriating funds to the attorney general.

Also: That the House has on May 27, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 887, a bill for an act making an appropriation to the state department of health.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 504

S—3976

Amend Senate File 504, as amended and passed by the Senate, as follows:

1. Page 1, line 16, by striking the word and figure *"December 31"* and inserting in lieu thereof the word and figure *"November 30"*.

2. Page 1, line 18, by striking the word and figures *"March 1, 1976"* and inserting in lieu thereof the word and figures ***"December 31, 1975"***.

HOUSE AMENDMENT TO SENATE FILE 523

S—3977

Amend Senate File 523 as passed by the Senate by striking lines 25 thru 31 on page 2.

HOUSE MESSAGES CONSIDERED

House File 787, a bill for an act relating to minimum percentages of plant nutrients in fertilizers.

Read first time and **passed on file.**

House File 790, a bill for an act creating immunity from civil liability of persons serving on peer review committees.

Read first time and **passed on file.**

House File 883, a bill for an act relating to and appropriating funds to judicial courts and agencies and appropriating funds to the attorney general.

Read first time and **passed on file.**

House File 887, a bill for an act making an appropriation to the state department of health to finance programs subject to administration by the department.

Read first time and **passed on file.**

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 551 passed the Senate on May 28, 1975.

RICHARD J. NORPEL, SR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 551 passed the Senate on May 28, 1975.

JAMES V. GALLAGHER

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 520.

Senate File 520

On motion of Senator Gluba, Senate File 520, a bill for an act establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemp-

tions and appropriations, and providing coordinating amendments related to implementation of the authority's programs, with report of committee on state government recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Gluba asked and received unanimous consent that **House File 823** be **substituted** for **Senate File 520.**

House File 823

On motion of Senator Gluba, House File 823, a bill for an act establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemptions and appropriations, and providing coordinating amendments related to implementation of the authority's programs, was taken up for consideration.

Senator Hill of Jasper offered amendment S—3975 filed by the committee on state government and moved its adoption:

S—3975

Amend House File 823, as amended, passed and reprinted by the House as follows:

1. Page 12, strike lines 3 through 11 and insert in lieu thereof the following:

"Sec. 8. *NEW SECTION.* PERCENTAGE REQUIREMENT. The goal of the authority shall be to assure that fifty percent or more of the housing units provided directly or indirectly by the authority in each three-year period beginning July 1, 1975, but in no case less than thirty percent of such units, are units specially designed for and directed to elderly families, families which include one or more persons who are handicapped or disabled, or very low-income families. Failure to meet this goal does not invalidate any bonds, notes or other obligations of the authority, but in case of noncompliance with this requirement, the authority shall make a special report to the governor and to the general assembly as to the reasons for noncompliance, and the authority shall not commit further funds for housing units which do not help meet this goal, until the goal is reached, other than to complete projects already started."

2. Page 34, insert after line 10 the following new subsection and renumber the remaining subsection:

"..... The authority may not commit more than fifteen percent of its total bonding capacity as authorized by law to mortgage purchases under this section, except that this limit shall not apply to the purchase of mortgages on newly con-

structed single or multiple dwellings."
3. Page 36, line 16, insert after the period the words "However, the authority may not have a total principal amount of bonds and notes outstanding at any time in excess of one hundred million dollars."

Amendment S—3975 was adopted.

Senator Hill of Polk offered amendment S—3969 filed by him and moved its adoption:

S—3969

Amend House File 823 as amended, passed and reprinted by the House as follows:

1. Page 3, line 5, insert after the word "property" the words "which includes completed housing".

2. Page 3, line 7, insert after the word "exceeds" the words "by not less than ten years".

3. Page 14, strike lines 6 through 9 and insert in lieu thereof the following:

"housing sponsor to execute assurances and guarantees reasonably related to".

4. Page 16, line 18, insert after the word "or" the words "a substantial portion of the property".

5. Page 46, line 23, strike the word ", officer".

6. Page 46, line 23, insert after the word "employee" the words "other than the executive director".

7. Page 46, line 29, strike the word ", officer".

8. Page 46, insert after line 34 the words "to limit the right of a member or employee other than the executive director".

9. Page 47, insert after line 4 the following:

"3. The executive director shall not have an interest in a bank or other financial institution in which the funds of the authority are, or are to be, deposited or which is, or is to be, acting as trustees or paying agent under a trust indenture to which the authority is a party. The executive director shall not receive, in addition to fixed salary or compensation, any money or valuable thing, either directly or indirectly, or through any substantial interest in any other corporation or business unit, for negotiating, procuring, recommending or aiding in any purchase or sale of property, or loan, made by the authority, nor shall the executive director be pecuniarily interested, either as principal, coprincipal, agent or beneficiary, either directly or indirectly, or through any substantial interest in any other corporation or business unit, in any such purchase, sale or loan."

Amendment S—3969 was adopted.

Senator Hill of Polk offered amendment S—3974 filed by Senators Hill of Polk and Gluba and called for a division of the amendment, as follows:

S—3974

Amend House File 823 as amended, passed and reprinted by the House as follows:

Division S—3974A

1. Page 3, line 11, by inserting after the word "company," the words "any governmental agency,".

Division S—3974B

2. Page 22, lines 28 and 29, by striking the words "seventeen (517)" and inserting in lieu thereof the words "fifteen (515)".

Division S—3974A (Cont'd)

3. Page 23, line 17, by inserting after the period the words "However, failure of the authority to participate in the federal programs set out in this section does not invalidate any bonds, notes or other obligations of the authority."

4. Page 31, line 24, by inserting after the word "make" the word "advance".

5. Page 32, line 7, by inserting after the word "families" the words "or certify that mortgage loans purchased are mortgage loans made to low or moderate income families".

6. Page 32, line 7, by inserting after the word "loans" the words "to be made by mortgage lenders".

7. Page 32, line 8, by inserting after the period the words "The authority may make a commitment to purchase mortgage loans from mortgage lenders in advance of the time such loans are made by mortgage lenders. The authority shall require as a condition of such commitment that mortgage lenders certify in writing that all mortgage loans represented by the commitment will be made to low or moderate income families, and that other authority specifications will be complied with."

On motion of Senator Hill of Polk, division S—3974A of the amendment was adopted.

Senator Hill of Polk withdrew division S—3974B of the amendment.

Senator Winkelman offered amendment S—3971 filed by Senators Winkelman, et al., and called for a division of the amendment, as follows:

S—3971

Amend House File 823, as amended, passed and reprinted by the House, as follows:

Division S—3971A

1. Page 5, by inserting after line 17, "i. Average taxpayer".

Division S—3971B

2. Page 36, line 33, by inserting after the word "authority" the following:

", nor shall any tax revenue be used to pay principal or interest of any bonds or notes issued by the authority unless issuance of said bonds or notes has been approved by a vote of the people as set out in section five (5) of article seven (VII) of the Constitution of the State of Iowa."

Senator Winkelman moved the adoption of division S—3971A of the amendment.

A record roll call was requested.

On the question "Shall division S—3971A of the amendment be adopted?" (H.F. 823) the vote was:

Ayes, 30:

Andersen	Hill of Jasper	Nolin	Rabedeaux
Bergman	Hultman	Nolting	Ramsey
Burroughs	Junkins	Nystrom	Schwengels
Carr	Kelly	Orr	Scott
Culver	Kinley	Palmer	Tieden
Curtis	Lamborn	Plymat	Van Gilst
Gallagher	Miller of Marshall	Priebe	Winkelman
Gluba			
Hansen			

Nays, 15:

Briles	Griffin	Miller of Des Moines	Rodgers
Coleman	Heying	Murray	Shaff
DeKoster	Hill of Polk	Robinson	Sovern
Glenn	Merritt		Willits

Absent or not voting, 5:

Doderer	Redmond	Shaw	Taylor
Norpel			

Division S—3971A of the amendment was adopted.

Senator Winkelman moved the adoption of division S—3971B of the amendment and requested a record roll call.

On the question "Shall division S—3971B of the amendment be adopted?" (H.F. 823) the vote was:

Ayes, 12:

Bergman	Miller of Marshall	Ramsey	Taylor
Burroughs	Nolin	Schwengels	Tieden
Curtis		Scott	Winkelman
Hultman			

Nays, 38:

Andersen	Glenn	Kelly	Norpel
Briles	Gluba	Kinley	Nystrom
Carr	Griffin	Lamborn	Orr
Coleman	Hansen	Merritt	Palmer
Culver	Heying	Miller of Des Moines	Plymat
DeKoster	Hill of Jasper	Murray	Priebe
Doderer	Hill of Polk	Nolting	Rabedeaux
Gallagher	Junkins		Redmond

Robinson	Shaff	Sovern	Willits
Rodgers	Shaw	Van Gilst	

Division S—3971B of the amendment lost.

Senator Hill of Polk offered amendment S—3973 filed by him and moved its adoption:

S—3973
Amend House File 823 as amended, passed and reprinted by the House as follows:
1. Page 13, line 25, by striking the word "building".

Senator Schwengels took the chair at 12:01 p.m.

Amendment S—3973 was adopted.

(House File 823 pending on recess.)

EXPLANATION OF VOTE

MR. PRESIDENT: I mistakenly pushed the "nay" button on division S—3971A of the Winkelman, et al., amendment to House File 823. I intended to vote "aye".

H. L. HEYING

On motion of Senator Kinley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu 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 on May 28, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 266, a bill for an act relating to leaves of absence for persons who are elected to a municipal, county, state or federal office.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 266

S—3983
Amend Senate File 266, as amended and passed by the Senate, as follows:
1. Page 1, line 3, by inserting after the word "more" the word "full-time".
2. Page 1, line 7, by inserting after the word "position" the words ", status, or employment bene-

fits that have been earned prior to the leave of absence".

3. Page 1, line 10, by striking the word "his" and inserting in lieu thereof the words "the employee's".

4. Page 1, line 11, by striking the word "him" and inserting in lieu thereof the words "the employee".

5. Page 1, by inserting after line 20 the following:

"Sec. 2. *NEW SECTION.* An employer shall not terminate the employment of an employee who becomes a candidate for a federal, state or local office, because of the employee's candidacy.

Sec. 3. *NEW SECTION.* A candidate for a federal, state, or local office for which an election is held shall, upon application to an employer, be granted a leave of absence without pay, prior to the date at which the office will be voted upon, for not exceeding thirty days. The leave of absence shall be granted without a loss of position, status, or employment benefits that have been earned prior to the leave of absence.

Sec. 4. *NEW SECTION.* Any person elected to a municipal, county, or state office, except a member of the general assembly, who is entitled to a leave of absence shall receive such leave of absence for not exceeding four consecutive years. A member of the general assembly shall receive a leave of absence for each period of time during which the general assembly to which the member has been elected is in session.

Sec. 5. *NEW SECTION.* Nothing in this Act shall be construed to prevent an employer and employee from entering into a severance agreement. The agreement shall be in writing."

6. Page 1, line 21, by striking the numeral "2" and inserting in lieu thereof the numeral "5".

7. Page 1, line 22, by striking the words "his or her"and inserting in lieu thereof the words "the employee's".

8. Page 1, line 28, by striking the words "his or her" and inserting in lieu thereof the words "the employee's".

Page 2

9. Title page, line 1, by striking all after the word "to" and inserting in lieu thereof the words "termination of employment because an employee becomes a candidate for, and to leave of absence for persons who are seeking election or have been".

BUSINESS PENDING

House File 823

The Senate resumed consideration of House File 823.

Senator Hultman withdrew amendment S—3980:

S—3980
Amend House File 823 as amended and passed by the House and reprinted as follows:
1. Page 23, by striking lines 18 through 35.
2. Page 24, by striking lines 1 through 19.
3. By renumbering the remaining sections and correcting internal references in accordance with this amendment.

Senators Hultman and Ramsey withdrew amendment S—3984:

S—3984
Amend House File 823, as amended, passed and reprinted by the House, as follows:
1. Page 1, line 14, by striking the word "area" and inserting in lieu thereof the word "state".
2. Page 1, line 19, by striking the word "area" and inserting in lieu thereof the word "state".

Senator Ramsey offered amendment S—3985 by Senators Ramsey, Tieden and Hultman and moved its adoption:

S—3985
Amend House File 823 as follows:
1. By striking on page 6, lines 11 through 35.
2. By striking on page 7, lines 1 through 17.
3. By renumbering the remaining sections and changing internal references in accordance with this amendment.

A non-record roll call was requested.

The ayes were 13, nays 36.

Amendment S—3985 lost.

Senator Ramsey offered amendment S—3986 and moved its adoption:

S—3986
Amend House File 823, as amended, passed and reprinted by the House, page 54, by striking lines 18 through 35, and page 55, by striking lines 1 through 19, and inserting in lieu thereof as follows:
"569.8 TITLE UNDER TAX DEED—SALE—APPORTIONMENT OF PROCEEDS. When the county acquires title to real estate by virtue of a tax deed such real estate shall be controlled, managed, and sold by the board of supervisors as provided in this chapter[, except that any sale thereof shall be for a sum not less than the total amount stated in the tax sale certificate including all endorsements of subsequent general taxes, interests, and costs, without the written approval of

the tax levying and tax certifying bodies having a majority interest in said general taxes. However, where the total amount stated in the tax sale certificate including all endorsements of subsequent general taxes, interests, and costs does not exceed two hundred fifty dollars, such real estate may be sold by the board of supervisors without the written approval of any of the tax levying and tax certifying bodies having any interest in said general taxes.] All money received from said real estate either as rent or as proceeds from the sale thereof shall, after payment of any general taxes which have accrued against said real estate since said tax sale and after payment of insurance premiums on any buildings located on said real estate and after expenditures made for the actual and necessary repairs and upkeep of said real estate, be apportioned to the tax-levying and certifying bodies in proportion to their interests in the taxes for which said real estate was sold. Real property sold under this section shall be sold at public auction and not by use of sealed bids, but only after notice thereof has been published [once] *twice, on different dates,* in a newspaper *or newspapers* of general circulation in the county wherein the property is located, stating the description of the property to be sold and the date, place and time of such sale, [at least ten days, but] not more than fifteen days prior to the date of such sale. *The board of supervisors may transfer title to real estate acquired by virtue of a tax deed to a city, a city agency, or to the Iowa housing finance authority for use in an Iowa homesteading project under section fourteen (14) of this Act and they need not comply with the provisions of this section.*"

Amendment S—3986 was adopted.

Senator Schwengels took the chair at 2:50 p.m.

President Neu took the chair at 4:08 p.m.

Senator Gluba moved that the bill 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. 823) the vote was:

Ayes, 40:

Andersen	Gluba	Merritt	Rabedeaux
Bergman	Griffin	Miller of	Redmond
Briles	Hansen	Des Moines	Robinson
Burroughs	Heying	Murray	Rodgers
Carr	Hill of Jasper	Nolting	Schwengels
Coleman	Hill of Polk	Norpel	Scott
Culver	Junkins	Orr	Shaff
DeKoster	Kelly	Palmer	Sovern
Doderer	Kinley	Plymat	Van Gilst
Gallagher	Lamborn	Priebe	Willits
Glenn			

Nays, 10:

Curtis	Miller of	Nystrom	Taylor
Hultman	Marshall	Ramsey	Tieden
	Nolin	Shaw	Winkelman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 823** be **immediately messaged** to the House, which request was complied with.

WITHDRAWN

Senator Gluba asked and received unanimous consent that **Senate File 520** be **withdrawn** from further consideration of the Senate.

Senator Gluba asked and received unanimous consent that **Senate File 294** be **withdrawn** from further consideration of the Senate.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

INTRODUCTION OF BILL

Senate File 555, by committee on state government, a bill for an act relating to benefits for public employees and retired public employees providing for salary adjustments and certain retirement benefits for public employees and certain elected officials and retired public employees and to make appropriations.

Read first time and referred to the committee on **appropriations** (under Senate Rule 38).

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 on May 28, 1975, refused to concur in Senate amendment to the following bill in which the concurrence of the House was asked:

House File 215, a bill for an act relating to farming by corporations.

DAVID L. WRAY, Chief Clerk

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

S.C.R. 42 Rules and administration

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Miss Jolene Stevens of Sioux City, Woodbury County, Iowa, for reappointment as a member of the Campaign Finance Disclosure Commission under the provisions of Section 56.9, Code 1975, for a regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LOUIS P. CULVER
E. KEVIN KELLY
FRED NOLTING
ELIZABETH R. MILLER

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Thomas A. Bates of Bellevue, Jackson County, Iowa, for reappointment to the Iowa Conservation Commission pursuant to Sections 107.1-4, 1975 Code of Iowa, for the regular six-year term commencing July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLARD R. HANSEN, Chairman
JAMES V. GALLAGHER
LOWELL JUNKINS
CLIFTON C. LAMBORN
RICHARD J. NORPEL, SR.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Marian Pike of Whiting, Monona County, Iowa, for appointment as a member of the Iowa Conservation Commission under the provisions of Sections 107.1-4, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report it has made investigation and recommends that the appointment be confirmed.

ROGER J. SHAFF, Chairman
LEONARD C. ANDERSEN
LOUIS P. CULVER
GENE W. GLENN
EUGENE M. HILL

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Margaret Apostle of Grinnell, Poweshiek County, Iowa, for appointment as a representative of the general public to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending

June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
JAMES E. BRILES
JOAN ORR
W. R. RABEDEAUX
JAMES M. REDMOND

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Richard H. Brom of Waterloo, Black Hawk County, Iowa, for appointment as a member of the State Board of Architectural Examiners under the provisions of Section 118.1, Code of Iowa 1975, for an initial term beginning July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WARREN E. CURTIS, Chairman
ROBERT M. CARR
CALVIN O. HULTMAN
FRED W. NOLTING
WILLIAM D. PALMER

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of James A. Lynch of Des Moines, Polk County, Iowa, for appointment to the State Board of Architectural Examiners under the provisions of Section 118.1, 1975 Code of Iowa, for an initial three-year term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOAN ORR, Chairman
HILARIUS L. HEYING
PHILIP B. HILL
JOHN S. MURRAY
BERL E. PRIEBE

AMENDMENTS FILED

S—3979

Amend Senate File 255 as follows:

1. Page 1, by inserting after line 35 the following new section:

"Sec. ..... Section two hundred thirty-two point fifty-seven (232.57), Code 1975, is amended to read as follows:

232.57 RECORDS CONFIDENTIAL. All information obtained and social records prepared in the discharge of official duties by an employee of the court shall not be disclosed directly or indirectly to anyone other than the judge or others entitled under this chapter to receive such information unless otherwise ordered by the judge. *However, a person who has a*

right of action against the parent of a juvenile pursuant to section six hundred thirteen point sixteen (613.16) of the Code is entitled to disclosure by court employees of the name and address of the juvenile and of the juvenile's parents."

2. Amend the title, line 2, by inserting after the word "hearing" the words "and the disclosure of the identity of the child to certain persons".

ELIZABETH SHAW

S—3981

Amend Senate File 536 as follows:

1. Page 1, line 32, by inserting after the word "facilities" the words "which must be".

2. Page 1, line 32, by inserting after the word "usage" the word "and".

3. Page 3, by striking lines 19 and 20, and inserting in lieu thereof the following:

"bank, an Iowa savings and loan association incorporated under chapter five hundred thirty-four (534) of the Code, or an Iowa credit union incorporated under chapter five hundred thirty-three (533) of the Code, except that any other bank, savings and loan association or credit union may utilize a satellite facility with the consent of an Iowa bank, Iowa savings and loan association or Iowa credit union".

4. Page 3, by striking lines 28 and 29, and inserting in lieu thereof the following:

"shared basis by any Iowa bank, Iowa savings and loan association incorporated under chapter five hundred thirty-four (534) of the Code, or Iowa credit union incorporated under chapter five hundred thirty-three (533) of the Code, and without discrimination by all customers designated by any of those institutions using the satellite facility. The superintendent shall provide by rule for the operation of satellite facilities such that each is made available for shared usage by banks, savings and loan associations and credit unions in substantially equal numbers to the extent that usage of a specific facility is requested by equal numbers of such institutions.

5. Page 6, line 27, by inserting after the word "facilities" the words "which must be".

6. Page 6, line 27, by inserting after the word "usage" the word "and".

7. Page 7, line 26, by inserting after the word "facilities" the words "which must be".

8. Page 7, line 27, by inserting after the word "usage" the word "and".

CALVIN O. HULTMAN

S—3982

Amend Senate File 536 as follows:

1. Page 5, by inserting after line 20 the following new paragraph:

"The superintendent shall provide by rule for the recording and maintenance by any bank utilizing a satellite facility of any amounts involved in a transaction engaged in through the satellite facility which are of a known tax consequence to the customer initiating the transaction. For the purposes of this paragraph 'known tax consequences' means and includes but shall not be limited to the following:

(1) An amount directly or indirectly received from a customer and applied to a loan account of the customer which represents interest paid by the customer to the bank.

(2) In any transaction where the total amount involved is deducted from funds in a customer's account and is simultaneously paid either directly or indirectly by the bank to the account of a third party, any portion of the transaction amount which represents a sales or other tax imposed upon or included within the transaction and collected by that third party from the customer, or any portion of the transaction amount which represents interest paid to the third party by the customer.

(3) Any other transaction which the superintendent determines to have direct tax consequences to the customer.

The superintendent also shall provide for the periodic distribution of customers of summaries of transactions having known tax consequences."

CALVIN O. HULTMAN

S—3987

Amend House File 816 as amended and passed by the House as follows:

1. Page 1, after line 10 by inserting the following:

"Sec. 2. Section five hundred four point five (504.5), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. No director, officer, member or noncompensated volunteer person shall be personally liable for any claim based upon an act or omission of such person performed in the reasonable discharge of their lawful corporate duties."

CHARLES P. MILLER

S—3978

Amend House File 863 as amended and passed by the House as follows:

1. Page 6, line 13, by striking the semicolon and inserting "[;]".

2. Page 6, by striking line 14, and inserting "[July 1, 1977; July 1, 1979; and July 1, 1981,] the maximum".

3. Page 6, by striking lines 16, 17, 18, and 19 and inserting "be increased so that it shall equal

one hundred percent[, one hundred thirty-three and one-third percent, one hundred sixty-six and two-thirds percent and two hundred percent, respectively,] of the state average weekly wage as determined".

4. Page 8, line 3, by striking the semicolon and inserting "[;]".

5. Page 8, line 6, by striking ", one" and inserting "[, one]".

6. Page 8, by striking lines 7, 8, and 9 and inserting "[hundred and twenty-two and two-thirds **percent, one hundred fifty-three** and one-third percent, and one hundred eighty-four percent, respectively,] of the state average wage".

7. Page 9, by striking line 8 and inserting "as of July 1, 1975[; July 1, 1977; July 1, 1979; and July 1,]".

8. Page 9, line 9, by striking the figure "1981" and inserting "[1981]".

9. Page 9, by striking lines 11 and 12 and inserting "percent[, one hundred thirty-three and one-third percent, one hundred sixty-six and two-thirds percent and two hundred]".

10. Page 9, line 13, by striking "percent, respectively," and inserting "[percent, respectively,]".

11. Page 10, lines 28 and 29, by striking "July 1, 1977; July 1, 1979; and July 1, 1981," and inserting "[July 1, 1977; July 1, 1979; and July 1, 1981,]".

12. Page 10, by striking lines 31, 32, and 33 and inserting "that it shall equal one hundred percent[, one hundred thirty-three and one-third percent, one hundred sixty-six and two-thirds percent, and two hundred percent, respectively,] of".

CALVIN O. HULTMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:15 p.m., until 9:30 a.m., Friday, May 30, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 30, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Kenneth C. Martin, pastor of the Our Lady of Victory Church, Davenport, Iowa.

The Journal of Thursday, May 29, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald Flory, Des Moines, Iowa.

INTRODUCTION OF BILL

Senate File 556, by Senators Gluba, Rodgers, Kinley, Doderer, Priebe, Van Gilst, Culver, Miller of Des Moines, Merritt, Carr, Palmer, Willits, Nolting, Heying, Robinson, Norpel, Nolin, Scott, Redmond, Glenn, Gallagher, Sovern, Coleman, Orr and Junkins, a bill for an act to provide reimbursement for property taxes paid and rent constituting property taxes paid for persons sixty-five years of age or older or totally disabled.

Read first time and **passed on file.**

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Doderer presiding.

SENATE INSISTS

House File 215

Senator Van Gilst called up for consideration House File 215, a bill for an act relating to farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain corporations, requiring reports, authorizing farming by certain corporations, providing civil procedures, and remedies for enforcement of the provisions of the Act, and providing penalties for violation of the Act, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed and the Senate **insisted** on its amendment to **House File 215.**

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Glenn **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 on May 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 739, a bill for an act relating to the priority of secondary road assessment district projects.

Also: That the House has on May 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 743, a bill for an act relating to the use of flashing amber lights on animal-drawn vehicles.

Also: That the House has on May 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 826, a bill for an act relating to the employment of full-time public prosecutors in certain counties.

Also: That the House has on May 28, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 891, a bill for an act relating to fees collected by sheriffs and certain other police authorities.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILL

Senate File 557, by Senators Taylor, Junkins, Schwengels, Hansen, Palmer, Robinson, Van Gilst, Briles, Merritt, Doderer, Nystrom, Andersen, Heying, Rabedeaux, Hultman, Ramsey, Lamborn, Tieden, Miller of Marshall, Coleman, Shaff, Burroughs, Plymat, Scott, Nolting and Miller of Des Moines, a bill for an act authorizing the deduction from a state officer's or employee's wages or salary an amount for contribution to a qualifying charitable organization of the officer's or employee's choice.

Read first time and **passed on file.**

HOUSE MESSAGES CONSIDERED

House File 739, a bill for an act relating to the priority of secondary road assessment district projects in a secondary road construction program.

Read first time and **passed on file.**

House File 743, a bill for an act relating to the use of flashing amber lights on animal-drawn vehicles.

Read first time and **passed on file.**

House File 826, a bill for an act relating to the employment of fulltime public prosecutors in certain counties.

Read first time and **passed on file.**

House File 891, a bill for an act relating to fees collected by sheriffs and certain other police authorities.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEES

The majority leadership announced the assignment of the following bills to committee:

H. F. 787 Agriculture

H. F. 790 Judiciary

H. F. 883 Appropriations

H. F. 887 Appropriations

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 526 S. F. 553 S. F. 536
S. F. 518

C. JOSEPH COLEMAN, Chairman

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Jack L. Jennings, Sioux City, Woodbury County, Iowa, for reappointment to the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1975 Code of Iowa, for a regular three-year term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
LEONARD C. ANDERSEN
CLIFF BURROUGHS
GENE W. GLENN
STEVE SOVERN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Nel Bonnell of Fort Dodge, Webster County, Iowa, for reappointment as a member of the Iowa Commission for the Blind, under the provisions of Section 601B.1, 1975 Code of Iowa, for a regular three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

DALE L. TIEDEN, Chairman
C. JOSEPH COLEMAN
H. L. HEYING
CLOYD E. ROBINSON
RAY TAYLOR

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 30th day of May, 1975: Senate Files 147, 419, 422, 464, 475 and 506.

CLARK R. RASMUSSEN
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on May 30, 1975, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 475—Relating to the maximum deposit required for bids to construct levee or drainage district improvements.

SUBCOMMITTEE ASSIGNMENTS

Senate File 356
Ways and Means
Schwengels, Chairman
Nolting
Gluba

Senate File 527
Labor and Industrial Relations
Nolting, Chairman
Robinson
Andersen

Senate File 537
Commerce
Rabedeaux, Chairman
Priebe
Bergman

House File 723
Ways and Means
Gluba, Chairman
Nolting
Schwengels

House File 863
Labor and Industrial Relations
Merritt, Chairman
Nolting
DeKoster

House File 886
Ways and Means
Junkins, Chairman
Curtis
Culver

REPORTS OF COMMITTEES

Senator Junkins submitted the following reports:

MR. PRESIDENT: Your committee on commerce to which was referred **House File 414**, a bill for an act to require certain financial agencies to

notify holders of certificates of deposit or similar instruments at least ten days prior to the maturity date of the deposit, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **House File 792,** a bill for an act relating to the legal specifications for gasoline volatility, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **House File 803,** a bill for an act relating to the compensation of persons suffering loss as a result of medical malpractice, begs leave to report it has had the same under consideration and recommends it **be amended and returns the bill without recommendation.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce to which was referred **House File 825,** a bill for an act relating to the regulation of securities, and providing for the registration of securities and broker-dealers, prohibiting certain deceptive and manipulative transactions in securities, regulating broker-dealers, and providing civil remedies and criminal penalties for violations, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred **House File 798,** a bill for an act to provide for change of sex on birth certificates, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 764,** a bill for an act relating to the Iowa income tax

by providing a simplified reporting form for Iowa individual income taxpayers, making changes in Iowa individual income tax rates, exemptions, and administrative requirements, providing for reporting of additional corporate income tax information, adopting penalties, making necessary corrective amendments and making the act retroactive, 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:**

S—3989

Amend House File 764, as amended, passed, and reprinted by the House, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-two point five (422.5), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

A tax is hereby imposed upon every resident of the state, and upon that part of the taxable income of any nonresident which is derived from any property, trust, or other source within this state, including any business, trade, profession, or occupation carried on within this state, which tax shall be levied, collected, and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

1. On the first one thousand dollars of taxable income, or any part thereof, [three-fourths] *one-half* of one percent.

2. On the second thousand dollars of taxable income, or any part thereof, one and [one-half] *one-fourth* percent.

3. On the third thousand dollars of taxable income, or any part thereof, [three] *two and three-fourths* percent.

4. On the fourth thousand dollars of taxable income, or any part thereof, [four] *three and one-half* 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 the tenth through the fifteenth thousand dollars of taxable income or any part thereof, seven percent.

8. On the sixteenth through the twentieth thousand dollars of taxable income or any part thereof, eight percent.

9. On the twenty-first through the twenty-fifth thousand dollars of taxable income or any part thereof, nine percent.

10. On the twenty-sixth through the thirtieth thousand dollars of taxable income or any part thereof, ten percent.

11. On the thirty-first through the fortieth thousand dollars of taxable income or any part thereof, eleven percent.

12. On the forty-first through the seventy-fifth thousand dollars of taxable income or any part thereof, twelve percent.

[7] *13.* On all taxable income over [nine] *seventy-five* thousand dollars, [seven] *thirteen* percent.

Sec. 2. Section four hundred twenty-two point nine (422.9), subsection one (1), Code 1975, is amended to read as follows:

1. An optional standard deduction of ten percent of the net income after deduction of federal income tax, not to exceed five hundred dollars *for a married person who files separately, or one thousand dollars for a single person or a husband and wife who file a joint return.*

Sec. 3. Section four hundred twenty-two point nine (422.9), subsection two (2), paragraph b, Code 1975, is amended to read as follows:

b. Add the amount of federal income taxes paid or accrued as the case may be, during the tax year, adjusted by any federal income tax refunds. Provided, however, that where married persons, who have filed a joint federal income tax return, file separately, such total shall be divided between them according to the portion thereof paid or accrued, as the case **may be, by each[; and provided further that where a** taxpayer has used an optional standard deduction on his federal return, he shall use the optional standard **deduction provided for above].**

Sec. 4. The provisions of this Act shall be retroactive to January 1, 1975, for all taxable years commencing on or after January 1, 1975, and to this extent the provisions of this Act are retroactive."

2. Amend the title by striking everything after the word "Act" in line 1 and inserting in lieu thereof the words "relating to individual income tax rates and deductions and making the Act retroactive."

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3990

Amend the House amendment S—3843 to Senate amendment H—3620 to House File 90, as amended and passed by the House, as follows:

1. Line 6, by inserting after the word "felony" the words "or in response to an incident dangerous to the public".

2. By striking lines 7 through 16, inclusive, and inserting in lieu thereof the following:

"2. Page 1, by striking lines 38 through 42, inclusive, and inserting in lieu thereof the words 'device shall not be required when the vehicle is operated by a peace officer'.

3. Page 1, by striking line 47."

CALVIN O. HULTMAN

S—3988

Amend House File 505, as amended, passed, and reprinted by the House as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. *NEW SECTION.* DEFINITIONS. As used in this Act:

1. 'Commission' means the state land use policy commission.

2. 'Director' means the chief administrative office of the commission.

3. 'Land use' means any activity or practice relating to the utilization of space, including ground, water, subsurface and air space.

Sec. 2. *NEW SECTION.* LAND USE POLICY COMMISSION CREATED. There is created a state land use policy commission consisting of fifteen members appointed by the governor with the consent of two-thirds of the members of the senate. The members shall be selected from the state at large to be representative of the general public and shall be appointed to four-year terms except that of the initial appointees to the commission, seven members shall be appointed for two-year terms. The terms of each member shall be effective on the first day of July of the year of appointment except in the case of a vacancy which shall be filled by appointment of the governor with the consent of two-thirds of the members of the senate for the unexpired term.

Sec. 3. *NEW SECTION.* ORGANIZATION OF COMMISSION. The commission shall organize annually by the election of a chairman and vice chairman from among its membership. Meetings may be called by the chairman at any time and shall be called as soon as possible by the chairman on the written request of a majority of the members. A majority of the members shall constitute a quorum and the concurrence of a quorum of the commission shall be required to determine any matter relating to its official duties.

Sec. 4. *NEW SECTION.* COMPENSATION OF COMMISSION. Each member of the commission, not otherwise in the full-time employment of a public agency, is entitled to receive a per diem of forty dollars for each day that he is engaged in the discharge of his official duties. Each member is also entitled to receive reimbursement for travel and other necessary expenses incurred in the performance of his official duties.

Sec. 5. *NEW SECTION.* POWERS AND DUTIES OF COMMISSION. The commission shall:

1. Identify and evaluate issues relating to land use in this state.

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2. Prepare and recommend, for adoption by the general assembly, a state land use policy and state land use policy guidelines based on the state land

use policy objectives specified in section six (6) of this Act, for the guidance of state agencies, cities and counties on matters relating to land use. The initial recommendations of the commission shall be submitted to the general assembly not later than March 1, 1976.

3. Cooperate in the exchange of information relating to land use with any public or private person.

4. Authorize, the application for, receipt, and expenditure of any public or private funds for the purpose of carrying out the provisions of this Act.

5. Advise, consult and cooperate with state agencies and other public or private agencies in the preparation of recommendations for a state land use policy or state land use policy guidelines.

6. Monitor the actions and decisions of state agencies, counties and cities on matters relating to land use and report its findings and any recommendations to the general assembly.

7. Approve a budget for the commission.

8. Approve all contracts and agreements between the commission and other public or private persons relating to its powers and duties under this Act.

9. Obtain an adequate public employees fidelity bond to cover those employees of the commission accountable for the property or funds of the state under this Act.

10. Adopt, amend or repeal internal rules to provide for the efficient operation of the commission.

11. Recommend to the general assembly a method for resolving conflicts which may arise between state agencies on matters relating to land use.

Sec. 6. *NEW SECTION.* STATE LAND USE POLICY OBJECTIVES. In developing a state land use policy and guidelines for adoption by the general assembly the state commission shall give consideration to the following:

1. Identification of the best agricultural areas for farming, commercial feedlots, and farm related activities.

2. Identification of space for orderly urban and industrial development.

3. Inventorying and utilization of natural resources including minerals, timber and water.

4. Identification of areas for parks and recreations.

5. Location of highways, rail lines, and airports.

Page 3

In all of its deliberations and recommendations the state commission shall give due consideration to the preservation of the environment and the avoidance of pollution.

Sec. 7. *NEW SECTION.* APPOINTMENT OF DIRECTOR. The commission shall appoint a director who shall be the chief administrative officer of the commission

and shall serve at its pleasure. The director shall be qualified by education, experience and administrative ability to perform the powers and duties assigned to him. The salary of the director shall be initially determined by the commission, but it shall not exceed twenty-five thousand dollars per annum and, thereafter, it shall be set by the general assembly.

Sec. 8. *NEW SECTION.* POWERS AND DUTIES OF THE DIRECTOR. The director shall:

1. Direct and supervise the preparation of recommendations for a state land use policy and state land use policy guidelines and perform such other duties as authorized by the commission under this Act.

2. Prepare, pursuant to chapter eight (8) of the Code, a budget for the commission.

3. Appoint, with the approval of the commission, the technical, professional, secretarial, and clerical staff deemed necessary to accomplish the purposes of this Act subject to the provisions of chapter nineteen A (19A) of the Code. The director may appoint a member of his staff to be acting director in his absence. The acting director shall have the powers delegated to him by the director.

Sec. 9. *NEW SECTION.* EXPENSES. The director and other employees of the commission shall receive, in addition to salary, their travel and other necessary expenses incurred while engaged in the performance of their official duties.

Sec. 10. *NEW SECTION.* OFFICE FACILITIES. The department of general services shall provide the commission with appropriate office facilities and equipment.

Sec. 11. *NEW SECTION.* COMPLIANCE BY STATE AGENCIES. Effective July 1, 1976, a state agency shall not take any action or issue any order or permit relating to land use except in compliance with the state land use policy and state land use policy guidelines adopted by the general assembly as provided in this Act. Any person aggrieved by any order or action of a state agency on a matter relating to land use, which is alleged to be in violation of the state

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land use policy or state land use policy guidelines adopted by the general assembly, may seek judicial review of such order or action as provided in chapter seventeen A (17A) of the Code.

Sec. 12. Section three hundred fifty-eight A point one (358A.1), Code 1975, is amended to read as follows:

358A.1 WHERE APPLICABLE. The provisions of this chapter shall be applicable to any county of the state at the option of the board of supervisors of any such county, *however, effective July 1, 1976, it shall be mandatory that each county adopt a comprehensive*

plan and adopt and enforce regulations in compliance with the provisions of this chapter.

Sec. 13. Section three hundred fifty-eight A point five (358A.5), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Such regulations shall be made in accordance with a comprehensive plan *which shall conform to the state land use policy and state land use policy guidelines adopted by the general assembly,* and designed to lessen congestion in the street or highway; to secure safety from fire, flood, panic, and other dangers; to protect health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

Sec. 14. Section four hundred fourteen point one (414.1), Code 1975, is amended to read as follows:

414.1 BUILDING RESTRICTIONS—POWERS GRANTED. For the purpose of promoting the health, safety, morals, or the general welfare of the community, [any] *each* city [is hereby empowered to] *may and effective July 1, 1976, shall* regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes. *However, a city may, in lieu of adopting its own comprehensive plan and regulations, agree to be included in the comprehensive plan of the county and to have the county adopt and enforce regulations.*

Sec. 15. Section four hundred fourteen point three (414.3), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Such regulations shall be made in accordance with a comprehensive plan *which shall conform to the state*

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land use policy and state land use policy guidelines adopted by the general assembly, and designed to lessen congestion in the street; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Sec. 16. There is appropriated from the general fund of the state to the state land use policy commission for the fiscal year beginning July 1, 1975 and ending June 30, 1976, the sum of one hundred thousand (100,000) dollars, or so much thereof as

may be necessary, for the purpose of carrying out the provisions of this Act. Notwithstanding the provisions of section eight point thirty-three (8.33) of the Code, all unencumbered or unobligated balances of the appropriation made by this Act shall, on August 31, 1976, revert to the state treasury and to the credit of the fund from which appropriated."

2. Amend the title, by striking lines 2 through 5, and inserting in lieu thereof the following:

"a state land use policy commission and to specify its power and duties, to provide for the regulation of the use of land, and to make an appropriation."

EUGENE HILL
LEONARD C. ANDERSEN
NORMAN RODGERS
LUCAS J. DeKOSTER
JAMES V. GALLAGHER
LOUIS P. CULVER
C. JOSEPH COLEMAN
KARL NOLIN
ELIZABETH SHAW
CLIFF BURROUGHS
ELIZABETH R. MILLER
FORREST V. SCHWENGELS
IRVIN L. BERGMAN
JAMES W. GRIFFIN, SR.
CALVIN O. HULTMAN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 12:20 p.m., until 10:00 a.m., Monday, June 2, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JUNE 2, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Daniel G. Pulliam, pastor of the Alliance Church, Cedar Rapids, Iowa.

The Journal of Friday, May 30, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Leonard Masters, Des Moines, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Ramsey for the day on request of Senator Hill of Polk; Senator Shaw for the day on request of Senator Murray.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fourteen students from J. B. Young Junior High School, Davenport, Iowa, members of Cadette Girl Scout Troop 1100, accompanied by Kay Ungurean, Donna Branch and Mary Woods. Senator Gluba.

Twenty-eight students from Bellevue Community School, Bellevue, Iowa, accompanied by C. C. Hammann, superintendent of schools, L. T. Eckles, band director, and Vic Kuper. Senator Norpel.

PETITION

The following petition was presented and placed on file:

By Senator Kinley from forty-three residents of Dubuque, Polk, and Mahaska Counties favoring pari-mutuel betting.

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 on May 15, 1975, refused to concur in Senate amendment to the following bill in which the concurrence of the House was asked:

House File 421, a bill for an act relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law.

DAVID L. WRAY, Chief Clerk

QUORUM CALL

Senator Van Gilst requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Curtis called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Richard H. Brom of Waterloo, Black Hawk County, Iowa, for appointment as a member of the State Board of Architectural Examiners under the provisions of Section 118.1, Code of Iowa 1975, for an initial term beginning July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WARREN E. CURTIS, Chairman
ROBERT M. CARR
CALVIN O. HULTMAN
FRED W. NOLTING
WILLIAM D. PALMER

The motion prevailed and the report was adopted.

Senator Curtis moved the appointment of Richard H. Brom as a member of the State Board of Architectural Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Culver	Griffin	Kinley
Bergman	Curtis	Heying	Lamborn
Briles	DeKoster	Hill of Polk	Merritt
Burroughs	Doderer	Hultman	Miller of Des Moines
Carr	Gallagher	Junkins	
Coleman	Glenn	Kelly	

Miller of Marshall	Nystrom	Redmond	Taylor
Murray	Orr	Schwengels	Tieden
Nolin	Palmer	Scott	Van Gilst
Nolting	Plymat	Shaff	Willits
Norpel	Priebe	Sovern	Winkelman

Nays, 1:

Gluba

Absent or not voting, 7:

Hansen	Rabedeaux	Robinson	Shaw
Hill of Jasper	Ramsey	Rodgers	

President pro tempore Doderer declared the appointment of Richard H. Brom as a member of the State Board of Architectural Examiners confirmed for an initial term ending June 30, 1976.

Senator Hill of Polk called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Donald W. Brown of Ames, Story County, Iowa, for appointment as a member of the State Board of Accountancy under the provisions of Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
MINNETTE DODERER
HILARIUS L. HEYING
MILO MERRITT
JOHN S. MURRAY

The motion prevailed and the report was adopted.

Senator Glenn took the chair at 10:20 a.m.

Senator Hill of Polk moved the appointment of Donald W. Brown as a member of the State Board of Accountancy be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Andersen	Curtis	Hill of Polk	Miller of Des Moines
Bergman	DeKoster	Hultman	Miller of Marshall
Briles	Doderer	Junkins	Murray
Burroughs	Gallagher	Kelly	Nolin
Carr	Glenn	Kinley	Norpel
Coleman	Griffin	Lamborn	
Culver	Heying	Merritt	

Nystrom	Priebe	Scott	Van Gilst
Orr	Redmond	Sovern	Willits
Palmer	Rodgers	Taylor	Winkelman
Plymat	Schwengels	Tieden	

Nays, 1:

Gluba

Absent or not voting, 8:

Hansen	Nolting	Ramsey	Shaff
Hill of Jasper	Rabedeaux	Robinson	Shaw

The Chair declared the appointment of Donald W. Brown as a member of the State Board of Accountancy confirmed for the initial two-year term ending June 30, 1977.

Senator Hultman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of David W. Frevert of West Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Architectural Examiners under the provisions of Section 118.1, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CALVIN O. HULTMAN, Chairman
MINNETTE F. DODERER
WILLIAM E. GLUBA
PHILIP B. HILL
LOWELL L. JUNKINS

President pro tempore Doderer took the chair at 10:25 a.m.

The motion prevailed and the report was adopted.

Senator Hultman moved the appointment of David W. Frevert as a member of the State Board of Architectural Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Gallagher	Merritt	Orr
Bergman	Glenn	Miller of Des Moines	Palmer
Briles	Griffin	Miller of Marshall	Plymat
Burroughs	Heying	Murray	Priebe
Carr	Hill of Polk	Nolin	Redmond
Coleman	Hultman	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Curtis	Kelly	Nystrom	Schwengels
DeKoster	Kinley	Orr	Scott
Doderer	Lamborn	Palmer	Sovern

Taylor	Van Gilst	Willits	Winkelman
Tieden			

Nays, 1:

Gluba

Absent or not voting, 6:

Hansen	Rabedeaux	Shaff	Shaw
Hill of Jasper	Ramsey		

President pro tempore Doderer declared the appointment of David W. Frevert as a member of the State Board of Architectural Examiners confirmed for the regular two-year term ending June 30, 1977.

Senator Miller of Marshall called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Howard G. Ellis, M.D., of Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH R. MILLER, Chairman
PHILIP B. HILL
LOWELL L. JUNKINS
KENNETH D. SCOTT
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Miller of Marshall moved the appointment of Howard G. Ellis, M.D., as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Glenn	Nolin	Rodgers
Bergman	Griffin	Nolting	Schwengels
Briles	Hill of Polk	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kinley	Orr	Sovern
Coleman	Merritt	Palmer	Taylor
Culver	Miller of Des Moines	Plymat	Tieden
Curtis		Priebe	Van Gilst
DeKoster	Miller of Marshall	Redmond	Willits
Doderer		Robinson	Winkelman
Gallagher	Murray		

Nays, 3:

Gluba	Hultman	Kelly

Absent or not voting, 7:

Hansen	Hill of Jasper	Rabedeaux	Shaw
Heying	Lamborn	Ramsey	

President pro tempore Doderer declared the appointment of Howard G. Ellis, M.D., as a member of the State Board of Medical Examiners confirmed for the regular two-year term ending June 30, 1977.

Senator DeKoster called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harry B. Carlson of Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Accountancy under the provisions of Section 116.3, Code 1975, for the regular two-year term beginning July 1, 1975, 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
WILLIAM E. GLUBA
PHILIP B. HILL
BERL E. PRIEBE
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator DeKoster moved the appointment of Harry B. Carlson as a member of the State Board of Accountancy be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Andersen	Glenn	Murray	Robinson
Bergman	Griffin	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Junkins	Nystrom	Sovern
Coleman	Kelly	Orr	Taylor
Culver	Kinley	Palmer	Tieden
Curtis	Lamborn	Plymat	Van Gilst
DeKoster	Merritt	Priebe	Willits
Doderer	Miller of Marshall	Redmond	Winkelman
Gallagher			

Nays, 1:

Gluba

Absent or not voting, 8:

Hansen	Miller of Des Moines	Rabedeaux	Shaff
Hill of Jasper		Ramsey	Shaw
Hultman			

President pro tempore Doderer declared the appointment of Harry B. Carlson as a member of the State Board of Accountancy confirmed for the regular two-year term ending June 30, 1977.

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Leo E. Burger, Cedar Rapids, Linn County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
JAMES E. BRILES
JAMES W. GRIFFIN, SR.
JAMES M. REDMOND
KENNETH D. SCOTT

The motion prevailed and the report was adopted.

Senator Coleman moved the appointment of Leo E. Burger as a member of the State Board of Accountancy be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Polk	Nolin	Schwengels
Burroughs	Hultman	Nolting	Scott
Carr	Junkins	Norpel	Shaff
Coleman	Kelly	Nystrom	Sovern
Culver	Kinley	Orr	Taylor
Curtis	Lamborn	Palmer	Tieden
DeKoster	Merritt	Plymat	Van Gilst
Doderer	Miller of Des Moines	Priebe	Willits
Gallagher		Redmond	Winkelman
Glenn			

Nays, 1:

Gluba

Absent or not voting, 5:

Hansen	Rabedeaux	Ramsey	Shaw
Hill of Jasper			

President pro tempore Doderer declared the appointment of Leo E. Burger as a member of the State Board of Accountancy confirmed for an initial term ending June 30, 1978.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 90

Senator Gallagher called up for consideration House File 90, a bill for an act relating to emergency vehicles, amended by the Senate, and further amended by the House, as follows:

S—3843

Amend the Senate amendment H—3620, to House File 90, as amended and passed by the House as follows:

1. Page 1, lines 13 and 14, by striking the words "violator of the law" and inserting in lieu thereof the words "perpetrator of a felony".

2. Page 1, line 23, by inserting after the word "directions" the following: "only when the driver of the emergency vehicle has unobstructed vision to the front of the emergency vehicle for a distance that will permit the driver to view the point of termination of movement contrary to the laws and regulations from the point movement contrary to the laws and regulations is begun".

3. Page 1, by striking lines 37 through 47 and inserting in lieu thereof a period.

4. Page 2, line 2, by inserting after the word "reckless" the words "or negligent".

Senator Hultman offered amendment S—3990 to the House amendment S—3843 to Senate amendment H—3620:

S—3990

Amend the House amendment S—3843 to Senate amendment H—3620 to House File 90, as amended and passed by the House, as follows:

1. Line 6, by inserting after the word "felony" the words "or in response to an incident dangerous to the public".

2. By striking lines 7 through 16, inclusive, and inserting in lieu thereof the following:

"2. Page 1, by striking lines 38 through 42, inclusive, and inserting in lieu thereof the words 'device shall not be required when the vehicle is operated by a peace officer'.

3. Page 1, by striking line 47."

Senator Hill of Polk raised the point of order that amendment S—3990 was out of order under Chapter 72 of Mason's Manual of Legislative Procedure.

DEFERRED

Senator Kinley asked and received unanimous consent that further action on House File 90 be deferred and that the bill retain its place on the calendar.

HOUSE AMENDMENTS CONSIDERED

SENATE REFUSED TO CONCUR

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 507.

Senate File 507

Senator Coleman called up for consideration Senate File 507, a bill for an act relating to the funding, compensation, expenses and membership of legislative members of committees and certain statutory or appointive boards, commissions, and councils, amended by the House, and moved that the Senate concur in House amendment S—3967 found on pages 1614-1618, inclusive, of the Senate Journal, and requested a non-record roll call.

The ayes were 7, nays 36.

The motion lost and the Senate **refused to concur** in House amendment S—3967 to **Senate File 507.**

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 504.

Senate File 504

Senator Willits called up for consideration Senate File 504, a bill for an act making an appropriation to continue a study of the problems of Spanish-speaking persons, amended by the House, and moved that the Senate refuse to concur in the following amendment:

S—3976

Amend Senate File 504, as amended and passed by the Senate, as follows:

1. Page 1, line 16, by striking the word and figure *"December 31"* and inserting in lieu thereof the word and figure *"November 30"*.

2. Page 1, line 18, by striking the word and figures *"March 1, 1976"* and inserting in lieu thereof the word and figures *"December 31, 1975"*.

The motion prevailed and the Senate **refused to concur** in House amendment S—3976 to **Senate File 504.**

HOUSE AMENDMENT CONSIDERED

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 523.

Senate File 523

Senator Willits called up for consideration Senate File 523, a bill for an act relating to and appropriating funds to legislative

agencies and agencies involved in the legislative process, amended by the House, and moved that the Senate concur in the following amendment:

S—3977
1 Amend Senate File 523 as passed by the Senate
2 by striking lines 25 thru 31 on page 2.

The motion prevailed and the Senate concurred in the House amendment.

Senator Willits 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. 523) the vote was:

Ayes, 44:

Andersen	Griffin	Miller of	Robinson
Bergman	Heying	Marshall	Rodgers
Burroughs	Hill of Polk	Murray	Schwengels
Carr	Hultman	Nolin	Scott
Coleman	Junkins	Nolting	Shaff
Culver	Kelly	Norpel	Sovern
Curtis	Kinley	Nystrom	Taylor
DeKoster	Lamborn	Orr	Tieden
Doderer	Merritt	Palmer	Van Gilst
Gallagher	Miller of	Plymat	Willits
Glenn	Des Moines	Priebe	Winkelman
Gluba		Redmond	

Nays, none.

Absent or not voting, 6:

Briles	Hill of Jasper	Ramsey	Shaw
Hansen	Rabedeaux		

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 498

On motion of Senator Coleman, House File 498, a bill for an act to provide that the making or delivering of a false odometer statement is an offense subject to a penalty provided by law, 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. 498) the vote was:

Ayes, 43:

Andersen	Griffin	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Sovern
Culver	Kinley	Orr	Taylor
Curtis	Lamborn	Palmer	Tieden
DeKoster	Merritt	Plymat	Van Gilst
Doderer	Miller of Des Moines	Priebe	Willits
Gallagher		Redmond	Winkelman
Glenn	Miller of Marshall	Robinson	
Gluba			

Nays, 1:

Kelly

Absent or not voting, 6:

Briles	Hill of Jasper	Ramsey	Shaw
Hansen	Rabedeaux		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that House File 498 be immediately messaged to the House, which request was complied with.

MOTION TO RECONSIDER WITHDRAWN

Senator Taylor withdrew the motion to reconsider the vote by which Senate File 525 passed the Senate filed by him on May 27, 1975.

CONSIDERATION OF BILLS

Senate File 167

On motion of Senator Griffin, Senate File 167, a bill for an act relating to licensing and regulating restaurant and food establishments, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Nolin offered amendment S—3828 by the committee on agriculture and moved its adoption:

S—3828

Amend Senate File 167, page 1, by striking lines 16 through 23 and inserting in lieu thereof the following:

"6. While preparing food, employees [whose hair does not extend below their ears shall wear suitable head covering, and employees whose hair extends below their ears shall wear hairnets.] *shall use*

effective hair restraints to prevent the contamination of food."

Amendment S—3828 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. 167) the vote was:

Ayes, 41:

Andersen	Gluba	Miller of	Redmond
Bergman	Griffin	Marshall	Robinson
Burroughs	Heying	Murray	Rodgers
Carr	Hill of Polk	Nolin	Schwengels
Coleman	Junkins	Nolting	Scott
Culver	Kelly	Norpel	Sovern
Curtis	Kinley	Nystrom	Taylor
DeKoster	Merritt	Orr	Tieden
Doderer	Miller of	Palmer	Van Gilst
Gallagher	Des Moines	Plymat	Willits
Glenn		Priebe	Winkelman

Nays, none.

Absent or not voting, 9:

Briles	Hultman	Rabedeaux	Shaff
Hansen	Lamborn	Ramsey	Shaw
Hill of Jasper			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that Senate File 167 be immediately messaged to the House, which request was complied with.

Senate File 530

On motion of Senator Hill of Polk, Senate File 530, a bill for an act relating to the powers and duties of clerks of the district court, was taken up for consideration.

Senator Griffin offered amendment S—3923 filed by him and moved its adoption:

S—3923

Amend Senate File 530, page 1, by inserting after line 15, the following:

"Sec. ..... Section six hundred six point sixteen (606.16), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. During each semiannual period prior to payment into the county treasury, the clerk of the district court may deposit any funds held by him or her whether in trust or otherwise in interest bearing accounts or certificates of deposit

with a bank approved as provided in section four hundred fifty-three point one (453.1) of the Code. Interest earned on those deposits shall be paid to the county treasurer as provided in this section and shall be credited to the general fund of the county."

Senator Hill of Polk raised the point of order that amendment S—3923 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3923 out of order.

Senator Hill of Polk moved that the bill 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, 43:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Burroughs	Hill of Polk	Nolin	Rodgers
Carr	Hultman	Nolting	Schwengels
Coleman	Junkins	Norpel	Scott
Culver	Kelly	Nystrom	Shaff
Curtis	Kinley	Orr	Taylor
DeKoster	Lamborn	Palmer	Tieden
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of Des Moines	Priebe	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 7:

Briles	Hill of Jasper	Ramsey	Sovern
Hansen	Rabedeaux	Shaw	

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 530 passed the Senate on June 2, 1975.

JAMES W. GRIFFIN, SR.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 255** be deferred and that the bill **retain its place on the calendar.**

Senator Kinley asked and received unanimous consent that action on **Senate File 273** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 541

On motion of Senator Redmond, Senate File 541, a bill for an act relating to the probate code, was taken up for consideration.

Senator Griffin asked unanimous consent that action on Senate File 541 be temporarily deferred for the preparation of an amendment.

Objection was raised.

Senator Redmond moved that the bill 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. 541) the vote was:

Ayes, 39:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Polk	Nolin	Schwengels
Burroughs	Hultman	Nolting	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Glenn	Merritt	Priebe	Van Gilst
Gluba	Miller of Marshall	Redmond	Willits
Griffin		Robinson	Winkelman

Nays, 2:

Curtis	Miller of Des Moines

Absent or not voting, 9:

Briles	Hansen	Norpel	Ramsey
Culver	Hill of Jasper	Rabedeaux	Shaw
Gallagher			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 541** be **immediately messaged** to the House, which request was complied with.

POINT OF PERSONAL PRIVILEGE

Senator Merritt rose on a point of personal privilege and announced that the "Charles City Singers," directed by Charles Ruziska, would be entertaining in the rotunda during the noon recess.

On motion of Senator Kinley, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Carr called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of G. Thomas Reilly of Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Social Services Council under the provisions of Section 217.2, Code 1975, for an unexpired term ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ROBERT M. CARR, Chairman
JOHN S. MURRAY
C. JOSEPH COLEMAN
WILLIAM D. PALMER

The motion prevailed and the report was adopted.

Senator Carr moved the appointment of G. Thomas Reilly as a member of the Social Services Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 25 was invoked.

Ayes, 38:

Bergman	Heying	Nolting	Rodgers
Carr	Hill of Jasper	Nystrom	Schwengels
Coleman	Hill of Polk	Orr	Scott
Culver	Hultman	Palmer	Shaff
Curtis	Junkins	Plymat	Sovern
DeKoster	Kinley	Priebe	Taylor
Doderer	Lamborn	Rabedeaux	Tieden
Gallagher	Merritt	Redmond	Van Gilst
Glenn	Murray	Robinson	Willits
Gluba	Nolin		

Nays, 7:

Andersen	Kelly	Miller of Marshall	Winkelman
Burroughs	Miller of Des Moines		
Griffin			

Absent or not voting, 5:

Briles	Norpel	Ramsey	Shaw
Hansen			

President pro tempore Doderer declared the appointment of G. Thomas Reilly as a member of the Social Services Council confirmed for the unexpired portion of the term ending June 30, 1977.

Senator Orr called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of James A. Lynch of Des Moines, Polk County, Iowa, for appointment to the State Board of Architectural Examiners under the provisions of Section 118.1, 1975 Code of Iowa, for an initial three-year term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOAN ORR, Chairman
HILARIUS L. HEYING
PHILIP B. HILL
JOHN S. MURRAY
BERL E. PRIEBE

The motion prevailed and the report was adopted.

Senator Orr moved the appointment of James A. Lynch as a member of the State Board of Architectural Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Hill of Jasper	Murray	Robinson
Bergman	Hill of Polk	Nolin	Rodgers
Burroughs	Hultman	Nolting	Schwengels
Carr	Junkins	Norpel	Scott
Coleman	Kelly	Nystrom	Shaff
Culver	Kinley	Orr	Sovern
Curtis	Lamborn	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher	Miller of Marshall	Rabedeaux	Willits
Glenn		Redmond	Winkelman
Griffin			
Heying			

Nays, 1:

Gluba

Absent or not voting, 4:

Briles	Hansen	Ramsey	Shaw

President pro tempore Doderer declared the appointment of James A. Lynch as a member of the State Board of Architectural

Examiners confirmed for an initial three-year term ending June 30, 1978.

Senator Miller of Des Moines called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Margaret Apostle of Grinnell, Poweshiek County, Iowa, for appointment as a representative of the general public to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
JAMES E. BRILES
JOAN ORR
W. R. RABEDEAUX
JAMES M. REDMOND

The motion prevailed and the report was adopted.

Senator Miller of Des Moines moved the appointment of Margaret Apostle as a member of the State Board of Architectural Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Burroughs	Hill of Jasper	Nolin	Scott
Carr	Hill of Polk	Nolting	Shaff
Coleman	Hultman	Nystrom	Sovern
Culver	Junkins	Orr	Taylor
Curtis	Kelly	Palmer	Tieden
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Lamborn	Rabedeaux	Willits
Gallagher	Merritt	Redmond	Winkelman
Glenn	Miller of Des Moines		
Gluba			

Nays, none.

Absent or not voting, 7:

Briles	Norpel	Ramsey	Shaw
Hansen	Priebe	Schwengels	

President pro tempore Doderer declared the appointment of Margaret Apostle as a member of the State Board of Architectural Examiners confirmed for an initial three-year term ending June 30, 1978.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 518.

Senate File 518

On motion of Senator Hill of Polk, Senate File 518, a bill for an act creating a child support recovery unit within the department of social services, prescribing the powers and duties thereof, and providing for the assignment of rights to child support payments by any person who receives public assistance and providing a penalty, was taken up for consideration.

Senator Hill of Polk moved that the bill 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, 44:

Andersen	Heying	Miller of	Redmond
Bergman	Hill of Jasper	Marshall	Rodgers
Burroughs	Hill of Polk	Murray	Schwengels
Carr	Hultman	Nolin	Scott
Coleman	Junkins	Nolting	Shaff
Culver	Kelly	Norpel	Sovern
Curtis	Kinley	Nystrom	Taylor
DeKoster	Lamborn	Orr	Tieden
Doderer	Merritt	Palmer	Van Gilst
Glenn	Miller of	Plymat	Willits
Gluba	Des Moines	Priebe	Winkelman
Griffin		Rabedeaux	

Nays, none.

Absent or not voting, 6:

Briles	Hansen	Robinson	Shaw
Gallagher	Ramsey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 518** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 536.

Senate File 536

On motion of Senator Curtis, Senate File 536, a bill for an act relating to the use of electronic facilities and electronic transfers of funds by banks, credit unions and savings and loan associations, was taken up for consideration.

Senator Gallagher offered amendment S—3993:

S—3993

Amend Senate File 536 as follows:

1. Page 1, by striking line 16 and inserting in lieu thereof the following:

"*NEW SECTION.* ELECTRONIC TRANSMISSION OF FUNDS—RESTRICTIONS.

1. A state".

2. Page 2, by inserting after line 2 the following:

"2. Neither a state bank which utilizes the authority granted by subsection one (1) of this section nor any business or other entity upon whose premises there is located a satellite facility as defined in section four (4), subsection one (1) of this Act, shall directly or indirectly impose any charge for any transaction made by means of the satellite facility unless the same charge is made for the same type of transaction if conducted at the bank's principal place of business or one of its offices or otherwise without use of a satellite facility.

3. A state bank which offers its customers, or any of them, the opportunity to engage in transactions with or through the bank in the manner authorized by subsection one (1) of this section shall not require any customer to deal with or through the bank in that manner in lieu of writing checks in the usual manner upon a conventional checking account, nor impose any extraordinary charge upon customers who choose to write checks in the usual manner upon a conventional checking account maintained at that bank.".

3. Page 6, line 32, by inserting after the word "law" the following:

", and neither the credit union nor any business or other entity upon whose premises there is located a satellite facility, as defined in section four (4), subsection one (1) of this Act, shall directly or indirectly impose any charge for any transaction made by means of the satellite facility unless the same charge is made for the same type of transaction if conducted at the credit union's place of business or otherwise without use of a satellite facility".

4. Page 7, line 32, by inserting after the word "law" the following:

", and neither the association nor any business or other entity upon whose premises there is located a satellite facility, as defined in section four (4), subsection one (1) of this Act, shall directly or indirectly impose any charge for any transaction made by means of the satellite facility unless the same charge is made for the same type of transaction if conducted at the association's principal place of business or one of its offices or otherwise without use of a satellite facility".

Action on amendment S—3993 was temporarily deferred.

Senator Hultman withdrew amendment S—3981 filed by him on May 29, 1975, and found on page 1639 of the Senate Journal.

Senator Hultman offered amendment S—3997:

S—3997
Amend Senate File 536 as follows:
Division S—3997A
1. Page 3, line 25, by inserting after "facility" the words "is maintained in compliance with applicable rules promulgated by the superintendent and".
Division S—3997B
2. Page 5, by inserting after the end of line 10 the following new sentence:
"In adopting, amending and repealing rules the superintendent shall take into consideration any rules maintained by federal agencies which are applicable to the operation of satellite facilities by national banks, and shall maintain uniformity of Iowa rules with those federal rules, except to the extent uniformity would be inconsistent with the purposes, policies and provisions of this Act."

Senator Redmond called for a division of the amendment, section 1 to be considered as division S—3997A; section 2 to be considered as division S—3997B.

On motion of Senator Hultman, division S—3997A of the amendment was adopted.

Action on division S—3997B of the amendment was temporarily deferred.

Senator Hultman offered amendment S—3982 filed by him:

S—3982
Amend Senate File 536 as follows:
1. Page 5, by inserting after line 20 the following new paragraph:
"The superintendent shall provide by rule for the recording and maintenance by any bank utilizing a satellite facility of any amounts involved in a transaction engaged in through the satellite facility which are of a known tax consequence to the customer initiating the transaction. For the purposes of this paragraph 'known tax consequences' means and includes but shall not be limited to the following:
(1) An amount directly or indirectly received from a customer and applied to a loan account of the customer which represents interest paid by the customer to the bank.
(2) In any transaction where the total amount involved is deducted from funds in a customer's account and is simultaneously paid either directly or indirectly by the bank to the account of a third party, any portion of the transaction amount which represents a sales or other tax imposed upon or

included within the transaction and collected by that third party from the customer, or any portion of the transaction amount which represents interest paid to the third party by the customer.

(3) Any other transaction which the superintendent determines to have direct tax consequences to the customer.

The superintendent also shall provide for the periodic distribution of customers of summaries of transactions having known tax consequences."

Senator Hultman offered amendment S—4000 to amendment S—3982 and moved its adoption:

S—4000

Amend the Hultman amendment S—3982 to Senate File 536, on line 4 by striking the word "shall" and inserting in lieu thereof the word "may".

Amendment S—4000 to amendment S—3982 was adopted.

On motion of Senator Hultman, amendment S—3982 as amended was adopted.

Senator Carr offered amendment S—4003 by Senators Carr and Gluba:

S—4003

Amend Senate File 536 as follows:

1. Page 3, line 5, by inserting after the word "law" the words ": However, a state bank shall not utilize any terminal or other facility or installation which is designed or intended for the direct use of customers and which is located more than twenty-five miles from either the principal place of business of the bank or a bank office of that bank".

Action on amendment S—4003 was temporarily deferred.

The Senate resumed consideration of division S—3997B of the Hultman amendment previously deferred.

Senator Hultman offered amendment S—4004 to division S—3997B of the amendment by Senators Hultman, Junkins and Redmond and moved its adoption:

S—4004

Amend the Hultman amendment S—3997 to Senate File 536 in line 11 by striking the word "shall" and inserting in lieu thereof the word "may".

Amendment S—4004 to division S—3997B of the amendment was adopted.

On motion of Senator Hultman, division S—3997B of the amendment as amended was adopted.

The Senate resumed consideration of amendment S—3993 previously deferred.

Senator Junkins offered amendment S—4006 to amendment S—3993 by Senators Junkins and Curtis and moved its adoption:

S—4006
Amend the Gallagher amendment S—3993 to Senate File 536 as follows:
1. By striking lines 8 through 17.
2. Line 18, by striking the number "3" and inserting in lieu thereof the number "2".
3. By striking lines 28 through 49.

Senator Priebe took the chair at 3:55 p.m.

A non-record roll call was requested.

The ayes were 29, nays 14.

Amendment S—4006 to amendment S—3993 was adopted.

On motion of Senator Gallagher, amendment S—3993 as amended was adopted.

Senator Gallagher offered amendment S—4005:

S—4005
Amend Senate File 536, page 5, by inserting after line 11, the following:
"8. The satellite facility is so constructed or operated that when a customer of the facility has made a purchase in a retail establishment in which the facility is located and a debit has resulted in the customer's account and a credit to the account of the retail establishment in which the facility is located, the customer may within seven days rescind the debit and credit by oral notification to the bank. The right to rescind a debit shall apply to transactions which result in either a withdrawal from the customer's account at the bank or an extension of credit by the bank.
If a customer has withdrawn cash from a satellite facility for the purpose of making a purchase in the retail establishment in which the satellite facility is located and a cash purchase is immediately made, the customer may order the bank to rescind the debit and the credit in the amount of the purchase price by oral order within seven days of the date of purchase."

Senator Gallagher offered amendment S—4007 to amendment S—4005 and moved its adoption:

S—4007
Amend the Gallagher amendment S—4005 to Senate File 536 as follows:

1. Line 9, by striking the word "seven" and inserting in lieu thereof the word "three".
2. Line 21, by striking the word "seven" and inserting in lieu thereof the word "three".

Amendment S—4007 to amendment S—4005 was adopted.

Action on amendment S—4005 as amended was temporarily deferred.

The Senate resumed consideration of amendment S—4003 previously deferred.

Senator Carr asked and received unanimous consent to withdraw amendment S—4003.

President Neu took the chair at 4:20 p.m.

The Senate resumed consideration of amendment S—4005 as amended previously deferred.

Senator Gallagher offered amendment S—4010 to amendment S—4005 and moved its adoption:

S—4010

Amend the Gallagher amendment S—4005 to Senate File 536 by striking lines 15 through 22.

Amendment S—4010 to amendment S—4005 was adopted.

Senator Gallagher moved the adoption of amendment S—4005 as amended and requested a record roll call.

On the question "Shall amendment S—4005 as amended be adopted?" (S.F. 536) the vote was:

Ayes, 15:

Carr	Gallagher	Miller of Des Moines	Redmond
Coleman	Gluba	Nolting	Robinson
Culver	Heying	Priebe	Scott
Doderer	Merritt		Sovern

Nays, 30:

Andersen	Hill of Polk	Murray	Schwengels
Bergman	Hultman	Nolin	Shaff
Burroughs	Junkins	Norpel	Taylor
Curtis	Kelly	Orr	Tieden
DeKoster	Kinley	Palmer	Van Gilst
Glenn	Lamborn	Plymat	Willits
Griffin	Miller of Marshall	Rabedeaux	Winkelman
Hill of Jasper		Rodgers	

Absent or not voting, 5:

Briles	Nystrom	Ramsey	Shaw
Hansen			

Amendment S—4005 as amended lost.

Senator Curtis moved that the bill 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. 536) the vote was:

Ayes, 36:

Andersen	Heying	Miller of	Rabedeaux
Bergman	Hill of Jasper	Marshall	Rodgers
Burroughs	Hill of Polk	Murray	Schwengels
Coleman	Hultman	Nolin	Scott
Culver	Junkins	Norpel	Shaff
Curtis	Kelly	Orr	Taylor
DeKoster	Kinley	Palmer	Tieden
Gallagher	Lamborn	Plymat	Van Gilst
Glenn	Miller of	Priebe	Willits
Griffin	Des Moines		

Nays, 8:

Carr	Merritt	Redmond	Sovern
Gluba	Nolting	Robinson	Winkelman

Absent or not voting, 6:

Briles	Hansen	Ramsey	Shaw
Doderer	Nystrom		

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 536 passed the Senate on June 2, 1975.

JAMES V. GALLAGHER

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 House File 185, a bill for an act relating to the transporting of livestock and providing penalties, and that the members of the conference committee on the part of the House are: The Representative from Cerro Gordo, Mr. Alvin Miller, chairman; the Representative from Cedar, Mr. Hinkhouse; the Representative from Davis, Mrs. Harper; the Representative from Crawford, Mr. Crabb; the Representative from Muscatine, Mr. Drake.

Also: That the House has on May 29, 1975, concurred in Senate amendment to and passed the following bill:

House File 264, a bill for an act to allow the destruction of abandoned animals by veterinarians, boarding and commercial kennels.

Also: That the House has on May 29, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 390, a bill for an act authorizing the expenditure of federal funds or grants for the support of mental health centers, programs for the mentally retarded and capital improvements by counties.

Also: That the House has on May 29, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 700, a bill for an act relating to procedures for conducting and canvassing elections.

Also: That the House has on June 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 820, a bill for an act relating to the authority of peace officers employed by the department of public safety.

Also: That the House has on May 30, 1975, concurred in Senate amendment to and passed the following bill:

House File 823, a bill for an act establishing the Iowa housing finance authority.

Also: That the House has on May 30, 1975, passed the following bill in which concurrence of the Senate is asked:

House File 889, a bill for an act appropriating funds to the governor, lieutenant governor, office for planning and programming and the council of state governments.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILL

Senate File 558, by committee on human resources, a bill for an act relating to the licensing and regulation of hearing aid dealers.

Read first time and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 820, a bill for an act relating to the authority of peace officers employed by the department of public safety.

Read first time and passed on file.

House File 889, a bill for an act appropriating funds to the governor, lieutenant governor, office for planning and programming and the council of state governments.

Read first time and passed on file.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Glenn presiding.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 536 passed the Senate on June 2, 1975.

WARREN E. CURTIS

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 556 Ways and means

S. F. 557 State government

H. F. 739 Transportation

H. F. 743 Transportation

H. F. 826 Judiciary

H. F. 891 Ways and means

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Gerald D. Bair of Norwalk, Warren County, Iowa, for appointment as Director of Revenue for the State of Iowa effective immediately under the provisions of Section 421.2, 1975 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.

EARL M. WILLITS, Chairman
WILLIAM N. PLYMAT
NORMAN RODGERS
ELIZABETH SHAW
STEVE SOVERN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Nancy G. McHugh of Cedar Rapids, Iowa, for appointment as a representative of the general public to the State Board of Architectural Examiners under the provisions of Section 118.1, Code 1975, for the initial term commencing July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOHN N. NYSTROM, Chairman
WARREN E. CURTIS
JAMES M. REDMOND
NORMAN RODGERS
KENNETH D. SCOTT

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harold L. Erichsen of Sioux City, Woodbury County, Iowa, for appointment as a member of the State Board of Barber Examiners under provisions of Section 147.12, 1975 Code of Iowa, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978, begs

leave to report that it has made investigation and recommends that the appointment be confirmed.

RAY TAYLOR, Chairman
ROBERT M. CARR
H. L. HEYING
E. KEVIN KELLY
JOAN ORR

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Richard E. Sisco of Cedar Rapids, Linn County, Iowa, for appointment as a member of the State Board of Barber Examiners under the provisions of Section 147.12, Code 1975, for an initial term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
JAMES M. REDMOND
CLOYD E. ROBINSON
FORREST V. SCHWENGELS
ROGER J. SHAFF

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 2nd day of June, 1975: Senate Files 44, 309, 397 and 522.

CLARK R. RASMUSSEN
Secretary of the Senate

ANNOUNCEMENT BY COMMITTEE ON RULES AND ADMINISTRATION

Senator Palmer announced the resignation of Donald R. Mason, Russell, as Research Assistant to Minority Caucus, effective May 30, 1975.

REPORTS OF COMMITTEES

Senator Nolin submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 787,** a bill for an act relating to minimum percentages of plant nutrients in fertilizers, begs leave to report it has had the same under consideration and recommends the same do pass.

KARL NOLIN, Chairman

Ordered passed on file.

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred House File 614, a bill for an act relating to termination of parental rights and adoption 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:

S—3991

Amend House File 614, as amended and passed by the House and reprinted, as follows:

1. Page 3, line 34, by striking the number "1."

2. Page 4, by striking everything in lines 2 through 10, inclusive, and inserting in lieu thereof the following:

"ten (10) of this Act. However, this section shall not apply to the parent-".

3. Page 5, by striking everything in lines 26 through 30, inclusive, and inserting in lieu thereof the following:

". If written demand for revocation of the release is served upon the custodian within ten days of the birth of the child subject to the release, the juvenile court shall order the release revoked. If such demand is not made within this ten-day period, the juvenile court shall order the release revoked only upon a showing of fraud, misrepresentation, duress, or mistake of fact or law.".

4. Page 9, line 5, by striking the words "one week" and inserting in lieu thereof the words "ten days".

5. Page 9, line 22, by inserting before the word "proof" the words "clear and convincing" and by striking the words "beyond a reasonable doubt".

6. Page 16, line 24, by inserting after the period the following:

"Also, such person shall, prior to making any of these investigations, fully apprise the person being investigated of the information which will be collected and the method of collecting this information which will be utilized to complete the investigation."

S—3992

Amend House File 614, as amended and passed by the House and reprinted, as follows:

1. Page 23, by inserting the following after line 24 and by renumbering the following bill sections accordingly:

"Sec. 25. 1. a. Notwithstanding chapter two hundred thirty-eight (238) of the Code, an agency or a child-placing agency licensed under the laws of another state may place a child in the home of a proposed parent in anticipation of an ensuing adoption if:

(1) The agency has a contract with the government of the republic of South Vietnam to place the child;

(2) The agency had, at the time the child resided in South Vietnam, proper documents from the government of the republic of South Vietnam permitting the child to be placed and adopted but that the documents cannot be located and replaced; and

(3) The child is legally admitted to the United States of America.

b. The home in which a child is placed under paragraph a of this subsection shall be investigated for suitability by the department of social services before or upon placement of the child. A petition for adoption of the child shall not be filed under section six hundred point one (600.1) of the Code until the department has approved the placement. Upon application of the department to the appropriate juvenile court, the child may be removed from an unapproved home and a guardian appointed for the child.

2. Notwithstanding chapter six hundred (600) of the Code, a child placed under subsection one (1) of this section may be adopted without the adoption petition allegations relating to the child required under section six hundred point (600.1) of the Code and without the consents required under section six hundred point three (600.3) of the Code if an affidavit by the agency verifying that the documents specified under subparagraph two (2) of paragraph a of subsection one (1) of this section existed and are now unavailable is submitted to the court. In such case, the agency shall deliver to the court all available information on the child.

3. Notwithstanding the provisions of chapter one hundred forty-four (144) of the Code, the state registrar of vital statistics shall issue a birth certificate for any child adopted pursuant to subsection two (2) of this section upon receipt of a certificate of adoption. Such birth certificate

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shall include any available information which is normally included on a birth certificate."

2. Page 23, line 23, by striking the word "This" and inserting in lieu thereof the words "Except section twenty-five (25) of this Act, this".

3. Page 23, line 24, by inserting after the period the words "The provisions of subsection one (1) of section twenty-five (25) shall expire on November 1, 1975."

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—3996

Amend Senate File 273 as follows:

1. Page 1, line 17 by inserting after the word

"hearing" the words "*and all subsequent hearings*".
2. Page 1, line 17 by striking the word "*and*".
3. Page 1, line 18 by inserting after the word "child" the words "*and the child*".

E. KEVIN KELLY
MINNETTE DODERER
LUCAS J. DeKOSTER

S—4008

Amend Senate File 526 as follows:
1. Page 1, insert after line 25 the following:
"Sec. ..... Section three hundred sixty-two point two (362.2), Code 1975, is amended by adding the following subsection:
NEW SUBSECTION. 'Eligible elector' means the same as it is defined in section thirty-nine point three (39.3), subsection one (1), of the Code.
Sec. ..... Section three hundred sixty-two point four (362.4), Code 1975, is amended to read as follows:
362.4 PETITION OF VOTERS. If a petition of voters is authorized by the city code, the petition is valid if signed by [voters] *eligible electors* of the city equal in number to ten percent of the persons who voted at the last preceding regular city election, but not less than ten persons, unless otherwise provided by state law."
2. Page 3, insert after line 5 the following:
"Sec. ..... Section three hundred sixty-eight point fourteen (368.14), unnumbered paragraph one (1), Code 1975, is amended to read as follows:
If a petition is not dismissed, the board shall direct the appointment of local representatives to serve with board members as a committee to consider the proposal. Each local representative is entitled to receive from the state his actual and necessary expenses spent in performance of committee duties. Two board members and one local representative, or if the number of local representatives exceeds one, two board members and at least one-half of the appointed local representatives, are required for a quorum of the committee. A local representative must be a qualified [voter] *elector* of the territory or city he represents, and must be selected as follows:
Sec. ..... Section three hundred seventy-two point two (372.2), subsection one (1), Code 1975, is amended to read as follows:
1. [Voters] *Eligible electors* of the city, equal in number to at least twenty-five percent of the persons who voted at the last regular city election, may petition the mayor to adopt a different form of city government."
3. Page 4, insert after line 9 the following:
"Sec. ..... Section three hundred seventy-two point nine (372.9), subsection one (1), paragraph b, Code 1975, is amended to read as follows:
b. [Voters] *Eligible electors* of the city equal

in number to at least twenty-five percent of the persons who voted at the last regular city election petitioning the council to appoint a charter commission

Page 2

to prepare a proposed charter. The council shall, within thirty days of the filing of a valid petition, appoint a charter commission composed of not less than five nor more than fifteen members. The charter commission shall, within six months of its appointment, prepare and file with the council a proposed charter."

4. Page 5, insert after line 26 the following:

"Sec. ..... Section three hundred seventy-six point four (376.4), unnumbered paragraphs one (1) and four (4), Code 1975, are amended to read as follows:

[A voter] *An eligible elector* of a city may become a candidate for an elective city office by filing with the city clerk a valid petition requesting that his name be placed on the ballot for that office. The petition must be filed not more than sixty-five days nor less than forty days before the date of the election, and must be signed by [voters] *eligible electors* equal in number to at least two percent of those who voted to fill the same office at the last regular city election, but not less than ten persons. Nomination petitions shall be filed not later than five o'clock p.m. on the last day for filing.

The petition must include the affidavit of at least one [voter] *eligible elector* other than the petitioners and the individual for whom the petition is being filed, stating the affiant's knowledge, information, and belief as to the residence of the petitioners."

5. Renumber sections and correct internal references in accordance with this amendment.

6. Amend the title, line 1, by inserting after the words "by" the words "correcting references to electors,".

FORREST V. SCHWENGELS

S—3999

Amend Senate File 526 as follows:

1. Page 4, line 16, insert after the second comma the word "six (6),".

2. Page 4, insert after line 23 the following:

"6. [Immediately] *Within fifteen days* following a regular or special meeting of the council, the clerk shall [prepare a condensed statement] *cause the minutes* of the proceedings of the council, including the total expenditure from each city fund, [and cause the statement] to be published in a newspaper of general circulation in the city. The [statement] *publication* shall include a list of all claims allowed and a summary of all receipts, and shall show the gross amount of the claim, *the name of the person receiving a warrant, and the reason for issuing the warrant.*

However, if a warrant is issued to a person regularly employed by the municipality, such name and reason shall be published once annually showing the gross amount of the warrants. Also, matters discussed in closed session pursuant to section twenty-eight A point three (28A.3) of the Code shall not be published until entered on the minutes. However, in cities having more than one hundred fifty thousand population the council shall each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the city, and [a summary of] its proceedings during the preceding month, and furnish copies to the city library, the daily newspapers of the city, and to persons who apply at the office of the city clerk, and the pamphlet shall constitute publication as required. Failure by the clerk to make publication is a misdemeanor. The provisions of this subsection are applicable in cities in which a newspaper is published, or in cities of two hundred population or over, but in all other cities, posting the statement in three public places in the city which have been permanently designated by ordinance is sufficient compliance with this subsection."

3. Page 7, line 14, strike the words "subsection two (2), Code 1975, is" and insert in lieu thereof the words "subsections two (2) and three (3), Code 1975, are".

4. Page 7, insert after line 25 the following:

"3. The council shall set a time and place for public hearing on the budget before the final certification date and shall publish notice before the hearing as provided in section 362.3. *A summary of the proposed budget shall be included in the notice.* Proof of publication must be filed with the county auditor."

Page 2

5. Amend the title, line 3, by inserting after the second comma the words "publication of council minutes,".

LOWELL L. JUNKINS

S—3995

Amend Senate File 526, page 6, by striking lines 10 through 16.

PHILIP B. HILL

S—4009

Amend Senate File 526 as follows:

1. Page 9, line 6 by striking the word "an" and inserting in lieu thereof the words "a cumulative".

2. Page 9, line 8 by striking the word "an" and inserting in lieu thereof the words "a cumulative".

3. Page 9, line 11 by striking the word

"an" and inserting in lieu thereof the words "a cumulative".

RAY TAYLOR

S—4001

Amend Senate File 526, page 11, by inserting after line 1 the following:

"Sec. 28. Section three hundred eighty-four point ninety-five (384.95), subsection one (1), Code 1975, is amended to read as follows:

1. 'Public Improvement' means any building or construction work, either within or outside the corporate limits of a city, to be paid for in whole or in part by the use of funds of the city, regardless of sources, including a building or improvement constructed or operated jointly with any other public or private agency, but excluding urban renewal and low rent housing projects, industrial aid projects authorized under chapter 419, [emergency work], [or] work performed by employees of a city *where the estimated total cost of a public improvement including labor and materials does not exceed the sum of twenty-five thousand dollars, work performed pursuant to a federal job assistance program,* or *work connected with* a city *electrical* utility."

JAMES W. GRIFFIN, SR.

S—4011

Amend Senate File 545 as follows:

1. Page 1, line 9, by inserting after the word *"county"* the words *"or assessing"*.

2. Page 1, line 11, by striking the words "or otherwise" and inserting in lieu thereof the words "[or otherwise] *and other city or county officials*".

3. Page 1, by striking lines 20 through 35 and page 2, by striking lines 1 through 15 and inserting in lieu thereof the following:

"441.49 ADJUSTMENT BY COUNTY AUDITOR. The director shall keep a record of the review and adjustment proceedings and finish such proceedings on or before the third Monday of October. The director shall notify each county auditor by mail of the final action taken at the proceedings and specify any adjustments in the valuations of any kind or class of property to be made effective for the jurisdiction. The director shall adjust the valuation when there is a variation of five percent above or below the market value. The county auditor shall notify by publication in official newspapers of general circulation any class or classes of property affected by an equalization order. The county auditor shall thereupon add to or deduct from the valuation of each kind or class of property in his county the required percentage, rejecting all fractions of fifty cents or less in the result, and counting all fractions over fifty cents as one dollar.

The local board of review shall reconvene in special session from November first to November thirtieth for the purpose of hearing any and all protests that any affected property owner or taxpayer within the jurisdiction of the board may have, whose valuation of property, if adjusted pursuant to the property valuation notice issued by the director of revenue to the county auditor of the county would result in a greater taxable value than permitted under section four hundred forty-one point twenty-one (441.21) of the Code and where the property owner or taxpayer is able to show to the satisfaction of the local board of review that an inequity would result if the provisions of the notice would be applied to his property. The local board of review shall accept protests only during the first ten days following the date the local board of review reconvenes. The local board of review may recommend to the director an adjustment to all or a part of the percentage increase ordered by the director of revenue, by adjusting the taxable value of the property to one hundred percent of actual value. Any adjustment so

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recommended by the local board of review shall not exceed the percentage increase provided for in the director's notice. The recommendation of the local board of review at the special session shall be reported to the director of revenue.

Sec. 3. Section four hundred forty-two point two (442.2), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Each school district shall cause to be levied each year, for the school general fund, a foundation property tax of five dollars and forty cents per thousand dollars of assessed valuation on all taxable property in the district. For the purpose of this chapter, a school district is defined as a school corporation organized under chapter 274. Each county auditor shall certify to each school district within the county and to the state comptroller, not later than [October 1] *January first* each year, the assessed valuation of taxable property for the current year in each school district within the county.

Sec. 4. Section four hundred forty-two point nine (442.9), subsection two (2), Code 1975, is amended to read as follows:

2. No later than [August 1] *May first* of each year, the state comptroller shall notify the county auditor of each county the amount, in dollars and cents per thousand dollars of assessed value, 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."

NORMAN RODGERS
ROGER J. SHAFF

S—3994

Amend House File 450 as amended, passed and reprinted by the House, page 12, line 3, by inserting after the comma the words "*other than mobile homes more than eight feet in width or more than thirty-two feet in length*".

BERL E. PRIEBE
KARL NOLIN
H. L. HEYING
IRVIN BERGMAN
DALE L. TIEDEN
C. JOSEPH COLEMAN

S—4012

Amend the committee on ways and means amendment, S—3989, to House File 764, as amended, passed, and reprinted by the House, as follows:

1. By striking everything after line 4 on page 1 and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-two point five (422.5), unnumbered paragraphs one (1) and two (2), Code 1975, are amended to read as follows:

A tax is hereby imposed upon every resident of the state, and upon that part of the taxable income of any nonresident which is derived from any property, trust, or other source within this state, including any business, trade, profession, or occupation carried on within this state, which tax shall be levied, collected, and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

1. On the first one thousand dollars of taxable income, or any part thereof, three-fourths of one percent.

2. On the second thousand dollars of taxable income, or any part thereof, one and one-half percent.

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] *On the tenth through the twentieth thousand dollars of taxable income, or any part thereof, seven percent.*

8. On the twenty-first through the thirtieth thousand dollars of taxable income, or any part thereof, eight percent.

9. On the thirty-first through the fiftieth thousand dollars of taxable income, or any part thereof, nine percent.

10. On the fifty-first through the one-hundredth thousand dollars of taxable income, or any part thereof, ten percent.

11. On all taxable income over one hundred thousand dollars, eleven percent.

However, no tax shall be imposed on any resident or nonresident whose net income, as defined in section 422.7, is [four] *five* thousand dollars or less; but in the event that the payment of tax under this

Page 2

division would reduce the net income to less than [four] *five* thousand dollars, then the tax shall be reduced to that amount which would result in allowing the taxpayer to retain a net income of [four] *five* thousand dollars. The preceding sentence does not apply to estates or trusts. For the purpose of this paragraph, the entire net income, including any part thereof not allocated to Iowa, shall be taken into account. If the combined net income of a husband and wife exceeds [four] *five* thousand dollars, neither of them shall receive the benefit of this paragraph, and it is immaterial whether they file a joint return or separate returns. An unmarried child under twenty-one years of age who is a dependent of his parent or parents as defined in section 422.12, shall not receive the benefit of this paragraph if such parent's net income exceeds [four] *five* thousand dollars or if the combined net income of such parents exceeds [four] *five* thousand dollars.

Sec. 2. Section four hundred twenty-two point nine (422.9), subsection one (1), Code 1975, is amended to read as follows:

1. An optional standard deduction of [ten] *fifteen* percent of the net income after deduction of federal income tax, not to exceed [five] *seven* hundred *fifty* dollars.

Sec. 3. The provisions of this Act shall be retroactive to January 1, 1975, for all taxable years commencing on or after January 1, 1975, and to this extent the provisions of this Act are retroactive."

2. Amend the title by striking lines 2 through 7 and inserting in lieu thereof the words "change in Iowa individual income tax rates, exemptions and deductions, subject to penalties provided by law, and making the Act retroactive."

ROGER J. SHAFF
CLIFTON C. LAMBORN
FORREST V. SCHWENGELS
LUCAS J. DeKOSTER

S—3998

Amend House File 803 as amended, passed and reprinted by the House as follows:

1. Page 1, line 17, by striking the word "an assessment of the policyholders" and inserting in lieu

thereof the words "a stabilization reserve fund contributed to by insureds".

2. Page 5, by striking lines 15 and 16 and inserting in lieu thereof the following:

"All policies shall be issued subject to the group retrospective rating plan and the stabilization reserve fund authorized by this Act. No policy".

3. Page 5, line 35, by inserting after the word "basis," the following:

"giving due consideration to the group retrospective rating plan and the stabilization reserve fund,".

4. Page 6, by striking lines 4 through 10 and inserting in lieu thereof the following:

"ject to a nonprofit group retrospective rating plan to be approved by the commissioner under which the final premium for all policyholders of the association, as a group, will be equal to the administrative expenses, loss and loss adjustment expenses and taxes, plus a reasonable allowance for contingencies and servicing. Policyholders shall be given full credit for all investment income, net of expenses and a reasonable management fee, on policyholder supplied funds. The standard premium, before retrospective adjustment, for each policy issued by the association shall be established for portions of the policy period coinciding with the association's fiscal year on the basis of the association's rates, rating plans, rating rules, and rating classifications then in effect. The maximum final premium for all policyholders of the association, as a group, shall be limited as provided in subsection five (5) of section six (6) of this Act. Since the business of the association is subject to the nonprofit group retrospective rating plan required by this subsection, there shall be a presumption that the rates filed and premiums imposed by the association are not unreasonable or excessive."

5. Page 6, line 12, by striking the word "assessment".

6. Page 6, by striking line 13 and inserting in lieu thereof the following:

"the stabilization reserve fund has been exhausted in payment of the maximum final premium for all policyholders of the association."

7. Page 7, by inserting after line 4 the following new section:

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"Sec. 6. *NEW SECTION.* STABILIZATION RESERVE FUND.

1. There is created a stabilization reserve fund. The fund shall be administered by three directors, one of whom shall be the commissioner. The remaining two directors shall be appointed by the commissioner: One shall be a representative of the association and the other a representative of its policyholders.

2. The directors shall act by majority vote with two directors constituting a quorum for the transaction of any business or the exercise of any power of the fund. The directors shall serve without salary, but each director other than the commissioner shall be reimbursed for actual and necessary expenses incurred in the performance of official duties as a director. The directors shall not be subject to any personal liability with respect to the administration of the fund for acts or decisions made in good faith pursuant to the provisions of this Act.

3. Each policyholder shall pay to the association a stabilization reserve fund charge determined by the directors which shall not exceed the amount of one annual premium due for insurance through the association. Such charge shall be separately stated in the policy. The association shall cancel the policy of any policyholder who fails to pay the stabilization reserve fund charge.

4. The association shall promptly pay to the fund all stabilization reserve fund charges which it collects from its policyholders and any retrospective premium refunds payable under any group retrospective rating plan approved by the commissioner under the provisions of this Act.

5. All monies received by the fund shall be held in trust by a corporate trustee selected by the directors. The corporate trustee may invest the monies held in trust, subject to the approval of the directors. All investment income shall be credited to the fund, and all expenses of administration of the fund shall be charged against the fund. The monies held in trust shall be used solely for the purpose of discharging when due any retrospective premium charges payable by policyholders of the association under the group retrospective rating plan approved by the commissioner. Payment of retrospective premium charges shall be made by the directors upon certification to them by the association of the amount due. If all monies accruing to the fund are finally exhausted in payment of retrospective premium charges all liability and obligations of the association's policyholders with respect to the payment of

Page 3

retrospective premium charges shall thereupon terminate and shall be conclusively presumed to have been discharged. Any monies remaining in the fund after all such retrospective premuim charges have been paid shall be returned to policyholders pursuant to procedures authorized by the directors."

8. By renumbering sections of the bill and correcting internal references in conformity with sections 1 through 7 of this amendment.

9. Page 4, by striking lines 12 through 19.

10. Page 6, line 16, by striking the word "one".

11. Page 6, by striking lines 17 through 28 and inserting in lieu thereof the following:

"deducting their share of the deficit from past or future premium taxes due the state of Iowa. The association shall amend the amount of".

12. Page 15, by striking lines 16 through 20.

COMMITTEE ON COMMERCE
LOWELL L. JUNKINS, Chairman

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Tuesday, June 3, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, JUNE 3, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend Frank W. Smith, pastor of the First Church of the Open Bible, Des Moines, Iowa.

The Journal of Monday, June 2, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. David Tan Creti, Denison, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Shaw for the day on request of Senator Lamborn.

DISTINGUISHED VISITOR

The Chair welcomed the Honorable William H. Nicholas, former Lieutenant Governor and member of the House of Representatives from Cerro Gordo County during the Fifty-second and Fifty-second Extraordinary General Assemblies.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Hill of Jasper called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Roger R. Cloutier of Des Moines, Polk County, Iowa, for appointment to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and

ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
CLIFF BURROUGHS
FRED W. NOLTING
WILLIAM N. PLYMAT
NORMAN G. RODGERS

The motion prevailed and the report was adopted.

Senator Hill of Jasper moved the appointment of Roger R. Cloutier as a member of the State Board of Accountancy be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Hill of Jasper	Murray	Robinson
Burroughs	Hill of Polk	Nolin	Rodgers
Coleman	Hultman	Nolting	Scott
Culver	Junkins	Norpel	Shaff
Curtis	Kelly	Nystrom	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			
Griffin			

Nays, none.

Absent or not voting, 8:

Briles	Heying	Rabedeaux	Shaw
Carr	Orr	Schwengels	Willits

President pro tempore Doderer declared the appointment of Roger R. Cloutier as a member of the State Board of Accountancy confirmed for an initial term ending June 30, 1976.

Senator Scott called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Patricia E. Cornick, Des Moines, Polk County, Iowa, for appointment as a representative of the general public to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
LUCAS J. DeKOSTER
EUGENE M. HILL
WILLIAM N. PLYMAT
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Scott moved the appointment of Patricia E. Cornick as a member of the State Board of Barber Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Griffin	Miller of	Ramsey
Bergman	Hansen	Marshall	Redmond
Briles	Heying	Murray	Rodgers
Burroughs	Hill of Jasper	Nolin	Schwengels
Carr	Hill of Polk	Nolting	Scott
Coleman	Junkins	Norpel	Shaff
Culver	Kelly	Nystrom	Sovern
Curtis	Kinley	Orr	Taylor
DeKoster	Lamborn	Palmer	Tieden
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of	Priebe	Winkelman
Glenn	Des Moines	Rabedeaux	
Gluba			

Nays, none.

Absent or not voting, 4:

Hultman	Robinson	Shaw	Willits

President pro tempore Doderer declared the appointment of Patricia E. Cornick as a member of the State Board of Barber Examiners confirmed for an initial three-year term ending June 30, 1978.

Senator Van Gilst called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of George A. Lundberg, of Des Moines, Polk County, Iowa, for reappointment as a member of the Employment Security Commission for the State of Iowa under the provisions of Section 96.10, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LUCAS DeKOSTER
HILARIUS L. HEYING
FRED NOLTING
WILLIAM P. WINKELMAN

The motion prevailed and the report was adopted.

Senator Van Gilst moved the appointment of George A. Lundberg as a member of the Employment Security Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Polk	Nolin	Rodgers
Briles	Hultman	Nolting	Schwengels
Burroughs	Junkins	Norpel	Scott
Carr	Kelly	Nystrom	Shaff
Coleman	Kinley	Orr	Sovern
Culver	Lamborn	Palmer	Taylor
Curtis	Merritt	Plymat	Tieden
DeKoster	Miller of	Priebe	Van Gilst
Doderer	Des Moines	Rabedeaux	Willits
Gallagher	Miller of	Ramsey	Winkelman
Glenn	Marshall	Redmond	
Hansen			

Nays, 1:

Gluba

Absent or not voting, 3:

Griffin	Hill of Jasper	Shaw

President pro tempore Doderer declared the appointment of George A. Lundberg as a member of the Employment Security Commission confirmed for the regular six-year term ending June 30, 1981.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 625

Senator Scott called up for consideration House File 625, a bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties, 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:

S—3968

Amend the Senate amendment H—3881, to House File 625 as passed by the House, as follows:

1. Page 1, by striking all of line 12.
2. Page 1, by striking all of line 16.
3. Page 1, by striking all of line 17.
4. Page 1, by striking all of lines 36 through 50.
5. Page 2, by striking all of lines 1 through 26.

A record roll call was requested.

On the question "Shall the Senate concur in House amendment S—3968 to Senate amendment H—3881 (H.F. 625) the vote was:

Ayes, 36:

Andersen	Gluba	Murray	Redmond
Bergman	Griffin	Nolin	Robinson
Briles	Hansen	Nolting	Rodgers
Carr	Junkins	Norpel	Schwengels
Coleman	Kinley	Nystrom	Scott
Culver	Merritt	Orr	Sovern
Curtis	Miller of Des Moines	Palmer	Taylor
Doderer	Miller of Marshall	Priebe	Van Gilst
Gallagher		Rabedeaux	Willits
Glenn			

Nays, 13:

Burroughs	Hill of Polk	Lamborn	Shaff
DeKoster	Hultman	Plymat	Tieden
Heying	Kelly	Ramsey	Winkelman
Hill of Jasper			

Absent or not voting, 1:

Shaw

The motion prevailed and the Senate concurred in House amendment S—3968 to Senate amendment H—3881.

Senator Scott 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. 625) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, 1:

Kelly

Absent or not voting, 1:

Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kinley, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, Senator Glenn presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

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 on May 30, 1975, amended and adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 6 to continue the governor's task force on early childhood development and making an appropriation.

Also: That the House has on May 30, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 38, a bill for an act relating to the tax rate for nonowned cemetery property.

Also: That the House has on May 30, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 521, a bill for an act relating to expenses for persons seeking or employed in professional positions with the state.

Also: That the House has on May 29, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 502, a bill for an act relating to vehicle inspection and issuing inspection orders by authorized employees.

Also: That the House has on May 30, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 890, a bill for an act appropriating funds for the financing of programs under the administration of the Iowa employment security commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION 6

S—4018

Amend Senate Joint Resolution 6, as amended and passed by the Senate, as follows:

1. Page 1, line 14, by striking the word "year" and inserting in lieu thereof the word "period".

2. Page 1, line 15, by striking the word and figure "June 30" and inserting in lieu thereof the word and figure "March 31".

3. Page 1, line 19, by inserting after the word "force" the words "to enable the task force to complete its study".

4. Page 1, line 19, by inserting after the period the words "Unobligated or unencumbered funds appropriated in this section remaining on February 15, 1976 shall revert to the general fund of the state on April 15, 1976."

HOUSE AMENDMENT TO SENATE FILE 38

S—4019

Amend Senate File 38, as amended and passed by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred thirty-two point three (332.3), Code 1975, is amended by adding the following new subsections:

NEW SUBSECTION. To provide for the maintenance and improvement of cemeteries within the county.

NEW SUBSECTION. To levy taxes in the affected township, subject to the limitation imposed under sections three hundred fifty-nine point thirty (359.30) and three hundred fifty-nine point thirty-three (359.33) of the Code, and expend receipts from such taxes for the care and maintenance of township owned and nonowned cemeteries upon the failure of township officers to levy taxes in the township for the care and maintenance of such cemeteries as prescribed in sections three hundred fifty-nine point thirty (359.30) and three hundred fifty-nine point thirty-three (359.33) of the Code."

2. Amend the title, line 1, by striking the words "tax rate for nonowned cemetery property" and inserting in lieu thereof the words "maintenance and improvement of cemetery property and permitting the levy of a tax".

HOUSE AMENDMENT TO SENATE FILE 521

S—4020

Amend Senate File 521, as passed by the Senate, as follows:

1. Page 1, line 5, by striking the word "professional".

2. Page 1, line 9, by striking the word "professional".

3. Page 1, line 11, by inserting after the period the following:

"However, expenses incurred in moving this person's household goods and other personal effects shall be reimbursed only to the extent the expense is for the packing and moving of ten thousand

pounds or less of these goods and effects. Also, reimbursement for moving expenses shall not include reimbursement for the expense of moving animals."

4. Title page, line 2, by striking the word "professional".

INTRODUCTION OF BILLS

Senate Joint Resolution 13, by committee on appropriations, a joint resolution to provide for an interim study of the structure and performance of the department of social services.

Read first time and **placed on calendar.**

Senate File 559, by committee on appropriations, a bill for an act making an appropriation to the department of public instruction for the administration of driver education courses.

Read first time and **placed on calendar.**

Senate File 560, by committee on appropriations, a bill for an act making an appropriation to the moneys and credits replacement fund.

Read first time and **placed on calendar.**

Senate File 561, 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 calendar.**

Senate File 562, by committee on appropriations, a bill for an act relating to the funding of certain employment positions.

Read first time and **placed on calendar.**

Senate File 563, by committee on appropriations, a bill for an act appropriating funds to the office of the citizens' aide.

Read first time and **placed on calendar.**

Senate File 564, by committee on appropriations, a bill for an act establishing salary rates for members of the judicial branch of government and the members of the public employment relations board.

Read first time and **placed on calendar.**

Senate File 565, by committee on appropriations, a bill for an act relating to administration of chapter three hundred twenty-four (324) of the Code and the motor vehicle use tax program and appropriating funds from the motor vehicle fuel tax fund to the department of revenue for such purposes.

Read first time and **placed on calendar.**

Senate File 566, by committee on appropriations, a bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue.

Read first time and **placed on calendar.**

HOUSE MESSAGES CONSIDERED

House File 502, a bill for an act relating to vehicle inspection and issuing inspection orders by authorized employees.

Read first time and **passed on file.**

House File 890, a bill for an act appropriating funds for the financing of programs under the administration of the Iowa employment security commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor.

Read first time and **passed on file.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Tieden called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Nel Bonnell of Fort Dodge, Webster County, Iowa, for reappointment as a member of the Iowa Commission for the Blind, under the provisions of Section 601B.1, 1975 Code of Iowa, for a regular three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

DALE L. TIEDEN, Chairman
C. JOSEPH COLEMAN
H. L. HEYING
CLOYD E. ROBINSON
RAY TAYLOR

The motion prevailed and the report was adopted.

Senator Tieden moved the appointment of Nel Bonnell as a member of the Iowa Commission for the Blind be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Griffin			Winkelman

Nays, 1:

Gluba

Voting present, 1:

Plymat

Absent or not voting, 2:

Coleman Shaw

The Chair declared the appointment of Nel Bonnell as a member of the Iowa Commission for the Blind confirmed for the regular three-year term ending June 30, 1978.

Senator Hansen called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Thomas A. Bates of Bellevue, Jackson County, Iowa, for reappointment to the Iowa Conservation Commission pursuant to Section 107.1-4, 1975 Code of Iowa, for the regular six-year term commencing July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLARD R. HANSEN, Chairman
JAMES V. GALLAGHER
LOWELL JUNKINS
CLIFTON C. LAMBORN
RICHARD J. NORPEL, SR.

The motion prevailed and the report was adopted.

Senator Hansen moved the appointment of Thomas A. Bates as a member of the State Conservation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Briles	Carr	Culver
Bergman	Burroughs	Coleman	Curtis

DeKoster	Junkins	Norpel	Rodgers
Doderer	Kelly	Nystrom	Schwengels
Gallagher	Kinley	Orr	Scott
Glenn	Merritt	Palmer	Shaff
Gluba	Miller of	Plymat	Sovern
Griffin	Des Moines	Priebe	Taylor
Hansen	Miller of	Rabedeaux	Tieden
Heying	Marshall	Ramsey	Van Gilst
Hill of **Jasper**	Murray	Redmond	Willits
Hill of **Polk**	Nolin	Robinson	Winkelman
Hultman	Nolting		

Nays, none.

Absent or not voting, 2:

Lamborn Shaw

The Chair declared the appointment of Thomas A. Bates as a member of the State Conservation Commission confirmed for the regular six-year term ending June 30, 1981.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

MOTION TO RECONSIDER WITHDRAWN

Senator Ramsey withdrew the motion to reconsider the vote by which **House File 206** passed the Senate filed by him on May 19, 1975.

INTRODUCTION OF BILL

Senate File 567, by committee on appropriations, a bill for an act making an appropriation to the Iowa American revolution bicentennial commission to finance the participation of Iowa musical groups in honor of Iowa statehood at the Kennedy Center for the Performing Arts in Washington, D. C.

Read first time and **placed on calendar.**

SENATE RESOLUTION 12
By Heying

Whereas, the city of Ossian, Iowa was founded by John Ossian Porter one hundred and twenty-five years ago, and the citizens of Ossian are preparing to celebrate the city's anniversary on June 5, 6, and 7, 1975; and

Whereas, the city of Ossian was originally a stop for lumbermen traveling on the old Military Trail from Fort Crawford, Wisconsin with lumber to construct Fort Atkinson in Iowa; and

Whereas, the old Military Trail is still being used as a winding highway passing through the city of Ossian; *Now Therefore, Be It Resolved by the Senate*, That the membership of the Senate of the Sixty-sixth General Assembly of the State of Iowa

extends its heartiest congratulations to the city of Ossian, Iowa in commemoration of its one hundred and twenty-fifth anniversary; and

Be It Further Resolved, That a copy of this resolution be forwarded to the mayor, the city council, and the citizens of Ossian who are in charge of making preparations for the anniversary celebration.

Read first time and **passed on file.**

SENATE RESOLUTION 13
By Heying

Whereas, the city of Calmar, Iowa a thriving northeastern Iowa community is nearing its one hundred and twenty-fifth anniversary, and the citizens of Calmar, Iowa are preparing to celebrate that anniversary on June 20, 21, and 22, 1975; and

Whereas, a depot and station were established in Calmar, Iowa by the McGregor Railroad, later the Milwaukee Railroad, in 1865 and the community still serves as one of the main railroad centers of the area; and

Whereas, the oldest factory in Calmar, Iowa, a wagon box factory, was established in 1868 and is still in operation manufacturing truck boxes; and

Whereas, the city of Calmar, Iowa is the site of the Area I Community College; *Now Therefore,*

Be It Resolved by the Senate, That the membership of the Senate of the Sixty-sixth General Assembly of the State of Iowa extends its heartiest congratulations to the city of Calmar, Iowa in commemoration of its one hundred and twenty-fifth anniversary; and

Be It Further Resolved, That a copy of this resolution be forwarded to the mayor, the city council, and the citizens of Calmar who are in charge of making preparations for the anniversary celebration.

Read first time and **passed on file.**

CONFIRMATION OF GOVERNOR'S APPOINTMENT

Senator Van Gilst called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Miss Jolene Stevens of Sioux City, Woodbury County, Iowa, for reappointment as a member of the Campaign Finance Disclosure Commission under the provisions of Section 56.9, Code 1975, for a regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
LOUIS P. CULVER
E. KEVIN KELLY
FRED NOLTING
ELIZABETH R. MILLER

The motion prevailed and the report was adopted.

Senator Van Gilst moved the appointment of Jolene Stevens as a member of the Campaign Finance Disclosure Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Glenn	Miller of Des Moines	Robinson
Bergman	Gluba	Murray	Rodgers
Briles	Hansen	Nolin	Schwengels
Burroughs	Heying	Nolting	Scott
Carr	Hill of Jasper	Nystrom	Shaff
Coleman	Hill of Polk	Palmer	Sovern
Culver	Junkins	Plymat	Taylor
Curtis	Kinley	Priebe	Tieden
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Merritt	Ramsey	Willits
Gallagher			Winkelman

Nays, none.

Voting present, 1:

Kelly

Absent or not voting, 7:

Griffin	Miller of Marshall	Norpel	Redmond
Hultman		Orr	Shaw

President Neu declared the appointment of Jolene Stevens as a member of the Campaign Finance Disclosure Commission confirmed for the regular six-year term ending June 30, 1981.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

GOVERNOR'S ITEM VETO MESSAGE

The following item veto message from the Governor to the Secretary of State was presented:

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Synhorst:

I hereby transmit House File 864, an Act providing for and making appropriations for financing state postsecondary education programs including programs under the state board of regents, the higher education facilities commission, and the department of public instruction.

House File 864 is approved June 3, 1975, with the following exception which I hereby disapprove.

I am unable to approve Item 3 designated in the Act as Section 3 which reads as follows:

"Sec. 3. Section two hundred sixty-one point two (261.2), subsection four (4), Code 1975, is amended to read as follows:

4. Prepare and administer a state plan for a state supported and administered scholarship program. Said state plan shall provide for scholarships based on ability [and need] to deserving students of Iowa, matriculating in Iowa universities, colleges, area vocational schools, area community colleges, or schools of professional nursing.

The provisions of this section shall be effective July 1, 1976, however, if a deserving student who receives a scholarship for the 1975-1976 academic year also receives a scholarship for the 1976-1977 academic year, it shall be based on both ability and need."

Heretofore, the Iowa scholarship program administered by the higher education facilities commission awarded scholarships under this program on ability and need of the applicant. This provision I am deleting eliminates the need factor.

I am sympathetic with the idea of recognizing Iowa high school students for academic achievement, but to reduce the number of scholarships awarded to students on a need basis for this purpose would be unwise.

The primary purpose of this program is to provide financial assistance to high academic achievers who need the assistance to further their education. Section 3 would be counter to this.

The action taken by the General Assembly in Section 3 also has the effect of diluting the present scholarship program by spreading the number of scholarship awards among more students, regardless of need, thereby reducing the size of the scholarships to those who need them most.

The action I take in eliminating this section of House File 864 does not alter the amount of the appropriation made by the General Assembly to the Iowa Scholarship Program. The program can continue to function well without Section 3—with scholarships being distributed to students on the basis of both "need" and "ability" as is done now.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 864 are hereby approved this date.

Sincerely,
Robert D. Ray
Governor

INTRODUCTION OF BILLS

Senate File 568, by committee on appropriations, a bill for an act setting a salary range for certain state officials and designated employees of the state and providing for the governor to set salaries within such ranges.

Read first time and **placed on calendar.**

Senate File 569, by committee on appropriations, a bill for an act to appropriate from the general fund of the state to the municipal assistance fund and the county government assistance fund created by this Act.

Read first time and **placed on calendar.**

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on June 3, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 147—Amending the duties of the court administrator.

S. F. 419—Relating to the planning and implementation of resource recovery systems.

S. F. 422—To include caves and caverns in the limitation of liability for allowing public use of private land.

S. F. 464—Making an appropriation to the Iowa development commission and energy policy council.

S. F. 506—Making an appropriation to the state conservation commission and divisions of the commission.

H. F. 76—Relating to the signature of persons with physical disabilities and providing penalties.

H. F. 156—Relating to the disposition of certain game by the state conservation commission.

H. F. 195—Relating to statewide fire protection.

H. F. 317—Relating to the taxation of cigarettes by providing for the sale and exchange of cigarette stamps and defining cigarette and package of cigarettes.

H. F. 335—Relating to exemptions from the state merit system.

H. F. 351—Relating to the payment of wages and expenses by an employer and providing a civil money penalty.

H. F. 395—Relating to the civil service systems of cities.

H. F. 396—Relating to the issuing of certificates to veterinary lay assistants.

H. F. 486—To appropriate funds to defray expenses of the inaugural ceremonies.

H. F. 488—To allow the state conservation commission to gather or remove certain plant life from parks.

H. F. 497—Relating to the conservation management and protection of fish, plant life, and wildlife species endangered or threatened with extinction and prescribing penalties.

H. F. 558—Relating to elementary, secondary and prekindergarten education.

H. F. 575—Relating to eligibility for low-rent housing.

H. F. 679—Relating to the final return, payment and refund, and appeal procedures for the state inheritance tax.

H. F. 748—Relating to sales delivered within the state for corporation tax purposes.

H. F. 780—Making an appropriation to the department of soil conservation and department of agriculture.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

H. F. 820 Transportation

H. F. 889 Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Margaret Baehr of Spencer, Clay County, Iowa, for appointment as a member of the Board of Examiners for Hearing Aid Dealers under the provisions of Section 154A.2, Code 1975, for the regular three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD ROBINSON, Chairman
IRVIN L. BERGMAN
LOUIS P. CULVER
DALE L. TIEDEN
JAMES V. GALLAGHER

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sister Mary Xavier Coens of Dubuque, Dubuque County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of Section 147.12, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD ROBINSON, Chairman
LEONARD C. ANDERSEN
ROBERT M. CARR
MINNETTE DODERER
RAY TAYLOR

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Frederick V. Hetzler, D.O., of Davenport, Scott County, Iowa, for appointment as a member of the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

NORMAN RODGERS, Chairman
WILLIAM E. GLUBA
RICHARD J. NORPEL, SR.
WILLIAM N. PLYMAT
ROGER J. SHAFF

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sherri Y. Alston of Washington, D. C., for appointment as a member of the Transportation Regulation Board, Division of Iowa Department of Transportation, under the provisions of Section 307.15,

Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLIFF BURROUGHS, Chairman
WARREN E. CURTIS
WILLIAM D. PALMER
NORMAN G. RODGERS
STEVE SOVERN

EXPLANATION OF VOTE

MR. PRESIDENT: Due to illness I was not present in the Senate most of the day on June 2, 1975. Had I been present, I would have voted "aye" on the following bills and amendments: Senate Files 523, 167, 530, 541, 518, and 536, and House File 498, amendments S—4007, S—4010, S—3997, S—4004, S—4000, S—3982, and S—4006, to Senate File 536. I would have voted "nay" on amendment S—4005 to Senate File 536. I would have voted "aye" on the appointments of Richard H. Brom, David W. Frevert, James A. Lynch, and Margaret Apostle to the Board of Architectural Examiners, on the appointments of Donald W. Brown, Harry B. Carlson, and Leo E. Burger to the Board of Accountancy, on Howard G. Ellis to the Board of Medical Examiners, and "nay" on the appointment of G. Thomas Reilly as a member of the Social Services Council.

WILLARD R. HANSEN

REPORTS OF COMMITTEE

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 848**, a bill for an act making appropriations to the Iowa crime commission and the department of public safety and providing for the administration and use of funds and personnel of such departments, 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:**

S—4026

Amend House File 848, as amended and passed by the House, as follows:

1. Page 2, by striking lines 12 and 13 and inserting in lieu thereof the following:

"b. For support, maintenance, and miscellaneous purposes, except for maintenance of state cars assigned to the department $2,089,000

c. For the maintenance of state cars assigned to the department for patrolling the highways of the state, except that such funds shall not be expended for the maintenance of unmarked cars used for patrolling the highways of the state ..... $ 900,000"

2. Page 3, by striking lines 25 through 35 and inserting in lieu thereof the following new section:

"Sec. ..... *NEW SECTION.* The department of public

safety and the state department of transportation shall not make available to persons other than the named driver or a person authorized by the named driver, or a court or a peace officer, an individual's manual or automated traffic record relating to an individual's involvement in a motor vehicle accident unless such involvement resulted in the person's conviction of a violation of a motor vehicle law or ordinance or unless such person failed to comply with the provisions of chapter three hundred twenty-one A (321A) of the Code."

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 883**, a bill for an act relating to and appropriating funds to judicial courts and agencies and appropriating funds to the attorney general, 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:**

S—4021

Amend House File 883, page 1, line 20, by striking the word "for".

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 887**, a bill for an act making an appropriation to the state department of health to finance programs subject to administration by the department, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4013

Amend the House amendment S—3983 to Senate File 266, as amended and passed by the Senate as follows:

1. Page 1, line 6 by striking the word "status,".
2. Page 1, line 27 by striking the word "status,".

CALVIN O. HULTMAN

S—4027

Amend Senate File 526 as follows:

1. Page 1, by inserting before line 1 the following:

"Sec. ..... Chapter twenty-eight E (28E), Code

1975, is amended by adding the following new section:

NEW SECTION. TRANSIT POLICY—JOINT AGREEMENT—CITY DEBT.

1. It is the public policy of this state to encourage the establishment or acquisition of urban mass transit systems and the equipment, maintenance and operation thereof by public agencies in cooperation with, and with the assistance of the urban mass transportation administration of the United States department of transportation, pursuant to the provisions of the Urban Mass Transportation Act of 1964, as amended, title forty-nine (49), sections one thousand six hundred one (1601) et seq., United States Code, which requires unification or official coordination of local mass transportation services on an area-wide basis as a condition of such assistance.

2. An agreement between one or more cities and other public agencies for this purpose may be made and carried out without an election and the agency created thereby may jointly exercise through a board of trustees as provided by the agreement all the rights, powers, privileges and immunities of cities related to the provision of mass transportation services, except the authority to incur bonded indebtedness.

3. A city which is a party in a joint transit agency may issue general corporate purpose bonds for the support of a capital program for the joint agency in the following manner:

a. The council shall give notice and conduct a hearing on the proposal in the manner set forth in section three hundred eighty-four point twenty-five (384.25) of the Code. However, the notice must be published at least ten days prior to the hearing, and if a petition valid under section three hundred sixty-two point four (362.4) of the Code is filed with the clerk of the city prior to the hearing, asking that the question of issuing the bonds be submitted to the qualified electors of the city, the council shall either by resolution declare the proposal abandoned or shall direct the county commissioner of elections to call a special election to vote upon the question of issuing the bonds. Notice of the election and its conduct shall be in the manner provided in section three hundred eighty-four point

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twenty-six (384.26) of the Code.

b. If no petition is filed, or if a petition is filed and the proposition of issuing bonds is approved at the election, the council may proceed with the authorization and issuance of the bonds.

An agreement may provide for full or partial payment from transit revenues to the cities for meeting debt service on such bonds.

This subsection shall be construed as granting additional power without limiting the power already existing in cities, and as providing an alternative independent method for the carrying out of any project for the issuance and sale of bonds for the financing of a city's share of a capital expenditures project of a joint transit agency, and no further proceedings with respect to the authorization of the bonds shall be required.

Sec. ..... **Chapter twenty-eight G** (28G), Code 1975, is repealed."

2. Renumber sections and correct internal references in accordance with this amendment.

3. Amend the title, line 2, by inserting after the word "for" the words "joint transit agencies,".

EARL M. WILLITS

S—4016

Amend the Junkins amendment, S—3999, to Senate File 526, page 1, line 11, by inserting after the period **the following sentence:** ***"Notwithstanding the provisions of Section six hundred eighteen point eleven (618.11) of the Code the rate for such publication shall not exceed the lowest display rate which said newspaper charges their largest volume advertiser."***

FORREST V. SCHWENGELS

S—4023

Amend the Junkins amendment, S—3999 to Senate File 526 as follows:

1. Page 1, line 16, insert before the word *"warrant"* the word *"salary"*.

2. Page 1, line 19, strike the word *"warrants"* and insert in lieu thereof the words *"annual salary"*.

3. Page 1, line 22, insert before the word *"minutes"* the word *"public"*.

W. R. RABEDEAUX

S—4017

Amend Senate File 536, page 3, line 29, by inserting the following after the period: "A retail establishment in which a satellite facility is located shall not offer a discount on the purchase of goods or services to customers of the satellite facility which are not offered to customers of the retail establishment who pay by cash or check."

JAMES V. GALLAGHER

S—4015

Amend Senate File 555 as follows:

1. Page 4, line 10, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

2. Page 4, by inserting the following after line 22:

"*NEW SUBSECTION.* 'Final five-year average wage' means the wages of a member who is employed as a conservation peace officer under the provisions of section one hundred seven point thirteen (107.13) of the Code, averaged over the five consecutive years as a member which will produce the highest average."

3. Page 10, by inserting after line 21, the following subsection:

"7. Notwithstanding the provisions of this chapter, a member who is employed as a conservation peace officer under the provisions of section one hundred seven point thirteen (107.13) of the Code and who retires on or after January 1, 1976, and at the time of retirement is at least fifty-five years of age and has completed at least twenty-two years of membership service as a conservation peace officer, may elect to receive a monthly retirement allowance equal to one-twelfth of fifty percent of the member's final five-year average wage, with benefits payable during the member's lifetime."

C. JOSEPH COLEMAN
BERL E. PRIEBE
RICHARD J. NORPEL, SR.
JOHN N. NYSTROM

S—4025

Amend Senate File 555 as follows:

1. Page 14, by striking lines 24 through 28.
2. Page 14, line 29, by striking the number "2" and inserting in lieu thereof the number "1".
3. Page 14, line 31, by inserting after the word "for" the words "faculty members,".
4. Page 15, line 15, by striking the number "3" and inserting in lieu thereof the number "2".

JOHN S. MURRAY

S—4014

Amend the committee on ways and means amendment S—3989, to House File 764, as amended, passed, and reprinted by the House, as follows:

1. Page 1, by striking lines 43 through 50.
2. Page 2, by striking line 1.
3. Page 2, lines 2 and 3, by striking the word "*seventy-five*" and inserting in lieu thereof the word "*twenty-five*".
4. Page 2, line 3, by striking the word "*thirteen*" and inserting in lieu thereof the word "*ten*".
5. Renumber sections and subsections and correct internal references as may be necessary.

FORREST V. SCHWENGELS
CALVIN O. HULTMAN
ELIZABETH R. MILLER
CLIFTON C. LAMBORN
CLIFF BURROUGHS

S—4024

Amend the committee on ways and means amendment, S—3989, to House File 764, as amended, passed, and reprinted by the House, page 2, line 18, by striking the words "adjusted by" and inserting in lieu thereof the words "[adjusted by] *less any federal income tax paid or accrued on interest and dividends from federal securities and*".

ROGER J. SHAFF

S—4028

Amend House File 803, as amended, passed and reprinted by the House, by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. The general assembly finds that a critical situation exists because of the high cost and impending unavailability of medical malpractice insurance. The purposes of sections two (2) through thirteen (13) of this Act are to assure that the public is adequately protected against losses arising out of medical malpractice by providing licensed health care providers with medical malpractice insurance through the requirement that certain liability insurance carriers write medical malpractice insurance for a period of two years upon a finding of an emergency by the commissioner of insurance that either such insurance is not available through normal channels or that it is not available on a reasonable basis because of lack of competition for such insurance, or otherwise; to establish an association to equitably spread the risks for such insurance; and to provide for recoupment of losses resulting from the operation of the association through a stabilization reserve fund contributed to by insureds, or a favorable premium tax treatment.

It is the intent of this Act to provide only an interim solution to the impending unavailability of medical malpractice insurance. It is not anticipated that this Act will resolve the underlying causes of the unavailability and high cost which extend beyond the insurance mechanism. It is anticipated that future legislation will be required to deal on a more permanent basis with the underlying causes of the current situation.

Sec. 2. *NEW SECTION.* DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Association" means the joint underwriting association established pursuant to sections two (2) through thirteen (13) of this Act.

2. "Commissioner" means the commissioner of insurance or a designee.

3. "Medical malpractice insurance" means insurance coverage against the legal liability of the insured and against loss, damage, or expense incident to a

claim arising out of the death or injury of any person as the result of negligence or malpractice in rendering professional service by any licensed physician, hospital, or other licensed health care provider.

4. "Net direct premiums" means gross direct premiums written on liability insurance as reported

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in the annual statements filed by the insurers with the commissioner, including the liability component of multiple peril package policies as computed by the commissioner, less return premiums for the unused or unabsorbed portions of premium deposits.

5. "Licensed health care provider" means and includes a physician and surgeon, osteopath, osteopathic physician and surgeon, dentist, podiatrist, optometrist, pharmacist, chiropractor or nurse licensed pursuant to chapter one hundred forty-seven (147) of the Code, and a hospital licensed pursuant to chapter one hundred thirty-five B (135B) of the Code.

Sec. 3. *NEW SECTION.* TEMPORARY JOINT UNDERWRITING ASSOCIATION.

1. A temporary joint underwriting association is created, consisting of all insurers authorized to write and engaged in writing on a direct basis within this state liability insurance, including insurers covering such peril in multiple peril policies. Every such insurer shall be a member of the association and shall remain a member as a condition of its authority to continue to write liability insurance in this state.

2. The purpose of the association shall be to provide, for a period not exceeding two years, a market for medical malpractice insurance on a self-supporting basis without subsidy from its members.

3. The association shall not commence underwriting operations for health care providers until the commissioner, after notice and opportunity for hearing, has determined that medical malpractice insurance is not available at a reasonable cost for a specific type of licensed health care provider in the voluntary market. Upon such determination the association shall be authorized to issue policies of medical malpractice insurance for such specific type of health care provider but need not be the exclusive agency through which such insurance may be written on a primary basis in this state.

If the commissioner determines at any time that medical malpractice insurance can be made available in the voluntary market at a reasonable price for any specific type of licensed health care provider, the association shall thereby cease underwriting medical malpractice insurance for that type of licensed health care provider.

4. The association shall, subject to the terms and conditions of sections two (2) through thirteen

(13) of this Act, have and exercise the following powers on behalf of its members:

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a. To issue, or to cause to be issued, policies of insurance to applicants, including incidental coverages and subject to limits as specified in the plan of operation but not to exceed one million dollars for each claimant under one policy and three million dollars for all claimants under one policy in any one year.

b. To underwrite such insurance and to adjust and pay losses with respect thereto, or to appoint service companies to perform those functions.

c. To assume reinsurance from its members.

d. To cede reinsurance.

Sec. 4. *NEW SECTION.* PLAN OF OPERATION

1. The association shall submit a plan of operation to the commissioner, together with any amendments necessary or suitable to assure the fair, reasonable, and equitable administration of the association consistent with sections two (2) through thirteen (13) of this Act. The plan of operation and any amendments thereto shall become effective only after promulgation of the plan or amendment by the commissioner as a rule pursuant to section seventeen A point four (17A.4) of the Code: Provided that the initial plan may in the discretion of the commissioner become effective immediately upon filing with the secretary of state pursuant to subparagraph one (1) of paragraph b of subsection two (2) of section seventeen A point five (17A.5) of the Code.

If the association fails to submit a suitable plan of operation within twenty-five days following the effective date of this Act or if at any time thereafter the association fails to submit suitable amendments to the plan, the commissioner shall, after notice and opportunity for hearing, adopt rules necessary to effectuate sections two (2) through thirteen (13) of this Act. Such rules shall continue in force until modified by the commissioner or superseded by a plan submitted by the association and approved by the commissioner.

2. The plan of operation shall provide for economic, fair and nondiscriminatory administration, and for the prompt and efficient provision of medical malpractice insurance. The plan shall contain other provisions including, but not limited to, preliminary assessment of all members for initial expenses necessary to commence operations, establishment of necessary facilities, management of the association, assessment of members to defray losses and expenses, commission arrangements, reasonable and objective underwriting standards, acceptance and cession of

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reinsurance, appointment of servicing carriers or other servicing arrangements and procedures for

determining amounts of insurance to be provided by the association.

3. All member insurers shall comply with the plan of operation.

Sec. 5. *NEW SECTION.* POLICY FORMS AND RATES.

1. The rates, rating plans, rating classifications, and policy forms and endorsements applicable to insurance written by the association and the statistical and experience data relating thereto shall be subject to sections two (2) through thirteen (13) of this Act and to the provisions of the general insurance code which are not inconsistent with the purposes and provisions of this Act.

2. All policies issued by the association shall provide for a continuous period of coverage beginning with their respective effective dates and terminating automatically at 12:01 a.m. on July 1, 1977, unless sooner terminated in accordance with sections two (2) through thirteen (13) of this Act, or unless terminated because of failure of the policyholder to pay any premium or stabilization reserve fund charge or portion of either when due. All policies shall be issued subject to the group retrospective rating plan and the stabilization reserve fund authorized by this Act. No policy form shall be used by the association unless it has been filed with and approved by the commissioner.

3. The commissioner shall specify whether policy forms and the rate structure shall be on a "claims-made" or "occurrence" basis and coverage shall be provided by the association only on the basis specified by the commissioner. The commissioner shall specify the "claims-made" basis only if the contract makes provision for residual "occurrence" coverage upon the retirement, death, disability or removal from this state of the insured. Provision may be made for a premium charge allocable to any such residual "occurrence" coverage and such premium charges for such residual coverage shall be segregated and separately maintained for such purpose which may include the reinsurance of all or a part of that portion of the risk.

4. The rates, rating plans, rating rules, and rating classifications applicable to the insurance written by the association shall be on an actuarially sound basis, giving due consideration to the group retrospective rating plan and the stabilization reserve fund, and shall be calculated to be self-supporting.

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5. All policies issued by the association shall be subject to a nonprofit group retrospective rating plan to be approved by the commissioner under which the final premium for all policyholders of the association, as a group, will be equal to the administrative expenses, loss and loss adjustment expenses and taxes, plus a reasonable allowance for

contingencies and servicing. Policyholders shall be given full credit for all investment income, net of expenses and a reasonable management fee, on policyholder supplied funds. The standard premium, before retrospective adjustment, for each policy issued by the association shall be established for portions of the policy period coinciding with the association's fiscal year on the basis of the association's rates, rating plans, rating rules, and rating classifications then in effect. The maximum final premium for all policyholders of the association, as a group, shall be limited as provided in subsection five (5) of section six (6) of this Act. Since the business of the association is subject to the nonprofit group retrospective rating plan required by this subsection, there shall be a presumption that the rates filed and premiums imposed by the association are not unreasonable or excessive.

6. The association shall certify to the commissioner the estimated amount of any deficit remaining after the stabilization reserve fund has been exhausted in payment of the maximum final premium for all policyholders of the association. Within sixty days after that certification the commissioner shall authorize the members of the association to commence recoupment of their respective shares of the deficit by deducting their share of the deficit from past or future premium taxes due the state of Iowa. The association shall amend the amount of its certification of deficit to the commissioner as the values of its incurred losses become finalized and the members of the association shall amend their recoupment procedure accordingly.

7. In the event that sufficient funds are not available for the sound financial operation of the association, all members shall contribute to the financial requirements of the association in the manner provided for in section eight (8) of this Act. Any contribution shall be reimbursed to the members by recoupment as provided in subsection six (6) of this section.

Sec. 6. *NEW SECTION.* STABILIZATION RESERVE FUND.

1. There is created a stabilization reserve fund.

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The fund shall be administered by three directors, one of whom shall be the commissioner. The remaining two directors shall be appointed by the commissioner: One shall be a representative of the association and the other a representative of its policyholders.

2. The directors shall act by majority vote with two directors constituting a quorum for the transaction of any business or the exercise of any power of the fund. The directors shall serve without salary, but each director other than the commissioner shall be reimbursed for actual and necessary expenses incurred

in the performance of official duties as a director. The directors shall not be subject to any personal liability with respect to the administration of the fund for acts or decisions made in good faith pursuant to the provisions of this Act.

3. Each policyholder shall pay to the association a stabilization reserve fund charge determined by the directors which shall not exceed the amount of one annual premium due for insurance through the association. Such charge shall be separately stated in the policy. The association shall cancel the policy of any policyholder who fails to pay the stabilization reserve fund charge.

4. The association shall promptly pay to the fund all stabilization reserve fund charges which it collects from its policyholders and any retrospective premium refunds payable under any group retrospective rating plan approved by the commissioner under the provisions of this Act.

5. All monies received by the fund shall be held in trust by a corporate trustee selected by the directors. The corporate trustee may invest the monies held in trust, subject to the approval of the directors. All investment income shall be credited to the fund, and all expenses of administration of the fund shall be charged against the fund. The monies held in trust shall be used solely for the purpose of discharging when due any retrospective premium charges payable by policyholders of the association under the group retrospective rating plan approved by the commissioner. Payment of retrospective premium charges shall be made by the directors upon certification to them by the association of the amount due. If all monies accruing to the fund are finally exhausted in payment of retrospective premium charges, all liability and obligations of the association's policyholders with respect to the payment of retrospective premium charges shall thereupon terminate and shall be conclusively presumed to have been

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discharged. Any monies remaining in the fund after all such retrospective premium charges have been paid shall be returned to policyholders pursuant to procedures authorized by the directors.

Sec. 7. *NEW SECTION.* PROCEDURES.

1. Upon a finding by the commissioner, after notice and opportunity for hearing, that medical malpractice insurance is not available at a reasonable cost for a specific type of licensed health care provider in the voluntary market and upon notification of that finding to the association, any licensed health care provider of the type specified in the commissioner's finding shall be entitled to apply to the association for medical malpractice insurance coverage. The application may be made on behalf of

a licensed health care provider by an authorized agent.

2. If the association determines that the applicant meets the underwriting standards of the association as prescribed in the plan of operation, then the association, upon receipt of the premium or such portion thereof as is prescribed in the plan of operation, shall cause to be issued a policy of medical malpractice insurance.

Sec. 8. *NEW SECTION.* PARTICIPATION. All members of the association shall participate in its writings, expenses, servicing allowance, management fees and losses in the proportion that the net direct premiums of each member, excluding that portion of premiums attributable to the operation of the association, written during the preceding calendar year bears to the aggregate net direct premiums written in this state by all members of the association. Each member's proportion shall be determined annually on the basis of the annual statements and other reports filed by the insurer with the commissioner.

Sec. 9. *NEW SECTION.* GOVERNING BOARD.

1. The association shall be governed by a board of eleven governors of whom three shall be appointed annually by the commissioner to represent the licensed health care providers. Eight governors shall be elected annually, except as provided in subsection two (2) of this section, by the members of the association. Vacancies on the board shall be filled for the remaining period of the term by majority vote of the remaining governors subject to approval of the commissioner.

2. Within fifteen days after the effective date of this Act the commissioner shall designate a time and place for a meeting of the members of the

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association at which the eight elected governors serving on the first board shall be elected. The commissioner shall appoint the appointive governors of the board on or before the date of such meeting.

The commissioner may, prior to the first meeting of the members of the association, appoint an interim governing board of the association consisting of eight member insurers and three representatives of the licensed health care providers. The eight member insurers of that interim governing board shall serve until their successors are elected by the members of the association. In appointing members of the association to the interim governing board, the commissioner shall consider among other things whether all member insurers are fairly represented.

Sec. 10. *NEW SECTION.* APPEALS AND JUDICIAL REVIEW.

1. Any applicant or any person insured pursuant to section seven (7) of this Act, or a legal representative, or any affected insurer, may appeal

to the commissioner within thirty days after any ruling, action or decision by or on behalf of the association, with respect to those items the plan of operation defines as appealable matters.

2. All orders of the commissioner made pursuant to sections two (2) through thirteen (13) of this Act shall be subject to judicial review as provided in the Iowa administrative procedure Act.

Sec. 11. *NEW SECTION.* ANNUAL STATEMENTS. The association shall file in the office of the commissioner on or before the first day of March each year, a statement as prescribed by the commissioner. The statement shall contain matters and information required by the commissioner including, but not limited to, information with respect to its transactions, condition, operations and affairs during the preceding year, and shall be in a form approved by the commissioner. The commissioner may, at any time, require the association to furnish additional information with respect to matters considered to be material to the scope, operation and experience of the association.

Sec. 12. *NEW SECTION.* EXAMINATIONS. The commissioner shall make an examination of the association at least annually. The expenses of each examination shall be paid by the association.

Sec. 13. *NEW SECTION.* PRIVILEGED COMMUNICATIONS. There shall be no liability on the part of, and no cause of action of any nature shall arise against the association, the commissioner, or any other person or organization, for any statements made in good faith

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by any of them in any report or communication concerning risks insured or to be insured by the association, or during any proceedings within the scope of sections two (2) through thirteen (13) of this Act.

Sec. 14. Section five hundred nineteen point one (519.1), Code 1975, is amended to read as follows:

519.1 AUTHORIZATION. Any number of physicians[, druggists] *and surgeons, osteopaths, osteopathic physicians and surgeons, podiatrists, chiropractors, pharmacists,* dentists, and graduate nurses, licensed to practice their profession in this state, *and* ***hospitals licensed under chapter one hundred thirty-five B (135B) of the Code,*** may, by complying with the provisions of this chapter and without regard to other statutory provisions, enter into contracts with each other for the purpose of protecting themselves by insurance against loss by reason of actions at law on account of their alleged error, mistake, negligence, or carelessness in the treatment and care of patients, including the performance of surgical operations, or in the prescribing and dispensing of drugs and medicines, or for loss by reason of damages in other respects, and to reimburse

any member in case of such loss.

Sec. 15. Section five hundred nineteen point two (519.2), Code 1975, is amended to read as follows:

519.2 INCORPORATION—POWERS. All corporations, organized for the purpose of transacting such insurance business under the provisions of this chapter, shall incorporate under the provisions of chapter 491, and be known as mutual corporations; and are hereby empowered to collect such assessments, or premium payments, provided for in their articles of incorporation or bylaws, as are required to pay losses **and expenses incurred in the conduct of their** business *and to cede reinsurance.* Such mutual insurance corporations may issue certificates of membership, or policies; and may provide that all assessments, or premium payments, payable thereunder, be made in cash, or on the installment, or assessment plan.

Sec. 16. Section five hundred nineteen point five (519.5), Code 1975, is amended to read as follows:

519.5 CONDITIONS. No such certificate shall be issued by the commissioner of insurance until two **hundred fifty applications have** been received, [representing, in the aggregate, one million dollars of insurance,] and until the commissioner of insurance **has satisfied himself that such mutual** insurance corporation has bona fide applications representing

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the number of applicants [and the amount of insurance herein] required, and that there is in the possession of such mutual insurance corporation cash assets **amounting to not less than** ten [thousand dollars] *times the maximum single retained risk.*

Sec. 17. Section five hundred nineteen point six (519.6), Code 1975, is amended to read as follows:

519.6 REPORTS. Such mutual insurance corporations doing business under the provisions of this chapter **shall, annually, [in the month of January]** *before the first day of March,* **report to the** commissioner of insurance, upon blanks furnished by him, the same facts, so far as applicable, as are required to be furnished by mutual insurance associations under the statutes of Iowa, which report shall be tabulated by the commissioner of insurance and published by him in the annual report on insurance.

Sec. 18. Section five hundred nineteen point eight (519.8), Code 1975, is amended to read as follows:

519.8 CANCELLATION OF POLICY. Any certificate of membership, or policy, issued by such a mutual insurance corporation may be canceled by the **corporation by giving** [five] *thirty* days' written notice thereof to the insured; or such cancellation may be upon demand of the insured; and such cancellation, when so made, either by the corporation or by the insured, shall be upon a pro rata basis, and the cancellation of such certificate or policy shall release the member from all other future obligations

to such corporation.

Sec. 19. Section five hundred nineteen point nine (519.9), Code 1975, is amended to read as follows:

519.9 FEES. Such a mutual insurance corporation shall pay the same fees for admission into the state, for annual reports, and for annual certificates of authority as are required to be paid by domestic mutual companies organized and doing business under chapter 515; such certificate shall expire [March 1] ***May first*** **of the year following the date** of its issue.

Sec. 20. Section five hundred nineteen point twelve (519.12), Code 1975, is amended to read as follows:

519.12 FOREIGN COMPANIES. Any mutual insurance association organized under the laws of any other state, for the purpose of transacting the kind of business described in this chapter, and which has [been in business not less than one year, and has] on hand [cash assets in an amount of] *surplus amounting to* not less than ten [thousand dollars] *times the maximum single retained risk,* and has not less than [three]

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two hundred *fifty* members, [shall] *may* upon application, be admitted to do business in this state *if the commissioner finds such admission is in the public interest*; and shall thereafter make all reports and be subject to taxation, examination, and supervision by the commissioner of insurance to the same extent and in the same manner as are domestic corporations organized under the provisions of this chapter.

W. R. RABEDEAUX

S—4022

Amend House File 880, as passed by the House, as follows:

1. Page 2, by inserting after line 19 the following:

"Sec. ..... Section three hundred three A point six (303A.6), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The Iowa library department shall include but not be limited to the medical library division [and], the law library division, *and the military library division.*

Sec. ..... Section three hundred three A point six (303A.6), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The military library division shall be headed by the adjutant general. The adjutant general shall:

a. Operate the military library division which shall be maintained in the memorial hall at Camp Dodge and which shall be available for free use by the residents of Iowa under such reasonable rules as the

commission may adopt.

b. Maintain as an integral part of the military library documents, reports, records, and books which describe the history of the national guard and individual Iowans who have served in the armed services.

c. Perform such other duties related to the military library as may be imposed by law or by rules of the commission."

2. Title page, line 3, by inserting after the word "science" the words "and establishing a military library division within the Iowa library department".

COMMITTEE ON APPROPRIATIONS
WILLIAM D. PALMER, Chairman

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Wednesday, June 4, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JUNE 4, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Sister Alice Schaefer, principal of the St. Martin's Catholic School, Cascade, Iowa.

The Journal of Tuesday, June 3, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Steve Eckstat, Des Moines, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Pearle P. DeHart, former member of the Senate from Story County.

President Neu welcomed the Honorable John L. Mowry, former member of the Senate and the House of Representatives from Marshall County.

The Chair welcomed the following visitors who were present in the Senate gallery:

Nineteen 4-H Club members from Denison, Iowa, and Charter Oak, Iowa, accompanied by Mrs. Uker and Mrs. Deiber. Senator Culver.

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 on June 2, 1975, concurred in Senate amendment to and passed the following bill:

House File 670, a bill for an act relating to the salaries of juvenile court employees.

Also: That the House has on June 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 795, a bill for an act relating to tuition paid by school districts.

Also: That the House has on June 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 812, a bill for an act to allow the governor to appoint the directors of certain commissions.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 795, a bill for an act relating to tuition paid by school districts.

Read first time and **passed on file.**

House File 812, a bill for an act to allow the governor to appoint the directors of certain commissions.

Read first time and **passed on file.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Taylor called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harold L. Erichsen of Sioux City, Woodbury County, Iowa, for appointment as a member of the State Board of Barber Examiners under provisions of Section 147.12, 1975 Code of Iowa, for the regular three-year term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RAY TAYLOR, Chairman
ROBERT M. CARR
H. L. HEYING
E. KEVIN KELLY
JOAN ORR

The motion prevailed and the report was adopted.

Senator Taylor moved the appointment of Harold L. Erichsen as a member of the State Board of Barber Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Bergman	Curtis	Griffin	Kinley
Briles	DeKoster	Heying	Lamborn
Burroughs	Doderer	Hill of Polk	Merritt
Carr	Gallagher	Hultman	Miller of Des Moines
Coleman	Glenn	Junkins	
Culver	Gluba	Kelly	

Miller of Marshall	Nystrom	Robinson	Sovern
Murray	Palmer	Rodgers	Taylor
Nolin	Plymat	Schwengels	Tieden
Nolting	Priebe	Scott	Van Gilst
Norpel	Rabedeaux	Shaff	Winkelman
	Redmond		

Nays, none.

Absent or not voting, 7:

Andersen	Hill of Jasper	Ramsey	Willits
Hansen	Orr	Shaw	

President Neu declared the appointment of Harold L. Erichsen as a member of the State Board of Barber Examiners confirmed for the regular three-year term ending June 30, 1978.

Senator Priebe called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Richard E. Sisco of Cedar Rapids, Linn County, Iowa, for appointment as a member of the State Board of Barber Examiners under the provisions of Section 147.12, Code 1975, for an initial term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
JAMES M. REDMOND
CLOYD E. ROBINSON
FORREST V. SCHWENGELS
ROGER J. SHAFF

The motion prevailed and the report was adopted.

Senator Priebe moved the appointment of Richard E. Sisco as a member of the State Board of Barber Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Hill of Jasper Shaw

President Neu declared the appointment of Richard E. Sisco as a member of the State Board of Barber Examiners confirmed for an initial term ending June 30, 1977.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 559.

Senate File 559

On motion of Senator Van Gilst, Senate File 559, a bill for an act making an appropriation to the department of public instruction for the administration of driver education, was taken up for consideration.

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?" (S.F. 559) the vote was:

Ayes, 44:

Andersen	Gluba	Miller of Marshall	Redmond
Bergman	Griffin	Murray	Robinson
Briles	Hansen	Nolin	Rodgers
Burroughs	Heying	Nolting	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Coleman	Hultman	Orr	Shaff
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Rabedeaux	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Gallagher	Miller of Des Moines		Winkelman
Glenn			

Nays, 3:

Merritt	Priebe	Tieden

Absent or not voting, 3:

Hill of Jasper	Norpel	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 560.

Senate File 560

On motion of Senator Willits, Senate File 560, a bill for an act making an appropriation to the moneys and credits replacement fund, was taken up for consideration.

Senator Willits moved that the bill 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, 44:

Andersen	Gluba	Miller of Des Moines	Ramsey
Bergman	Griffin	Miller of Marshall	Robinson
Briles	Hansen	Murray	Rodgers
Burroughs	Heying	Nolin	Scott
Carr	Hill of Polk	Nolting	Shaff
Coleman	Hultman	Nystrom	Sovern
Culver	Junkins	Orr	Taylor
Curtis	Kelly	Palmer	Tieden
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Lamborn	Priebe	Willits
Gallagher	Merritt		Winkelman
Glenn			

Nays, none.

Absent or not voting, 6:

Hill of Jasper	Rabedeaux	Schwengels	Shaw
Norpel	Redmond		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 561.

Senate File 561

On motion of Senator Willits, Senate File 561, a bill for an act creating and making an appropriation to the executive council general contingent fund, was taken up for consideration.

Senator Willits moved that the bill 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, 47:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaff
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 3:

Hill of Jasper	Norpel	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 562.

Senate File 562

On motion of Senator Junkins, Senate File 562, a bill for an act relating to the funding of certain employment positions, was taken up for consideration.

Senator Junkins offered amendment S—4040 by Senators Junkins and Doderer and moved its adoption:

S—4040

Amend Senate File 562 as follows :

1. Page 2, line 1, by inserting after the comma the words "Section two (2),".

2. Page 2, by striking line 3 and inserting in lieu thereof the words "striking the section and inserting in lieu thereof the following:".

Amendment S—4040 was adopted.

Senator Junkins moved that the bill 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, 47:

Andersen	Hansen	Miller of	Ramsey
Bergman	Heying	Marshall	Redmond
Briles	Hill of Jasper	Murray	Robinson
Burroughs	Hill of Polk	Nolin	Rodgers
Carr	Hultman	Nolting	Schwengels
Coleman	Junkins	Norpel	Scott
Culver	Kelly	Nystrom	Sovern
Curtis	Kinley	Orr	Taylor
DeKoster	Lamborn	Palmer	Tieden
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of	Priebe	Willits
Glenn	Des Moines	Rabedeaux	Winkelman
Griffin			

Nays, none.

Absent or not voting, 3:

Gluba	Shaff	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 563.

Senate File 563

On motion of Senator Willits, Senate File 563, a bill for an act appropriating funds to the office of the citizens' aide, was taken up for consideration.

Senator Willits moved that the bill 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, 45:

Andersen	Hansen	Miller of	Redmond
Bergman	Heying	Marshall	Robinson
Briles	Hill of Jasper	Murray	Rodgers
Carr	Hill of Polk	Nolin	Schwengels
Coleman	Hultman	Nolting	Scott
Culver	Junkins	Norpel	Shaff
Curtis	Kelly	Nystrom	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Van Gilst
Glenn	Merritt	Priebe	Willits
Gluba	Miller of	Rabedeaux	Winkelman
Griffin	Des Moines	Ramsey	

Nays, none.

Absent or not voting, 5:

Burroughs	Orr	Shaw	Tieden
Gallagher			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate Joint Resolution 13.

Senate Joint Resolution 13

On motion of Senator Priebe, Senate Joint Resolution 13, a joint resolution to provide for an interim study of the structure and performance of the department of social services, was taken up for consideration.

Senator Hill of Polk offered amendment S—4036 and moved its adoption:

S—4036

Amend Senate Joint Resolution 13 as follows:

1. Page 2, line 26, by striking the words "fiscal year" and inserting in lieu thereof the word "period".

2. Page 2, line 26, by striking the word and figure "June 30" and inserting in lieu thereof the word and

figure "March 31".
3. Page 2, line 29, by striking the word and figure "June 30" and inserting in lieu thereof the word and figure "February 15".
4. Page 2, line 30, by striking the word and figure "August 31" and inserting in lieu thereof the word and figure "April 15".

Amendment S—4036 was adopted.

Senator Priebe 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. 13) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Coleman	Hultman	Orr	Shaff
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines		Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Norpel	Shaw

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 564.

Senate File 564

On motion of Senator Willits, Senate File 564, a bill for an act establishing salary rates for members of the judicial branch of government and the members of the public employment relations board, was taken up for consideration.

Senator DeKoster offered amendment S—4033 by Senators DeKoster, Robinson and Coleman:

S—4033
Amend Senate File 564, page 1, as follows:

Division S—4033A

1. Line 23, by striking the figure "36,380" and inserting in lieu thereof the figure "37,400".
2. Line 24, by striking the figure "35,310" and inserting in lieu thereof the figure "36,300".
3. Line 25, by striking the figure "31,565" and inserting in lieu thereof the figure "32,450".
4. Line 27, by striking the figure "31,030" and inserting in lieu thereof the figure "31,900".
5. Line 28, by striking the figure "22,470" and inserting in lieu thereof the figure "25,000".
6. Line 29, by striking the figure "22,470" and inserting in lieu thereof the figure "25,000".

Division S—4033B

7. Line 30, by striking the figure "5,676" and inserting in lieu thereof the figure "6,000".

Senator Glenn called for a division of the amendment, sections 1 through 6 to be considered as division S—4033A, section 7 to be considered as division S—4033B.

Senator DeKoster moved the adoption of division S—4033A of the amendment and requested a record roll call.

On the question "Shall division S—4033A of the amendment be adopted?" (S.F. 564) the vote was:

Rule 25 was invoked.

Ayes, 24:

Andersen	Heying	Miller of Marshall	Orr
Burroughs	Hill of Polk	Murray	Plymat
Coleman	Hultman	Nolin	Redmond
Curtis	Junkins	Norpel	Robinson
DeKoster	Kelly	Nystrom	Schwengels
Griffin	Lamborn		Shaff
Hansen			

Nays, 25:

Bergman	Gluba	Palmer	Sovern
Briles	Hill of Jasper	Priebe	Taylor
Carr	Kinley	Rabedeaux	Tieden
Culver	Merritt	Ramsey	Van Gilst
Doderer	Miller of Des Moines	Rodgers	Willits
Gallagher	Nolting	Scott	Winkelman
Glenn			

Absent or not voting, 1:

Shaw

Division S—4033A of the amendment lost.

Senator DeKoster moved the adoption of division S—4033B of the amendment and requested a record roll call.

On the question "Shall division S—4033B of the amendment be adopted?" (S.F. 564) the vote was:

Ayes, 34:

Andersen	Griffin	Miller of Des Moines	Plymat
Bergman	Hansen	Miller of Marshall	Ramsey
Burroughs	Heying	Murray	Redmond
Carr	Hill of Polk	Nolin	Robinson
Coleman	Hultman	Norpel	Schwengels
Curtis	Junkins	Nystrom	Shaff
DeKoster	Kelly	Orr	Sovern
Glenn	Lamborn	Rabedeaux	Taylor
Gluba	Merritt	Scott	Tieden

Nays, 15:

Briles	Hill of Jasper	Priebe	Van Gilst
Culver	Kinley	Rodgers	Willits
Doderer	Nolting	Shaw	Winkelman
Gallagher	Palmer		

Absent or not voting, 1:

Shaw

Division S—4033B of the amendment was adopted.

Senator Griffin offered amendment S—4041:

S—4041

Amend Senate File 564, page 2, by inserting after line 9 the following new section:

"Sec. 3. Chapter six hundred two (602), Code 1975, is amended by adding the following new section:

NEW SECTION. Each judge of each district court and each associate judge of each associate district court shall report each six months to the supreme court upon the amount of hours spent each week in performing their official duties in that six months. The report shall include an explanation of the reason for any time less than forty hours each week which are reported. The first reports are due January 1, 1976. The reports shall be open for inspection by members of the general assembly.

Senator Willits raised the point of order that amendment S—4041 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4041 out of order.

The Chair announced the following motion to reconsider had been filed at the desk by Senator Briles:

MR. PRESIDENT: I move to reconsider the vote by which division S—4033A of the DeKoster, et al., amendment failed to be adopted by the Senate.

DEFERRED

Senator Kinley asked and received unanimous consent that further action on **Senate File 564** be **deferred** and that the bill be placed on the calendar under **unfinished business.**

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 565.

Senate File 565

On motion of Senator Willits, Senate File 565, a bill for an act relating to administration of chapter three hundred twenty-four (324) of the Code and the motor vehicle use tax program and appropriating funds from the motor vehicle fuel tax fund to the department of revenue for such purposes, was taken up for consideration.

Senator Hultman offered amendment S—4032 and moved its adoption:

S—4032
Amend Senate File 565, page 1, by striking lines 16 through 18.

A record roll call was requested.

On the question "Shall amendment S—4032 be adopted?" (S.F. 565) the vote was:

Rule 25 was invoked.

Ayes, 25:

Bergman	Hill of Polk	Murray	Schwengels
Briles	Hultman	Nystrom	Shaff
Burroughs	Junkins	Plymat	Taylor
Curtis	Kelly	Priebe	Tieden
DeKoster	Lamborn	Rabedeaux	Van Gilst
Gallagher	Miller of Marshall	Ramsey	Winkelman
Griffin			

Nays, 24:

Andersen	Hansen	Nolin	Robinson
Carr	Heying	Nolting	Rodgers
Coleman	Hill of Jasper	Norpel	Scott
Culver	Kinley	Orr	Sovern
Doderer	Merritt	Palmer	Willits
Glenn	Miller of Des Moines	Redmond	
Gluba			

Absent or not voting, 1:

Shaw

Amendment S—4032 was adopted.

DEFERRED

Senator Willits asked and received unanimous consent that further action on **Senate File 565** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 566.

Senate File 566

On motion of Senator Willits, Senate File 566, a bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue, was taken up for consideration.

DEFERRED

Senator Shaff asked and received unanimous consent that further action on **Senate File 566** be deferred and that the bill **retain its place on the calendar.**

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Burroughs called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sherri Y. Alston of Washington, D. C., for appointment as a member of the Transportation Regulation Board, Division of Iowa Department of Transportation, under the provisions of Section 307.15, Code 1975, for the regular two-year term beginning July 1, 1975, and

ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLIFF BURROUGHS, Chairman
WARREN E. CURTIS
WILLIAM D. PALMER
NORMAN G. RODGERS
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Burroughs moved the appointment of Sherri Y. Alston as a member of the Transportation Regulation Board, Division of the Iowa Department of Transportation, be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Heying	Murray	Redmond
Burroughs	Hill of Polk	Nolin	Rodgers
Carr	Hultman	Norpel	Schwengels
Coleman	Junkins	Nystrom	Scott
Culver	Kelly	Orr	Shaff
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of Des Moines	Rabedeaux	Winkelman
Glenn			
Gluba			

Nays, none.

Absent or not voting, 8:

Briles	Hill of Jasper	Robinson	Taylor
Hansen	Nolting	Shaw	Van Gilst

President Neu declared the appointment of Sherri Y. Alston as a member of the Transportation Regulation Board, Division of the Iowa Department of Transportation, confirmed for the regular two-year term ending June 30, 1977.

Senator Nystrom called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Nancy G. McHugh of Cedar Rapids, Iowa, for appointment as a representative of the general public to the State Board of Architectural Examiners under the provisions of Section 118.1, Code 1975, for the initial term commencing July 1, 1975, and ending June 30, 1977, begs

leave to report that it has made investigation and recommends that the appointment be confirmed.

JOHN N. NYSTROM, Chairman
WARREN E. CURTIS
JAMES M. REDMOND
NORMAN RODGERS
KENNETH D. SCOTT

The motion prevailed and the report was adopted.

Senator Nystrom moved the appointment of Nancy G. McHugh as a member of the State Board of Architectural Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Andersen	Heying	Miller of Marshall	Rabedeaux
Bergman	Hill of Jasper	Murray	Ramsey
Burroughs	Hill of Polk	Nolin	Redmond
Carr	Hultman	Nolting	Rodgers
Coleman	Junkins	Norpel	Schwengels
Culver	Kelly	Nystrom	Scott
Curtis	Kinley	Orr	Shaff
DeKoster	Lamborn	Palmer	Sovern
Doderer	Merritt	Plymat	Tieden
Gallagher	Miller of Des Moines	Priebe	Willits
Glenn			Winkelman
Griffin			

Nays, 1:

Gluba

Absent or not voting, 6:

Briles	Robinson	Taylor	Van Gilst
Hansen	Shaw		

President Neu declared the appointment of Nancy G. McHugh as a member of the State Board of Architectural Examiners confirmed for the initial term ending June 30, 1977.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 764.

House File 764

On motion of Senator Rodgers, House File 764, a bill for an act relating to the Iowa income tax by providing a simplified reporting form for Iowa individual income taxpayers, making

changes in Iowa individual income tax rates, exemptions, and administrative requirements, providing for reporting of additional corporate income tax information, adopting penalties, making necessary corrective amendments and making the Act retroactive, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Rodgers offered amendment S—3989 by the committee on ways and means:

S—3989

Amend House File 764, as amended, passed, and reprinted by the House, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-two point five (422.5), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

A tax is hereby imposed upon every resident of the state, and upon that part of the taxable income of any nonresident which is derived from any property, trust, or other source within this state, including any business, trade, profession, or occupation carried on within this state, which tax shall be levied, collected, and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

1. On the first one thousand dollars of taxable income, or any part thereof, [three-fourths] *one-half* of one percent.

2. On the second thousand dollars of taxable income, or any part thereof, one and [one-half] *one-fourth* percent.

3. On the third thousand dollars of taxable income, or any part thereof, [three] *two and three-fourths* percent.

4. On the fourth thousand dollars of taxable income, or any part thereof, [four] *three and one-half* 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 the tenth through the fifteenth thousand dollars of taxable income or any part thereof, seven percent.

8. On the sixteenth through the twentieth thousand dollars of taxable income or any part thereof, eight percent.

9. On the twenty-first through the twenty-fifth thousand dollars of taxable income or any part thereof, nine percent.

10. On the twenty-sixth through the thirtieth thousand dollars of taxable income or any part thereof, ten percent.

11. On the thirty-first through the fortieth thousand dollars of taxable income or any part thereof, eleven percent.

12. On the forty-first through the seventy-fifth thousand dollars of taxable income or any part thereof,

Page 2

twelve percent.

[7] *13.* On all taxable income over [nine] *seventy-five* thousand dollars, [seven] *thirteen* percent.

Sec. 2. Section four hundred twenty-two point nine (422.9), subsection one (1), Code 1975, is amended to read as follows:

1. An optional standard deduction of ten percent of the net income after deduction of federal income tax, not to exceed five hundred dollars *for a married person who files separately, or one thousand dollars for a single person or a husband and wife who file a joint return.*

Sec. 3. Section four hundred twenty-two point nine (442.9), subsection two (2), paragraph b, Code 1975, is amended to read as follows:

b. Add the amount of federal income taxes paid or accrued as the case may be, during the tax year, adjusted by any federal income tax refunds. Provided however, that where married persons, who have filed a joint federal income tax return, file separately, such total shall be divided between them according to the portion thereof paid or accrued, as the case may be, by each[; and provided further that where a taxpayer has used an optional standard deduction on his federal return, he shall use the optional standard deduction provided for above].

Sec. 4. The provisions of this Act shall be retroactive to January 1, 1975, for all taxable years commencing on or after January 1, 1975, and to this extent the provisions of this Act are retroactive."

2. Amend the title by striking everything after the word "Act" in line 1 and inserting in lieu thereof the words "relating to individual income tax rates and deductions and making the Act retroactive."

Senator Winkelman offered amendment S—4052 to amendment S—3989 by Senators Winkelman, et al.:

S—4052

Amend the committee on ways and means amendment, S—3989, to House File 764, as amended, passed and reprinted by the House, as follows:

1. Page 1, by inserting after line 4 the following:

"Sec. ..... *NEW SECTION.* STABILIZATION FUND.

1. There is created in the office of the treasurer of state a fund to be known as the stabilization fund.

Moneys deposited in this fund shall not be expended or transferred except by a specific appropriation by the general assembly. Moneys from the general fund of the state shall be deposited in the stabilization fund in the manner and to the extent provided in this section. The stabilization fund is not part of the general fund, and moneys in the stabilization fund shall not be considered in computing the general fund balance.

2. As of the end of each fiscal year, commencing with the fiscal year ending June 30, 1975, there shall be transferred from the general fund of the state to the stabilization fund the following amounts, except as other wise provided in this section:

a. The state comptroller shall subtract from the actual general fund receipts for the fiscal year the estimated general fund receipts for that fiscal year, not taking into account any transfer pursuant to this section. In making this computation, the comptroller shall, to the extent necessary to assure comparability of estimated and actual general fund receipts, make adjustments for changes in tax rates or tax structure.

b. If the resulting balance is a positive number, this amount shall be transferred from the general fund of the state to the stabilization fund.

c. If the resulting balance is a negative number, the transfer shall not be made.

3. For the purposes of this section, 'estimated general fund receipts' means for each odd-numbered fiscal year the estimated general fund receipts in dollars as presented to the general assembly by the governor in his budget proposal during the fiscal year, and for each even-numbered fiscal year the estimated general fund receipts in dollars as presented to the general assembly by the governor in his budget revision proposal during the fiscal year. However, the general assembly by law or joint resolution during a fiscal year may modify the amount of estimated general fund receipts, and for that fiscal year 'estimated general fund receipts' means the modified amount determined by the general assembly.

4. In no event shall any transfer from the general fund of the state to the stabilization fund result

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in a general fund balance of less than twenty-five million dollars at the end of a fiscal year. Any transfer under this section shall be limited to the extent necessary to comply with this subsection.

5. It is the intent of the general assembly that the stabilization fund created by this section shall be administered to offset fluctuations in state general fund receipts from individual income taxes and other sources, to conserve money during years of above average revenue growth in order to provide adequate

funds during years of below average revenue growth, and to help prevent future tax increases. It is also the intent of the general assembly that moneys in the stabilization fund should not be expended or appropriated by the general assembly except in years when the growth in general fund receipts, adjusted for changes in tax rates or tax structure, is less than five and one-half percent.

6. There is appropriated annually from the general fund of the state to the stabilization fund such revenues as are required to be transferred under the provisions of this section."

2. Page 2, line 27, by inserting after the word "Act" the words "other than the provisions relating to the stabilization fund".

3. Page 2, line 34, by striking the words "and making" and inserting in lieu thereof the words ", stabilization of general fund receipts from individual income taxes and other sources, and making parts of".

4. Renumber sections of the committee amendment and correct internal references to conform to this amendment.

Senator Winkelman asked unanimous consent that the rules governing germaneness under Sec. 402, Mason's Manual of Legislative Procedure, be suspended.

Objection was raised.

Senator Kinley raised the point of order that amendment S—4052 to amendment S—3989 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4052 to amendment S—3989 out of order.

Senator Shaff offered amendment S—4042 to amendment S—3989, moved its adoption and requested a record roll call:

S—4042

Amend the committee on ways and means amendment, S—3989, to House File 764, as amended, passed, and reprinted by the House, as follows:

1. Page 1, line 18, by striking the words "[three-fourths] *one-half*" and inserting in lieu thereof the word "three-fourths".

2. Page 1, lines 21 and 22, by striking the words "[one-half] *one-fourth*" and inserting in lieu thereof the word "one-half".

3. Page 1, line 24, by striking the words "[three] *two and three-fourths*" and inserting in lieu thereof the word "three".

4. Page 1, line 27, by striking the words "[four] *three and one-half*" and inserting in lieu thereof the word "four".

5. Page 1, by striking lines 37 through 50.

6. Page 2, by striking line 1.
7. Page 2, lines 2 and 3, by striking the word *"seventy-five"* and inserting in lieu thereof the word *"fifteen"*.
8. Page 2, line 3, by striking the word *"thirteen"* and inserting in lieu thereof the word *"eight"*.
9. Renumber sections and subsections and correct internal references as necessary.

On the question "Shall amendment S—4042 to amendment S—3989 be adopted?" (H.F. 764) the vote was:

Ayes, 22:

Andersen	Hansen	Murray	Schwengels
Bergman	Hill of Polk	Nystrom	Shaff
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
DeKoster	Lamborn	Ramsey	Winkelman
Griffin	Miller of Marshall		

Nays, 26:

Carr	Gluba	Nolting	Robinson
Coleman	Heying	Norpel	Rodgers
Culver	Hill of Jasper	Orr	Scott
Curtis	Junkins	Palmer	Sovern
Doderer	Kinley	Priebe	Van Gilst
Gallagher	Merritt	Redmond	Willits
Glenn	Nolin		

Absent or not voting, 2:

Miller of Des Moines	Shaw

Amendment S—4042 to amendment S—3989 lost.

Senator DeKoster offered amendment S—4012 to amendment S—3989 filed by Senators Shaff, et al., **moved its adoption and** requested a record roll call:

S—4012

Amend the committee on ways and means amendment, S—3989, to House File 764, as amended, passed, and reprinted by the House, as follows:

1. By striking everything after line 4 on page 1 and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-two point five (422.5), unnumbered paragraphs one (1) and two (2), Code 1975, are amended to read as follows:

A tax is hereby imposed upon every resident of the state, and upon that part of the taxable income of any nonresident which is derived from any property, trust, or other source within this state, including any business, trade, profession, or occupation carried on within this state, which tax shall be levied, collected, and paid annually upon and with respect to his entire taxable income as herein defined at

rates as follows:

1. On the first one thousand dollars of taxable income, or any part thereof, three-fourths of one percent.

2. On the second thousand dollars of taxable income, or any part thereof, one and one-half percent.

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] *On the tenth through the twentieth thousand dollars of taxable income, or any part thereof, seven percent.*

8. On the twenty-first through the thirtieth thousand dollars of taxable income, or any part thereof, eight percent.

9. On the thirty-first though the fiftieth thousand dollars of taxable income, or any part thereof, nine percent.

10. On the fifty-first through the one-hundredth thousand dollars of taxable income, or any part thereof, ten percent.

11. On all taxable income over one hundred thousand dollars, eleven percent.

However, no tax shall be imposed on any resident or nonresident whose net income, as defined in section 422.7, is [four] *five* thousand dollars or less; but in the event that the payment of tax under this

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division would reduce the net income to less than [four] *five* thousand dollars, then the tax shall be reduced to that amount which would result in allowing the taxpayer to retain a net income of [four] *five* thousand dollars. The preceding sentence does not apply to estates or trusts. For the purpose of this paragraph, the entire net income, including any part thereof not allocated to Iowa, shall be taken into account. If the combined net income of a husband and wife exceeds [four] *five* thousand dollars, neither of them shall receive the benefit of this paragraph, and it is immaterial whether they file a joint return or separate returns. An unmarried child under twenty-one years of age who is a dependent of his parent or parents as defined in section 422.12, shall not receive the benefit of this paragraph if such parent's net income exceeds [four] *five* thousand dollars or if the combined net income of such parents exceeds [four] *five* thousand dollars.

Sec. 2. Section four hundred twenty-two point

nine (422.9), subsection one (1), Code 1975, is amended to read as follows:

1. An optional standard deduction of [ten] *fifteen* percent of the net income after deduction of federal income tax, not to exceed [five] *seven* hundred *fifty* dollars.

Sec. 3. The provisions of this Act shall be retroactive to Janary 1, 1975, for all taxable years commencing on or after January 1, 1975, and to this extent the provisions of this Act are retroactive."

2. Amend the title by striking lines 2 through 7 and inserting in lieu thereof the words "change in Iowa individual income tax rates, exemptions and deductions, subject to penalties provided by law, and making the Act retroactive."

On the question "Shall amendment S—4012 to amendment S—3989 be adopted?" (H.F. 764) the vote was:

Ayes, 18:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Hill of Polk	Murray	Schwengels
Burroughs	Hultman	Nystrom	Shaff
DeKoster	Lamborn	Plymat	Taylor
Griffin			Winkelman

Nays, 28:

Carr	Heying	Nolin	Rodgers
Coleman	Hill of Jasper	Nolting	Scott
Culver	Junkins	Norpel	Sovern
Curtis	Kelly	Orr	Tieden
Doderer	Kinley	Palmer	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of Des Moines	Robinson	
Gluba			

Absent or not voting, 4:

Briles	Rabedeaux	Redmond	Shaw

Amendment S—4012 to amendment S—3989 lost.

Senator Schwengels offered amendment S—4014 to amendment S—3989 filed by Senators Schwengels, et al., moved its adoption and requested a record roll call:

S—4014

Amend the committee on ways and means amendment S—3989, to House File 764, as amended, passed, and reprinted by the House, as follows:

1. Page 1, by striking lines 43 through 50.

2. Page 2, by striking line 1.

3. Page 2, lines 2 and 3, by striking the word *"seventy-five"* and inserting in lieu thereof the word *"twenty-five"*.

4. Page 2, line 3, by striking the word *"thirteen"* and inserting in lieu thereof the word *"ten"*.

5. Renumber sections and subsections and correct internal references as may be necessary.

On the question "Shall amendment S—4014 to amendment S—3989 be adopted?" (H.F. 764) the vote was:

Ayes, 18:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Hultman	Nystrom	Schwengels
Burroughs	Kelly	Plymat	Shaff
DeKoster	Lamborn	Rabedeaux	Taylor
Griffin			Winkelman

Nays, 29:

Carr	Heying	Murray	Redmond
Coleman	Hill of Jasper	Nolin	Robinson
Culver	Hill of Polk	Nolting	Rodgers
Curtis	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba			

Absent or not voting, 3:

Briles	Shaw	Tieden

Amendment S—4014 to amendment S—3989 lost.

Senator Shaff offered amendment S—4024 to amendment S—3989 filed by him:

S—4024

Amend the committee on ways and means amendment, S—3989, to House File 764, as amended, passed, and reprinted by the House, page 2, line 18, by striking the words "adjusted by" and inserting in lieu thereof the words "[adjusted by] *less any federal income tax paid or accrued on interest and dividends from federal securities and*".

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

Senator Shaff moved the adoption of amendment S—4024 to amendment S—3989 and requested a record roll call.

On the question "Shall amendment S—4024 to amendment S—3989 be adopted?" (H.F. 764) the vote was:

Ayes, 20:

Bergman	Kelly	Nystrom	Shaff
Briles	Lamborn	Plymat	Shaw
Burroughs	Miller of Marshall	Rabedeaux	Taylor
DeKoster	Murray	Ramsey	Tieden
Griffin		Schwengels	Winkelman
Hansen			

Nays, 28:

Andersen	Gluba	Miller of Des Moines	Priebe
Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Hill of Polk	Norpel	Scott
Curtis	Junkins	Orr	Sovern
Doderer	Kinley	Palmer	Van Gilst
Gallagher	Merritt		Willits
Glenn			

Absent or not voting, 2:

Hultman	Robinson

Amendment S—4024 to amendment S—3989 lost.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

Senator Hansen offered amendment S—4055 to amendment S—3989 by Senators Hansen, et al., moved its adoption and requested a record roll call:

S—4055

Amend the committee on ways and means amendment, S—3989, to House File 764, as amended, passed, and reprinted by the House, as follows:

1. Page 2, by inserting after line 26 the following new section:

"**Sec. ..... Chapter four hundred twenty-two (422), Code 1975, is amended by adding the following new section:**

NEW SECTION. **All general fund revenue which exceeds the state comptroller's budgetary estimate as reported in the governor's budget, as presented to the general assembly, by more than ten percent at the end of the fiscal year, shall be appropriated and transferred to a tax refund account hereby created in the office of the treasurer of state. Within sixty days after the close of the fiscal year, the department of revenue shall compute a refund from the tax refund account for each individual taxpayer based on a pro rata amount of the account in the proportion that the taxpayer's state income tax liability for the last preceding calendar year or the taxpayer taxable year which ended during the calendar year is of the total tax liability of all taxpayers for the last preceding calendar year and taxable years ending during that calendar year. No refund shall be paid if the amount of the refund is less than one dollar. The director of revenue shall certify the amounts of the refunds to be made to the state comptroller who shall issue warrants for each refund to be paid within ninety days following the close of the fiscal year."**

2. Page 2, line 34, by inserting after the word "deductions" the words "allowing certain refunds,".

On the question "Shall amendment S—4055 to amendment S—3989 be adopted?" (H.F. 764) the vote was:

Ayes, 20:

Bergman	Hultman	Murray	Shaff
Briles	Kelly	Nystrom	Shaw
Burroughs	Lamborn	Rabedeaux	Taylor
DeKoster	Miller of Marshall	Ramsey	Tieden
Griffin		Schwengels	Winkelman
Hansen			

Nays, 30:

Andersen	Gluba	Miller of Des Moines	Priebe
Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Robinson
Culver	Hill of Polk	Norpel	Rodgers
Curtis	Junkins	Orr	Scott
Doderer	Kinley	Palmer	Sovern
Gallagher	Merritt	Plymat	Van Gilst
Glenn			Willits

Amendment S—4055 to amendment S—3989 lost.

Senator Taylor asked and received unanimous consent to withdraw amendment S—4047 to amendment S—3989:

S—4047

Amend the committee on ways and means amendment S—3989, to House File 764, as amended passed and reprinted by the House, page 2, by inserting after line 26 the following new section:

"Sec. ..... Section four hundred twenty-two point twelve (422.12), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. After deducting the personal exemption, as authorized under subsections one (1) through five (5) of this section, there shall be further deducted an amount equal to three percent of the difference between the computed tax after deduction of the personal exemption, and the amount of tax withheld from the taxpayer under subsections one (1) and twelve (12) of section four hundred twenty-two point sixteen (422.16), of the Code, when the amount withheld exceeds the computed tax."

Senator Shaff withdrew amendment S—4048 to amendment S—3989:

S—4048

Amend the committee on ways and means amendment, S—3989 to House File 764, as amended, passed, and reprinted by the House, as follows:

1. Page 2, by inserting after line 26 the following:

"Sec. ..... Chapter four hundred twenty-two (422), Code 1975, is amended by adding the following new section:

NEW SECTION. TAX ON INVESTED INCOME. For purposes of applying the tax rates in section four hundred twenty-two point five (422.5) of the Code:

1. A taxpayer may determine taxable income by deducting from net income for the taxable year commencing in 1975 the total amount of the taxpayer's income invested during the taxable year in any of the following:

a. A financial institution, as defined in section four hundred twenty-two point sixty-one (422.61), subsection one (1) of the Code, located in Iowa.

b. A domestic corporation, as defined in section four hundred twenty-two point thirty-two (422.32), subsection two (2) of the Code, taxable under division three (III) of this chapter.

c. A foreign corporation, as defined in section four hundred twenty-two point thirty-two (422.32), subsection three (3) of the Code, which is taxable under division three (III) of this chapter and which employs more than ten Iowa residents.

d. A business enterprise conducted by the taxpayer or another Iowa resident, the income from which is taxable under division two (II) of this chapter.

e. Real property located in Iowa.

2. A taxpayer may determine taxable income by deducting from net income for each taxable year commencing after 1975, only the amount of income invested during the taxable year in the manner described in subsection one (1) of this section, which is in addition to the largest amount of such invested income deducted in any previous taxable year.

3. However, a tax shall be imposed on the amounts deducted under subsections one (1) or two (2) of this section at the highest rate applicable to any portion of the taxpayer's taxable income for the taxable year after the deduction permitted by this section."

2. Renumber sections and correct internal references as required in accordance with this amendment.

Senator Hultman withdrew amendment S—4039 to amendment S—3989:

S—4039

Amend committee on ways and means amendment S—3989 to House File 764 as amended, passed and reprinted by the House as follows:

1. Page 2, by inserting after line 26 the following:

"Sec. ..... Section four hundred twenty-two point nine (422.9) subsection 2, Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. **Add the amount** equal to the actual purchase price of personal property or improvements to real property used to convert solar energy, wind or water into mechanical, electrical or heat energy except an electric heat pump unless installed as an integral part of solar, wind or water conversion equipment."

2. By changing section numbers and internal references to conform to this amendment.

Senator Hultman asked and received unanimous consent to withdraw amendment S—4045 to amendment S—3989 by Senators Hultman and Hansen:

S—4045

Amend committee on ways and means amendment S—3989 to House File 764 as amended, passed and reprinted by the House as follows:

1. Page 2, by inserting after line 26 the following:

"Sec. ..... Section four hundred twenty-two point nine (422.9) subsection 2, Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. **Add an amount** equal to the amount paid by the taxpayer, the taxpayer's spouse in the case of a joint return, or a dependent of the taxpayer for textbooks required for any course of instruction, offered by a postsecondary educational institution, for which the taxpayer, taxpayer's spouse or dependent is enrolled."

2. By changing section numbers and internal references to conform to this amendment.

Senator Murray asked and received unanimous consent to withdraw amendment S—4051 to amendment S—3989 by Senators Murray, et al.:

S—4051

Amend the committee on ways and means amendment S—3989, to House File 764, as amended, passed and reprinted by the House as follows:

1. Page 2, by inserting after line 26, the following new section:

Sec. ..... Section four hundred twenty-two point twelve (422.12), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. **After deducting the personal** exemption as authorized under subsections one through five of this section, there shall be further deducted an amount equal to one percent (1%) of the computed tax. The provisions of this paragraph shall be effective only for the taxable year beginning on or after January first, 1975 and before January first, 1976.

2. By renumbering the sections and correcting internal references as may be necessary.

Senator Schwengels asked and received unanimous consent to withdraw amendment S—4050 to amendment S—3989 by Senators Schwengels, et al.:

S—4050

Amend the committee on ways and means amendment S—3989, to House File 764, as amended, passed, and reprinted by the House, page 2, by inserting after line 26 the following new section:

"Sec. ..... Section four hundred twenty-two point nine (422.9), subsection two (2), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. Add one-half of the amount paid by the taxpayer for tuition and textbooks required for any course of instruction at a postsecondary educational institution in which the taxpayer, the taxpayer's spouse in the case of married persons filing a joint return, or a dependent of the taxpayer is enrolled."

Senator Rodgers moved the adoption of amendment S—3989 and requested a record roll call.

On the question "Shall amendment S—3989 be adopted?" (H.F. 764) the vote was:

Ayes, 26:

Carr	Gluba	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Curtis	Kinley	Orr	Sovern
Doderer	Merritt	Palmer	Van Gilst
Gallagher	Miller of Des Moines	Priebe	Willits
Glenn		Redmond	

Nays, 23:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Heying	Murray	Schwengels
Briles	Hill of Polk	Nystrom	Shaff
Burroughs	Hultman	Plymat	Shaw
DeKoster	Kelly	Rabedeaux	Tieden
Griffin	Lamborn		Winkelman

Absent or not voting, 1:

Taylor

Amendment S—3989 was adopted.

Senator Rodgers moved that the bill 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. 764) the vote was:

Ayes, 29:

Andersen	Gluba	Nolting	Robinson
Carr	Hill of Jasper	Norpel	Rodgers
Coleman	Junkins	Orr	Scott
Culver	Kinley	Palmer	Sovern
Curtis	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Ramsey	Van Gilst
Gallagher	Nolin	Redmond	Willits
Glenn			

Nays, 20:

Bergman	Heying	Miller of Marshall	Rabedeaux
Briles	Hill of Polk	Murray	Schwengels
Burroughs	Hultman	Nystrom	Shaff
DeKoster	Kelly	Plymat	Shaw
Griffin	Lamborn		Winkelman
Hansen			

Absent or not voting, 1:

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rodgers moved that the vote by which **House File 764** 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?" (H.F. 764) the vote was:

Ayes, 29:

Andersen	Gluba	Nolin	Robinson
Carr	Heying	Nolting	Rodgers
Coleman	Hill of Jasper	Norpel	**Scott**
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			

Nays, 17:

Bergman	Hill of Polk	Murray	Schwengels
Burroughs	Hultman	Nystrom	Shaff
DeKoster	Kelly	Plymat	Shaw
Griffin	Lamborn	Rabedeaux	Winkelman
Hansen			

Absent or not voting, 4:

Briles	Miller of Marshall	Ramsey	**Taylor**

The motion prevailed.

Senator Ramsey asked unanimous consent that his vote be changed from "aye" to "nay" on House File 764.

Objection was raised.

Senator Lamborn moved that Senate Rule 24 be suspended to permit Senator Ramsey to change his vote from "aye" to "nay".

A non-record roll call was requested.

The ayes were 19, nays, 24.

The motion lost.

EXPLANATION OF VOTE

MR. PRESIDENT: I wish to explain that I inadvertently voted "aye" on House File 764. I intended to vote "nay".

RICHARD R. RAMSEY

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 on June 4, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 485, a bill for an act relating to employment security.

Also: That the House has on June 4, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 892, a bill for an act to appropriate from the road use tax fund, the primary road fund, the aeronautics fund, and the general fund of the state to the state department of transportation.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 892, a bill for an act to appropriate from the road use tax fund, the primary road fund, the aeronautics fund, and the general fund of the state to the state department of transportation for administration and other purposes, clarifying administrative duties of the state department of transportation's share for administration of the state merit system.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 43

By Committee on Energy

Whereas, legislation has been introduced to provide for regulation of the siting and construction of energy facilities, including power plants, transmission lines, and facilities used for the storage and transportation of oil and gas; and

Whereas, information required in other states, and methods and procedures used, for the evaluation of the environmental effects of energy facilities vary greatly; and

Whereas, in states requiring approval of construction,

the multiplicity of hearings and proceedings before a number of agencies often cover the same issues; and

Whereas, each state must reform its laws in light of its existing programs and institutions; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee as provided by law and composed of members of the Senate and the House of Representatives to conduct a study, during the 1975 interim, of the need for certification of construction for large energy facilities and the legislation necessary to implement the concept of "one-stop" certification with realistic safeguards for protection of environmental values; and

Be It Further Resolved, That the study committee shall prepare a report of its findings for submission to the legislative council and members of the Sixty-sixth General Assembly meeting during the 1976 Session, which report shall be accompanied by the necessary legislative bill drafts designed to carry out the recommendations of the study committee.

Read first time and placed on the calendar.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. R. 12 Rules and administration

S. R. 13 Rules and administration

H. F. 502 Transportation

H. F. 890 Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harry C. Jensen, of Des Moines, Polk County, Iowa, for appointment as a representative of the general public to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD R. RAMSEY, Chairman
ROBERT M. CARR
WILLIAM D. PALMER
DALE L. TIEDEN
BASS VAN GILST

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Cyrus L. Beye, M.D., of Sioux City, Woodbury County,

Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES W. GRIFFIN, SR., Chairman
LOUIS P. CULVER
EUGENE M. HILL
E. KEVIN KELLY
JOAN ORR

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John M. Rhodes, Sr., M.D., of Pocahontas, Pocahontas County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

FORREST V. SCHWENGELS, Chairman
WARREN E. CURTIS
MINNETTE DODERER
FRED W. NOLTING
BERL E. PRIEBE

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate from:

DEPARTMENT OF SOCIAL SERVICES

A copy of the sixth annual report of the Department of Social Services for the year ending June 30, 1974, pursuant to Section 217.21, Code 1975.

HISTORICAL SOCIETY OF IOWA

A copy of the final report of the Ansel Briggs Project, in compliance with Chapter 1046, Acts of the Sixty-fifth General Assembly, 1974 Regular Session.

REPORTS OF COMMITTEES

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **House File 628**, a bill for an act relating to school bus transportation requirements, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOAN ORR, Chairman

Ordered passed on file.

Senator Coleman submitted the following reports:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 128**, a bill for an act relating to membership on the state transportation commission, begs leave to report it has had the same under consideration and recommends the same do pass.

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 743**, a bill for an act relating to the use of flashing amber lights of animal-drawn vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 820**, a bill for an act relating to the authority of peace officers employed by the department of public safety, begs leave to report it has had the same under consideration and recommends the same do pass.

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4038

Amend Senate Joint Resolution 8 as follows:

1. Page 1, by striking lines 6 through 25, inclusive, and inserting in lieu thereof the following:

"*NEW SECTION*. A county may frame a home rule charter for its own government and the government of one or more of the municipal corporations of the county consistent with the constitution of this state if the legislative authority of such municipal corporation adopts a resolution requesting inclusion in a county municipal charter or a petition requesting inclusion signed by five percent of the qualified electors of the municipal corporation is presented to the board of supervisors. Upon receipt of the resolution or petition, the board of supervisors of such county may cause an election to be held, at which election there shall be chosen by the electors of the county not less than fifteen nor more than twenty-five electors of the county, whose duty it shall be to convene within thirty days after election to prepare and propose a county-municipal charter for the county and included municipal corporations. The membership

of the board of electors shall be apportioned on the basis of population; however, each municipal corporation included in the charter proposal shall have at least one elector on the board of electors. The proposed charter shall be submitted to the qualified electors of the county not more than two years from the date of the convening of the board of electors and, if a majority of the electors of the county and each municipal corporation included in the proposed charter voting on such charter ratify it, the charter shall be the organic law of the county and the included municipal corporations. The charter shall supersede any existing charter including any amendments, any existing form of county or municipal government, and any special or general law of the state, inconsistent with the provisions of the charter. All officers and powers of municipal corporations subject to the charter shall be governed by the charter and shall not exercise powers granted to municipal corporations that conflict with the charter."

2. Page 3, line 10, by inserting after the period the following:

"If the power or function of a county not adopting a charter conflicts with a power or function of a municipal corporation, the power or function exercised by the municipal corporation shall prevail within its jurisdiction."

PHILIP B. HILL

S—4043

Amend Senate File 128, page 1, line 9, by striking the words *"or employee."*

JAMES M. REDMOND

S—4030

Amend Senate File 551, page 1, line 12, by inserting after the word "area," the words *"acquiring historical places and structures, maintaining historical places and structures which are owned by the state or a political subdivision of the state,".*

RICHARD J. NORPEL, SR.

S—4056

Amend Senate File 565, page 1, by striking lines 16 through 18 and inserting in lieu thereof the following:

"Sec. ..... Section three hundred twenty-four point thirty-six (324.36), Code 1975, is amended by striking subsections four (4) and five (5).

Sec. ..... Section three hundred twenty-four point seven (324.7), Code 1975, is repealed."

EARL M. WILLITS

S—4053

Amend Senate File 566, page 1, line 25, by striking the figures "7,244,982" and inserting **in lieu thereof the following "9,758,820".**

ROGER J. SHAFF

S—4046

Amend Senate File 569 as follows:

1. Page 1, line 8, by inserting after the period the words "Each city in the state shall expend one-fourth of the moneys received during the fiscal year beginning July 1, 1975, and ending June 30, 1976, from the municipal assistance fund for the construction and maintenance of city streets."

2. Page 1, lines 21 through 24, by striking the words ", insofar as practicable, for projects and programs developed and maintained for citizens of the county residing outside the incorporated areas of any city" and inserting in lieu thereof the words "for the construction and maintenance of secondary and farm-to-market roads".

CLIFTON C. LAMBORN

S—4029

Amend House File 207, as passed by the House, as follows:

1. Page 1, line 23, by striking the word *"If"*.

2. Page 1, by striking lines 24 and 25.

BERL E. PRIEBE

S—4037

Amend House File 803, as amended, passed and reprinted by the House, as follows:

1. Page 10, by inserting after line 31 the following new section:

"Sec. ..... Chapter one hundred forty-seven (147), Code 1975, is amended by adding the following new section:

NEW SECTION:

1. Liability for personal injury or wrongful death shall not be imposed against any physician and surgeon, osteopath, osteopathic physician and surgeon, chiropractor, pharmacist, nurse, dentist or podiatrist licensed to practice that profession in this state, based upon the alleged negligence of the licensee in the practice of that profession unless expert testimony is presented which establishes all of the following:

a. The accepted standard of care by the profession and the specialty thereof, if any, that the defendant practices in the community in which the defendant practices.

b. That the defendant acted or failed to act with less than ordinary and reasonable care in accordance with that accepted standard of care in the specific circumstances of the case.

c. That as a proximate result of that act or failure to act, the plaintiff suffered injuries or death which otherwise would not have occurred.

2. Expert testimony shall not be required pursuant to subsection one (1) of this section, and a rebuttable

inference that the personal injury or death was caused by negligence shall arise, where evidence is presented that the personal injury or death occurred in any of the following circumstances:

a. A foreign substance other than medication or a prosthetic device was unintentionally left within the body of a patient following surgery.

b. An explosion or fire originating in a substance used in treatment occurred in the course of treatment.

c. A surgical procedure was performed on the wrong organ, limb or part of a patient's body or on the wrong patient."

DALE L. TIEDEN

S—4031

Amend House File 803, as amended, passed and reprinted by the House, as follows:

1. Page 14, line 32, by striking the word "six" and inserting in lieu thereof the word "four".

DALE L. TIEDEN

S—4044

Amend House File 803, page 14, line 35, by striking the word "unintentionally".

PHILIP B. HILL

S—4035

Amend House File 848 as amended and passed by the House, page 4, by striking lines 18a through 18h.

COMMITTEE ON APPROPRIATIONS
WILLIAM D. PALMER, Chairman

S—4049

Amend the appropriations committee amendment S—4026 to House File 848, on line 13, by inserting after the word "of" the words "more than fourteen".

LOWELL L. JUNKINS

S—4034

Amend House File 880 as passed by the House as follows:

1. Page 1, line 18, by striking the figure "$52,976" and inserting in lieu thereof the figure "$32,976".

2. Page 1, line 21, by striking the figure "$303,202" and inserting in lieu thereof the figure "$203,202".

RICHARD J. NORPEL, SR.
LOUIS P. CULVER
BERL E. PRIEBE
KENNETH D. SCOTT
NORMAN RODGERS
DALE L. TIEDEN
CHARLES P. MILLER
FORREST V. SCHWENGELS
JAMES E. BRILES
KARL NOLIN

S—4054

Amend House File 883 as amended and passed by the House as follows:

1. Page 5, by inserting after line 1 the following new section:

"Sec. ..... Section six hundred six point sixteen (606.16), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. During each semiannual period prior to payment into the county treasury, the clerk of the district court may deposit any funds held by him or her whether in trust or otherwise in interest bearing accounts or certificates of deposit with a bank approved as provided in section four hundred fifty-three point one (453.1) of the Code. Interest earned on those deposits shall be paid to the county treasurer as provided in this section and shall be credited to the general fund of the county."

JAMES W. GRIFFIN, SR.

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:55 p.m., until 9:00 a.m., Thursday, June 5, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JUNE 5, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Arthur W. Kleve, pastor of the St. Matthew's Catholic Church, Cedar Rapids, Iowa.

The Journal of Wednesday, June 4, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hennessey, Manilla, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Heying for the afternoon session on request of Senator Kinley.

PETITIONS

The following petitions were presented and placed on file:

By Senator Gluba from fourteen residents of Scott County favoring the equal rights amendment.

By Senator Plymat from fifty-one residents of Iowa favoring legislation to raise homestead credit.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Schwengels called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John M. Rhodes, Sr., M.D., of Pocahontas, Pocahontas County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave

to report that it has made investigation and recommends that the appointment be confirmed.

FORREST V. SCHWENGELS, Chairman
WARREN E. CURTIS
MINNETTE DODERER
FRED W. NOLTING
BERL E. PRIEBE

The motion prevailed and the report was adopted.

Senator Schwengels moved the appointment of John M. Rhodes, Sr., M.D., as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Glenn	Miller of Des Moines	Rabedeaux
Bergman	Griffin	Miller of Marshall	Ramsey
Briles	Hansen	Murray	Redmond
Burroughs	Heying	Nolin	Robinson
Carr	Hill of Polk	Nolting	Rodgers
Coleman	Hultman	Nystrom	Schwengels
Culver	Junkins	Palmer	Scott
Curtis	Kelly	Plymat	Shaff
DeKoster	Kinley	Priebe	Taylor
Doderer	Lamborn		Willits
Gallagher	Merritt		Winkelman

Nays, none.

Absent or not voting, 8:

Gluba	Norpel	Shaw	Tieden
Hill of Jasper	Orr	Sovern	Van Gilst

President Neu declared the appointment of John M. Rhodes, Sr., M.D., as a member of the State Board of Medical Examiners confirmed for the regular two-year term ending June 30, 1977.

Senator Ramsey called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harry C. Jensen, of Des Moines, Polk County, Iowa, for appointment as a representative of the general public to the State Board of Accountancy pursuant to Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977, begs leave to report it has made investigation and recommends that the appointment be confirmed.

RICHARD R. RAMSEY, Chairman
ROBERT M. CARR
WILLIAM D. PALMER
DALE L. TIEDEN
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Ramsey moved the appointment of Harry C. Jensen as a member of the State Board of Accountancy be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Burroughs	Hill of Polk	Nolin	Rodgers
Carr	Hultman	Nolting	Schwengels
Coleman	Junkins	Nystrom	Scott
Culver	Kelly	Palmer	Shaff
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Willits
Gallagher	Miller of Des Moines	Ramsey	Winkelman
Glenn			
Griffin			

Nays, none.

Absent or not voting, 8:

Briles	Hill of Jasper	Orr	Sovern
Gluba	Norpel	Shaw	Van Gilst

President Neu declared the appointment of Harry C. Jensen as a member of the State Board of Accountancy confirmed for an initial term ending June 30, 1977.

UNFINISHED BUSINESS

Senator Kinley asked and received unanimous consent to take up for further consideration Senate File 565.

Senate File 565

On motion of Senator Willits, Senate File 565, a bill for an act relating to administration of chapter three hundred twenty-four (324) of the Code and the motor vehicle tax program and appropriating funds from the motor vehicle fuel tax fund to the department of revenue for such purposes, was taken up for further consideration.

Senator Willits offered amendment S—4056 filed by him and moved its adoption:

S—4056

Amend Senate File 565, page 1, by striking lines 16 through 18 and inserting in lieu thereof the following:

"Sec. ..... Section three hundred twenty-four point thirty-six (324.36), Code 1975, is amended by striking

subsections four (4) and five (5).
Sec. ..... Section three hundred twenty-four point seven (324.7), Code 1975, is repealed."

Amendment S—4056 was adopted.

Senator Willits moved that the bill 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:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Culver	Junkins	Orr	Shaff
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 5:

Coleman	Norpel	Shaw	Tieden
Hultman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SPECIAL GUESTS

President Neu presented Paul Summerside, Le Mars, Iowa, and Louis Starks, Waterloo, Iowa, newly elected 1975-1976 Governor and Lieutenant Governor of Hawkeye Boys' State. The young men appeared on the rostrum and addressed the Senate briefly.

UNFINISHED BUSINESS

Senator Kinley asked and received unanimous consent to take up for further consideration Senate File 566.

Senate File 566

On motion of Senator Willits, Senate File 566, a bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue, was taken up for further consideration.

Senator Shaff withdrew amendment S—4053 filed by him on June 4, 1975, and found on page 1757 of the Senate Journal.

Senator Shaff offered amendment S—4059, moved its adoption and requested a record roll call:

S—4059

Amend Senate File 566, page 1, line 25, by striking the figures "7,244,982" and inserting in lieu thereof the following "7,586,897".

On the question "Shall amendment S—4059 be adopted?" (S.F. 566) the vote was:

Ayes, 22:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
Curtis	Miller of Marshall	Ramsey	Winkelman
Griffin		Schwengels	

Nays, 25:

Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba			

Absent or not voting, 8:

DeKoster	Lamborn	Robinson

Amendment S—4059 lost.

Senator Taylor offered amendment S—4062:

S—4062

Amend Senate File 566, as follows:

1. Page 1, by inserting after line 23 the following:

"a. General office".

2. Page 1, by inserting after line 25 the following:

"b. For expansion of auditing services.....$45,000".

Senator Ramsey offered amendment S—4063 to amendment S—4062 and moved its adoption:

S—4063

Amend the Taylor amendment S—4062 to Senate File 566, on line 5, by inserting after the word "of" the words "out of state".

Amendment S—4063 to amendment S—4062 was adopted.

On motion of Senator Taylor, amendment S—4062 as amended was adopted.

Senator Willits moved that the bill 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. 566) the vote was:

Ayes, 49:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn		Ramsey	Willits
Gluba			Winkelman

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.

CONSIDERATION OF BILLS

House File 880

On motion of Senator Willits, House File 880, a bill for an act appropriating funds to the Iowa state historical department, the Iowa library department, the Iowa state arts council and the academy of science, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits offered amendment S—4022 filed by the committee on appropriations and moved its adoption:

S—4022

Amend House File 880, as passed by the House, as follows:

1. Page 2, by inserting after line 19 the following:

"Sec. ..... Section three hundred three A point six (303A.6), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The Iowa library department shall include but not be limited to the medical library division [and], the law library division, *and the military library division.*

Sec. ..... Section three hundred three A point six (303A.6), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The military library division shall be headed by the adjutant general. The adjutant

general shall:
a. Operate the military library division which shall be maintained in the memorial hall at Camp Dodge and which shall be available for free use by the residents of Iowa under such reasonable rules as the commission may adopt.
b. Maintain as an integral part of the military library documents, reports, records, and books which describe the history of the national guard and individual Iowans who have served in the armed services.
c. Perform such other duties related to the military library as may be imposed by law or by rules of the commission."
2. Title page, line 3, by inserting after the word "science" the words "and establishing a military library division within the Iowa library department".

On motion of Senator Willits, amendment S—4022 was adopted.

Senator Coleman withdrew amendment S—3807 filed by him on May 14, 1975, and found on page 1393 of the Senate Journal.

Senator Norpel asked and received unanimous consent to withdraw amendment S—4034 filed by Senators Norpel, et al., on June 4, 1975, and found on page 1759 of the Senate Journal.

Senator Willits moved that the bill 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. 880) the vote was:

Ayes, 45:

Andersen	Hansen	Miller of Marshall	Rodgers
Bergman	Heying	Murray	Schwengels
Burroughs	Hill of Jasper	Nolin	Scott
Carr	Hill of Polk	Nolting	Shaff
Culver	Hultman	Nystrom	Shaw
Curtis	Junkins	Orr	Sovern
DeKoster	Kelly	Palmer	Taylor
Doderer	Kinley	Plymat	Tieden
Gallagher	Lamborn	Priebe	Van Gilst
Glenn	Merritt	Ramsey	Willits
Gluba	Miller of Des Moines	Redmond	Winkelman
Griffin			

Nays, 1:

Norpel

Absent or not voting, 4:

Briles	Coleman	Rabedeaux	Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 567

On motion of Senator DeKoster, Senate File 567, a bill for an act making an appropriation to the Iowa American revolution bicentennial commission to finance the participation of Iowa musical groups in honor of Iowa statehood at the Kennedy Center for the Performing Arts in Washington, D. C., was taken up for consideration.

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. 567) the vote was:

Ayes, 45:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Griffin	Murray	Rodgers
Briles	Hansen	Nolin	Schwengels
Burroughs	Heying	Nolting	Scott
Carr	Hill of Jasper	Norpel	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Rabedeaux	Tieden
Doderer	Lamborn	Ramsey	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			

Nays, 3:

Merritt	Priebe	Winkelman

Absent or not voting, 2:

Hill of Polk	Nystrom

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 Glenn presiding.

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Rodgers called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Frederick V. Hetzler, D.O., of Davenport, Scott, County, Iowa, for appointment as a member of the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

NORMAN RODGERS, Chairman
WILLIAM E. GLUBA
RICHARD J. NORPEL, SR.
WILLIAM N. PLYMAT
ROGER J. SHAFF

The motion prevailed and the report was adopted.

Senator Rodgers moved the appointment of Frederick V. Hetzler as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Andersen	Hansen	Miller of Marshall	Rodgers
Bergman	Hill of Jasper	Murray	Schwengels
Briles	Hill of Polk	Nolin	Scott
Burroughs	Hultman	Nolting	Shaff
Carr	Junkins	Norpel	Shaw
Culver	Kelly	Nystrom	Sovern
Curtis	Kinley	Orr	Taylor
DeKoster	Lamborn	Palmer	Tieden
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of Des Moines	Priebe	Willits
Glenn		Redmond	Winkelman
Griffin			

Nays, none.

Absent or not voting, 6:

Coleman	Heying	Ramsey	Robinson
Gluba	Rabedeaux		

President pro tempore Doderer declared the appointment of Frederick V. Hetzler, D.O., as a member of the State Board of Medical Examiners confirmed for an initial three-year term ending June 30, 1978.

CONSIDERATION OF BILLS

Senate File 568

On motion of Senator Willits, Senate File 568, a bill for an act

setting a salary range for certain state officials and designated employees of the state and providing for the governor to set salaries within such ranges, was taken up for consideration.

Senator Priebe offered amendment S—4058 and moved its adoption:

S—4058

Amend Senate File 568 as follows:

1. Page 4, by inserting after line 26 the following:

"Sec. ..... Section one hundred forty-seven point one hundred two (147.102), Code 1975, is amended to read as follows:

147.102 PHYSICIANS AND SURGEONS, PSYCHOLOGISTS, CHIROPRACTORS AND OSTEOPATHS. Notwithstanding the provisions of this title, every application for a license to practice medicine and surgery, psychology, chiropractic, osteopathy, or osteopathic medicine and surgery, shall be made directly to the secretary of the examining board of such profession, and every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession, and examination, license, and renewal fees received from such persons licensed to practice any of such professions shall be paid to and collected by the secretary of the examining board of such profession, who shall transmit the fees to the treasurer of state who shall deposit the fees in the general fund of the state. The salary of the secretary shall be [set by the general assembly] *established by the governor with the approval of the executive council pursuant to section nineteen A point nine (19A.9), subsection two (2), of the Code under the pay plan for exempt positions in the executive branch of government.*

Sec. ..... Section one hundred forty-seven point one hundred five (147.105), Code 1975, is amended to read as follows:

147.105 EXECUTIVE DIRECTOR. The board of **nurse** examiners may appoint a full-time executive director who shall not be a member of the board, and the provisions of section 147.22 shall not apply. The salary of the executive director shall be [set by the general assembly] *established by the governor with the approval of the executive council pursuant to section nineteen A point nine (19A.9), subsection two (2), of the Code under the pay plan for exempt positions in the executive branch of government.*"

2. Amend the title, line 1, by inserting after the word "Act" the words "establishing the method for setting salaries of certain state officials and".

3. By numbering sections as necessary.

Amendment S—4058 was adopted.

Senator Willits moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

President Neu took the chair at 1:48 p.m.

On the question "Shall the bill pass?" (S.F. 568) the vote was:

Ayes, 38:

Andersen	Glenn	Merritt	Rabedeaux
Bergman	Gluba	Miller of Marshall	Redmond
Briles	Griffin	Murray	Rodgers
Burroughs	Hansen	Nolin	Shaff
Carr	Hill of Jasper	Nolting	Shaw
Coleman	Hill of Polk	Nystrom	Sovern
Curtis	Junkins	Orr	Taylor
DeKoster	Kelly	Palmer	Van Gilst
Doderer	Kinley	Plymat	Willits
Gallagher	Lamborn		

Nays, 9:

Culver	Norpel	Ramsey	Tieden
Hultman	Priebe	Scott	Winkelman
Miller of Des Moines			

Absent or not voting, 3:

Heying	Robinson	Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 803.

House File 803

On motion of Senator Junkins, House File 803, a bill for an act relating to the compensation of persons suffering loss as a result of medical malpractice, with report of committee recommending amendment and without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Junkins asked and received unanimous consent that William Huff III, Commissioner of Insurance, be permitted to remain in the Senate chamber as a consultant during consideration of the bill.

Senator Rabedeaux offered amendment S—4028 filed by him on June 3, 1975, and found on pages 1714-1723, inclusive, of the Senate Journal.

Senator Doderer offered amendment S—4069 to amendment S—4028 and moved its adoption:

S—4069

1 Amend the Rabedeaux amendment, S—4028, to House

File 803 as follows:

1. Page 9, by inserting after line 5 the following new sections:

"Sec. ..... Section one hundred forty-seven point one (147.1), Code 1975, is amended by adding the following new subsections:

NEW SUBSECTION. 'Peer review' means evaluation of professional services rendered by a person licensed to practice a profession.

NEW SUBSECTION. 'Peer review committee' means one or more persons acting in a peer review capacity who also serve as an officer, director, trustee, agent, or member of any of the following:

a. A state or local professional society of a profession for which there is peer review.

b. Any organization approved to conduct peer review by a society as designated in paragraph a of this subsection.

c. The medical staff of any licensed hospital.

d. An examining board.

Sec. ..... Chapter one hundred forty-seven (147), Code 1975, is amended by adding the following new section:

NEW SECTION. A person shall not be civilly liable as a result of acts, omissions, or decisions made in connection with the person's service on a peer review committee. However, such immunity from civil liability shall not apply if an act, omission, or decision is made with malice."

A non-record roll call was requested.

The ayes were 39, nays 7.

Amendment S—4069 to amendment S—4028 was adopted.

Senator Curtis offered amendment S—4072 to amendment S—4028 by Senators Curtis and Tieden, moved its adoption and requested a non-record roll call:

S—4072

Amend the Rabedeaux amendment S—4028 to House File 803 as amended, passed and reprinted by the House, on page 11, by inserting after line 8 the following new section:

"Sec. ..... Section six hundred fourteen point one (614.1), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. MALPRACTICE. Those founded on injuries to the person or wrongful death against any physician and surgeon, osteopath, osteopathic physician and surgeon, dentist, podiatrist, optometrist, chiropractor, or nurse, licensed under chapter one hundred forty-seven (147) of the Code, or a hospital licensed under chapter one hundred thirty-five B (135B) of the Code, arising out of patient care, within two years after the date on which the claimant knew,

or through the use of reasonable diligence should have known, or received notice in writing of the existence of, the injury or death for which damages are sought in the action, whichever of the dates occurs first, but in no event shall any action be brought more than six years after the date on which occurred the act or omission or occurrence alleged in the action to have been the cause of the injury or death unless a foreign object unintentionally left in the body caused the injury or death."

The ayes were 16, nays 32.

Amendment S—4072 to amendment S—4028 lost.

Senator Willits took the chair at 4:20 p.m.

President pro tempore Doderer took the chair at 4:28 p.m.

Senator Rabedeaux moved the adoption of amendment S—4028 as amended and requested a record roll call.

President Neu took the chair at 4:35 p.m.

On the question "Shall amendment S—4028 as amended be adopted?" (H.F. 803) the vote was:

Rule 25 was invoked.

Ayes, 21:

Carr	Junkins	Norpel	Redmond
Coleman	Kelly	Orr	Robinson
Culver	Kinley	Palmer	Rodgers
Curtis	Lamborn	Rabedeaux	Schwengels
Doderer	Nolin	Ramsey	Willits
Glenn			

Nays, 26:

Andersen	Griffin	Murray	Shaw
Bergman	Hansen	Nolting	Sovern
Briles	Hill of Jasper	Nystrom	Taylor
Burroughs	Hill of Polk	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Gallagher	Miller of Marshall	Scott	Winkelman
Gluba		Shaff	

Voting present, 1:

Miller of Des Moines (under Rule 25)

Absent or not voting, 2:

Heying	Hultman

Amendment S—4028 as amended lost.

Senator Kelly offered amendment S—4067 by Senators Kelly and Redmond:

S—4067

Amend House File 803, as amended, passed and re-

printed by the House as follows:

1. By striking sections one (1) through twelve (12) and inserting in lieu thereof the following:

Section 1. *NEW SECTION.* TITLE. This Act shall be known as the Health Care Patient Malpractice Claims Act.

Sec. 2. *NEW SECTION.* DEFINITIONS. As used in this Act unless the context otherwise requires:

1. "Commissioner" means the commissioner of insurance or a designee.

2. "Fund" means the Iowa Health Care Patient Compensation Fund created by section three (3) of this Act.

3. "Malpractice insurance" means insurance against the legal liability of an insured for loss, damage or expense incident to a claim arising out of the death or injury of a person as the result of malpractice in the rendering of health care or treatment by that insured.

4. "Health care practitioner" means and includes a physician and surgeon, osteopath, osteopathic physician and surgeon, dentist, podiatrist, optometrist, chiropractor, pharmacist or nurse licensed to practice his or her profession in this state.

5. "Hospital" means and includes each facility licensed as a hospital under chapter one hundred thirty-five B (135B) of the Code.

6. "Health care provider" means and includes a hospital and a health care practitioner.

7. "Board of governors" means the board of governors of the fund created by this Act.

Sec. 3. *NEW SECTION.* FUND CREATED. There is created the Iowa Patient Compensation Fund to provide for the payment of claims and judgments of malpractice arising from the delivery of health care or treatment by health care providers who are insured by the fund. The fund shall be the exclusive agency by which malpractice insurance may be written for health care providers in this state, and every health care provider licensed in this state shall obtain and maintain malpractice insurance from the fund as a condition of retaining licensure. The fund shall not be subject to attachment or levy of execution, and disbursements shall not be made from the fund except as provided in this Act.

Sec. 4. *NEW SECTION.* FUND ADMINISTRATION AND OPERATION. It shall be the duty and responsibility of the commissioner to manage the fund, subject to the supervision and approval of the board. The

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commissioner shall promulgate rules pursuant to chapter seventeen A (17A) of the Code for the administration and operation of the fund. The fund shall provide for the continuous writing of malpractice insurance

for health care providers licensed in this state, and for the servicing of malpractice insurance policies issued by the fund.

Sec. 5. *NEW SECTION.* BOARD CREATED.

1. There is created a seven member board of governors to supervise and advise the commissioner with respect to the management of the fund, and to perform other duties as provided in this Act.

2. The members of the board shall include the treasurer of state and six members appointed by the governor as provided in this subsection.

a. One member shall be appointed who has experience in the management of liability insurance underwriting in this state.

b. One member shall be appointed who has experience as a trial attorney in this state.

c. One member shall be appointed who has experience in the investment of securities.

d. One member shall be appointed who has experience as a health care practitioner in this state.

e. One member shall be appointed who has experience as a hospital administrator in this state.

f. One member shall be appointed who is not associated or affiliated with the insurance industry, the health care industry, the bar association, or the securities industry and who shall represent the interests of the general public.

The members appointed pursuant to paragraphs a through f of this subsection initially shall be appointed to terms of one through six years, respectively. Thereafter, appointments shall be made for uniform terms of four years each.

3. The board shall meet regularly once each month and at other times upon the written request of the commissioner. Five members shall constitute a quorum for the transacting of business and a majority of four votes shall be sufficient to take any action.

4. The members of the board, except the treasurer of state, shall receive a per diem of forty dollars for each day in the performance of official duties, and shall be reimbursed for actual and reasonable expense necessarily incurred. All per diem and expenses shall be charged to and paid from the fund.

Sec. 6. *NEW SECTION.* DUTIES OF COMMISSIONER. Subject to the conditions and limitations of this Act the commissioner shall have the following duties:

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1. To establish a plan of malpractice insurance for health care providers. To engage in the writing of malpractice insurance on behalf of the fund, and to cancel any insurance contract for cause.

2. To invest the monies of the fund, to adjust and pay losses, expenses and costs of the operation of the fund, and to account for receipts and disburse-

ments of the fund.

3. To investigate, negotiate and settle malpractice claims.

4. To sue and be sued on behalf of the fund.

5. To establish the rates, rating plans, rating rules and rating classifications to be used by the fund.

6. To employ persons pursuant to chapter nineteen A (19A) of the Code as necessary to carry out the duties of the commissioner or the board of governors as provided in this Act. The salaries and expenses of employment of those persons shall be charged to the fund and paid into the general fund of the state.

7. To exercise any other reasonable and necessary powers and duties with respect to the management and operation of the fund which are not inconsistent with the provisions of this Act.

Sec. 7. *NEW SECTION.* TERMS OF POLICIES. The commissioner shall establish the form of insurance policies written by the fund. Policies shall contain terms which the commissioner determines to be necessary, but every policy shall be subject to the following provisions:

1. Policies shall not be written on the claims made basis unless the insurance contract provides for residual occurrence coverage upon the retirement, death, disability or other cessation by the licensee from providing health care in this state.

2. Every insured shall agree to cooperate with and assist the fund and any of its officers, employees and attorneys in the investigations, negotiations, settlements and actions on any claims of liability made against the insured, and covered by the insurance contract.

3. Every insured shall acknowledge the right of the fund to cancel upon reasonable notice any policy upon the material failure of the insured to comply with any term of the insurance contract.

4. Every policy of insurance shall be written for a term not exceeding one year, and shall be issued only upon the payment of the required premium in full. Every insurance policy shall be subject to cancellation for cause.

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Sec. 8. *NEW SECTION.* ANNUAL PREMIUMS.

1. Each licensed health care provider shall pay the premiums established under this section for deposit into the fund. Failure to pay any premium when due shall constitute grounds for revocation of the health care provider's license to practice that profession. The insurance coverage provided by the fund shall begin January 1, 1976, but then existing licensees shall pay the initial premium not later than October 1, 1975.

2. Each health care provider shall pay into the

fund a membership premium determined according to the following schedule:

a. Persons licensed to practice chiropractic —two hundred forty dollars.

b. Dentists performing oral surgery under general anesthesia rendering the patient unconscious —two hundred twenty-five dollars.

c. Dentists not included in paragraph b of this subsection—one hundred twenty dollars.

d. Hospitals shall pay a premium determined by multiplying the number of acute care hospital beds by four hundred dollars.

e. Medical doctors and doctors of osteopathy not performing or participating in surgery or obstetrical procedures—one thousand five hundred dollars.

f. Medical doctors and doctors of osteopathy practicing surgery, including those specializing in proctology, ophthalmology and cardiology, but excluding surgeons specified in paragraphs g, h or i of this subsection—three thousand two hundred dollars.

g. Medical doctors and doctors of osteopathy specializing in thoracic surgery, vascular surgery, neurosurgery or orthopedics—eight thousand six hundred dollars.

h. Medical doctors and doctors of osteopathy specializing as cardiac surgeons, specializing in general surgery, anesthesiologists, and otolaryngologists whether or not plastic surgery is performed—five thousand four hundred dollars.

i. Medical doctors and doctors of osteopathy specializing as plastic surgeons or in obstetrics-gynecology—six thousand four hundred fifty dollars.

j. Optometrists—one hundred fifty dollars.

k. Podiatrists—one thousand five hundred dollars.

l. Pharmacists—fifty dollars.

m. Nurses specializing in administering anesthetics —one hundred forty dollars.

n. Nurses other than those specified in paragraph

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m of this subsection—twenty-five dollars.

The respective amounts specified in this subsection shall be payable in each of the first five years the insured is a policyholder: However, if the net balance of the fund reaches one hundred million dollars prior to the expiration of five years after October 1, 1975, the installments shall be abated according to the number of full years less than five yet to expire at the time the fund reaches that balance.

3. Each health care provider which becomes licensed in this state for the first time subsequent to October 1, 1975, shall pay into the fund the membership premium determined according to the schedule specified in subsection two (2) of this section, and additionally shall pay any premium for annual coverage which is

in effect at the time of issuance of the first policy of insurance.

4. Upon the renewal of any policy after initial issuance, each insured shall pay an annual premium, if any, in the amount established by the commissioner by rule. The premiums established by the commissioner shall be determined by the following standards:

a. The rates, rating plans, rating rules and rating classifications applicable to the insurance coverage provided by the fund shall be established on an actuarially sound basis, and shall be calculated to maintain a nonprofit and self-supporting fund without subsidy from the state or any other source.

b. The rating plan may recognize prior claims experience of individual insureds.

c. The rating plan may recognize health care practitioners who are retired or semiretired, or who are part-time practitioners.

d. The rating plan may recognize past and prospective loss and claim experience in different types of practice and in different geographical or demographic areas of the state.

e. The rating plan may recognize differences in risk between the various types of practice engaged in by health care practitioners and between hospitals based upon the kinds of health care and treatment provided. The rating plan adopted by the commissioner shall not be subject to any limitation or restriction as a result of the schedule contained in subsection two (2) of this section.

Sec. 9. *NEW SECTION.* FUND ACCOUNTING.

1. Premiums and other amounts received by the fund shall be remitted for deposit as determined by the commissioner. Monies held in the fund and not needed for current operating expenses or contingencies

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shall be invested in any interest-bearing investments in which the treasurer of state would be permitted to invest pursuant to section four hundred fifty-two point ten (452.10) of the Code.

2. Monies may be withdrawn from the fund only upon approval by the commissioner. Any person authorized to receive deposits, to withdraw funds, to issue vouchers, or otherwise to disburse monies shall give bond in an amount reasonably sufficient to protect the public interest. The cost of a bond shall be charged to and paid out of the fund.

3. Not later than the fifteenth day of March annually, the commissioner shall submit to the governor and to the general assembly an audited financial statement and report respecting the operation of the fund. The statement shall be prepared in accordance with generally accepted accounting principles and procedures.

4. All books, records and audits of the fund shall

be public records.

Sec. 10. *NEW SECTION.* FUND TO DEFEND ACTIONS.

1. The fund shall defend each insured against civil claims brought as a result of the insured's rendering of health care or treatment. The fund shall not defend or represent any licensee in proceedings relating to the licensure of that health care provider.

2. The attorney general or a designee shall represent the fund in any actions in which the fund or any officer or employee thereof is a party, and shall represent insureds in civil claims or actions in which the fund might be liable as an insurer. Private legal counsel may be employed by the fund in any claim or action involving more than one insured and in which the attorney general or the designee would be involved in a conflict of interest by the representation of all insureds.

3. All costs and expenses incurred in the investigation and defense of any claim shall be paid from the fund. Any amounts representing actual expenses and salaries of the attorney general and other employees of the department of justice in providing services to or on behalf of the fund shall be paid by the fund and into the general fund of this state.

Sec. 11. *NEW SECTION.* SETTLEMENT OF CLAIMS.

1. The commissioner is empowered, with the advice and consent of the board, to consider, ascertain, adjust, compromise, determine, settle, and pay any claim or judgment against an insured. However, no prejudgment settlement may be agreed to where in the

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amounts to be paid to or on behalf of all claimants exceeds one hundred thousand dollars.

2. A settlement may not be agreed to unless the claimant or a personal representative as consideration agrees to release the insured against whom the claim was made from all further liability arising from the occurrence upon which the claim is based.

3. A settlement involving an amount payable to all claimants in excess of five thousand dollars shall not be valid except after an action has been filed, and the court has approved a judgment in settlement.

Sec. 12. *NEW SECTION.* ACTIONS. Nothing in this Act shall be deemed to prevent the filing of any action against a health care provider by a person asserting a malpractice claim against that health care provider. Upon the filing of any claim for damages the claimant shall deliver written notice to the commissioner. Upon the commencement of any action arising from the care or treatment of a person by a health care provider the claimant shall deliver original notice to the fund by delivering a copy of the notice and petition to the attorney general. Neither the state, nor the fund, nor any member of

the board nor any employee of the state shall be joined as a party to any civil action against an insured: However, prior to entry of any judgment or judgment in settlement against an insured the fund shall be admitted as a party defendant and any judgment entered shall be enforceable against the fund.

Sec. 13. *NEW SECTION.* PAYMENT OF JUDGMENT. Upon entry of a judgment or judgment in settlement the fund shall pay to the claimants the full amount of the judgment or one hundred thousand dollars, whichever is the lesser, within thirty days of entry, unless a judgment upon a trial to the court or to a jury is appealed. Any balance of a judgment in excess of one hundred thousand dollars shall be payable in installments of one hundred thousand dollars each, or such lesser amount as satisfies the judgment, at successive twelve month intervals after the initial payment. Interest shall be payable upon the judgment in the same manner and to the same extent as interest in other civil actions for money judgment.

Sec. 14. *NEW SECTION.* APPEALS. A judgment of the district court in any civil action against an insured upon liability covered by the insurance policy, other than one entered upon an agreed settlement, shall be subject to appeal by any party and by the fund in the same manner and to the same extent as in other civil actions for money judgment. Any

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judgment entered shall be stayed upon appeal without the filing of any bond, regardless of the party taking the appeal.

Sec. 15. *NEW SECTION.* JUDGMENT AS BAR. A judgment entered against the fund shall be a complete bar to any further action by the claimant or any person on his or her behalf, by reason of the same subject matter, against any health care provider defending in that action, and no execution or other process shall be ordered against any defendant as a result of that judgment.

Sec. 16. *NEW SECTION.* EXEMPTION FROM LIABILITY. The fund, the commissioner, members of the board, and officers and employees of the fund shall not be civilly liable for any act, omission, communication, statement or decision made in good faith by any of them concerning any insured or any person applying to be insured by the fund, or concerning any duties or proceedings within the scope of this Act. However, such immunity shall not apply if an act, omission, communication, statement or decision is made with malice.

President pro tempore Doderer took the chair at 5:10 p.m.

Senator Kelly moved the adoption of amendment S—4067 and requested a record roll call.

On the question "Shall amendment S—4067 be adopted?" (H.F. 803) the vote was:

Ayes, 10:

Carr	Nolin	Priebe	Rodgers
Culver	Norpel	Redmond	Willits
Kelly	Palmer		

Nays, 23:

Andersen	Gluba	Nolting	Shaw
Bergman	Hansen	Nystrom	Sovern
Briles	Hill of Polk	Rabedeaux	Tieden
Curtis	Lamborn	Robinson	Van Gilst
DeKoster	Miller of	Scott	Winkelman
Gallagher	Marshall		
Glenn	Murray		

Voting present, 13:

Burroughs	Hultman	Miller of	Plymat
Coleman	Junkins	Des Moines	Ramsey
Doderer	Kinley	Orr	Taylor
Hill of Jasper	Merritt		

Absent or not voting, 4:

Griffin	Heying	Schwengels	Shaff

Amendment S—4067 lost.

Senator Junkins offered amendment S—3998 filed by the committee on commerce on June 2, 1975, and found on pages 1689-1692, inclusive, of the Senate Journal.

On motion of Senator Junkins, amendment S—3998 was adopted.

Senator Junkins offered amendment S—4065 and moved its adoption:

S—4065

Amend House File 803, as amended, passed and reprinted by the House as follows:

1. Page 2, by striking line 5, and inserting in lieu thereof the words "licensed health care".

2. Page 2, by inserting after line 12 the following new subsection:

"5. 'Licensed health care provider' means and includes a physician and surgeon, osteopath, osteopathic physician and surgeon, dentist, podiatrist, optometrist, pharmacist, chiropractor or nurse licensed pursuant to chapter one hundred forty-seven (147) of the Code, and a hospital licensed pursuant to chapter one hundred thirty-five B (135B) of the Code."

3. Page 11, by striking line 26, and inserting in lieu thereof the following:

"519.1 AUTHORIZATION. Any number of physicians[, druggists] *and surgeons, osteopaths, osteopathic*

physicians and surgeons, podiatrists, chiropractors, pharmacists,".

4. Page 14, by striking lines 10 and 11 and inserting in lieu thereof the following:

"wrongful death against any physician and surgeon, osteopath, osteopathic physician and surgeon, dentist, podiatrist, optometrist, pharmacist, chiropractor or nurse licensed under this chapter or against any hospital licensed under chapter one hundred thirty-five B (135B) of the Code,".

5. Page 14, line 12, by striking the words "this state,".

6. Page 14, line 23, by inserting after "optometrist," the word "pharmacist,".

Amendment S—4065 was adopted.

Senator Tieden offered amendment S—4037 filed by him and moved its adoption:

S—4037

Amend House File 803, as amended, passed and reprinted by the House, as follows:

1. Page 10, by inserting after line 31 the following new section:

"Sec. ..... Chapter one hundred forty-seven (147), Code 1975, is amended by adding the following new section:

NEW SECTION.

1. Liability for personal injury or wrongful death shall not be imposed against any physician and surgeon, osteopath, osteopathic physician and surgeon, chiropractor, pharmacist, nurse, dentist or podiatrist licensed to practice that profession in this state, based upon the alleged negligence of the licensee in the practice of that profession unless expert testimony is presented which establishes all of the following:

a. The accepted standard of care by the profession and the specialty thereof, if any, that the defendant practices in the community in which the defendant practices.

b. That the defendant acted or failed to act with less than ordinary and reasonable care in accordance with that accepted standard of care in the specific circumstances of the case.

c. That as a proximate result of that act or failure to act, the plaintiff suffered injuries or death which otherwise would not have occurred.

2. Expert testimony shall not be required pursuant to subsection one (1) of this section, and a rebuttable inference that the personal injury or death was caused by negligence shall arise, where evidence is presented that the personal injury or death occurred in any of the following circumstances:

a. A foreign substance other than medication or a prosthetic device was unintentionally left within the body of a patient following surgery.

b. An explosion or fire originating in a substance used in treatment occurred in the course of treatment.

c. A surgical procedure was performed on the wrong organ, limb or part of a patient's body or on the wrong patient."

A record roll call was requested.

On the question "Shall amendment S—4037 be adopted?" (H.F. 803) the vote was:

Ayes, 13:

Andersen	Griffin	Lamborn	Tieden
Bergman	Hansen	Nolin	Van Gilst
Briles	Hultman	Priebe	Winkelman
Burroughs			

Nays, 31:

Carr	Hill of Jasper	Murray	Ramsey
Coleman	Hill of Polk	Nolting	Redmond
Curtis	Junkins	Norpel	Robinson
DeKoster	Kelly	Nystrom	Rodgers
Doderer	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Shaw
Glenn	Miller of Marshall	Plymat	Sovern
Gluba		Rabedeaux	Willits

Voting present, 1:

Miller of Des Moines

Absent or not voting, 5:

Culver	Schwengels	Shaff	Taylor
Heying			

Amendment S—4037 lost.

Senator Tieden offered amendment S—4031 filed by him and moved its adoption:

S—4031

Amend House File 803, as amended, passed and reprinted by the House, as follows:

1. Page 14, line 32, by striking the word "six" and inserting in lieu thereof the word "four".

A record roll call was requested.

On the question "Shall amendment S—4031 be adopted?" (H.F. 803) the vote was:

Ayes, 15:

Andersen	Hultman	Nolin	Taylor
Briles	Merritt	Priebe	Tieden
Burroughs	Miller of Marshall	Schwengels	Van Gilst
Griffin		Scott	Winkelman

Nays, 31:

Bergman	Gluba	Murray	Ramsey
Carr	Hansen	Nolting	Redmond
Coleman	Hill of Jasper	Norpel	Robinson
Curtis	Hill of Polk	Nystrom	Rodgers
DeKoster	Junkins	Orr	Shaw
Doderer	Kelly	Palmer	Sovern
Gallagher	Kinley	Plymat	Willits
Glenn	Lamborn	Rabedeaux	

Voting present, 1:

Miller of Des Moines

Absent or not voting, 3:

Culver	Heying	Shaff

Amendment S—4031 lost.

Senator Hill of Polk withdrew amendment S—4044 filed by him on June 4, 1975, and found on page 1759 of the Senate Journal.

Senator Hill of Polk offered amendment S—4064:

S—4064

Amend House File 803, as amended, passed and reprinted by the House as follows:

1. Page 14, line 32 by striking the word "six" and inserting in lieu thereof the word "ten".

Senator Palmer took the chair at 6:10 p.m.

Senator Hill of Polk moved the adoption of amendment S—4064 and requested a record roll call.

On the question "Shall amendment S—4064 be adopted?" (H.F. 803) the vote was:

Ayes, 20:

Carr	Gluba	Kinley	Ramsey
Coleman	Hill of Jasper	Nystrom	Redmond
DeKoster	Hill of Polk	Orr	Rodgers
Doderer	Junkins	Palmer	Sovern
Glenn	Kelly	Rabedeaux	Willits

Nays, 26:

Andersen	Hansen	Nolting	Shaff
Bergman	Lamborn	Norpel	Shaw
Briles	Merritt	Plymat	Taylor
Burroughs	Miller of Marshall	Priebe	Tieden
Curtis	Murray	Robinson	Van Gilst
Gallagher	Nolin	Schwengels	Winkelman
Griffin		Scott	

Voting present, 1:

Miller of Des Moines

Absent or not voting, 3:

Culver	Heying	Hultman

Amendment S—4064 lost.

Senator Redmond offered amendment S—4076 and moved its adoption:

S—4076

Amend House File 803 as amended, passed and reprinted by the House, page 15, by inserting after line 1 the following new paragraph:

"This section shall not apply to any claim based upon an act or omission occurring prior to the effective date of this Act."

The Chair requested a non-record roll call.

The ayes were 13, nays 31.

Amendment S—4076 lost.

Senator Glenn offered amendment S—4075, moved its adoption, and requested a record roll call:

S—4075

Amend House File 803, as amended, passed and reprinted by the House as follows:

1. Page 11, line 1, by striking the word "be".
2. Page 11, by striking lines 2 through 8 and inserting in lieu thereof the following:

"create a presumption that informed consent was given. A".

On the question "Shall amendment S—4075 be adopted?" (H.F. 803) the vote was:

Ayes, 31:

Bergman	Hill of Jasper	Murray	Robinson
Burroughs	Hill of Polk	Nolin	Rodgers
Carr	Junkins	Norpel	Schwengels
Coleman	Kelly	Nystrom	Shaff
Curtis	Kinley	Orr	Shaw
DeKoster	Lamborn	Rabedeaux	Sovern
Doderer	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	
Griffin			

Nays, 14:

Andersen	Merritt	Priebe	Tieden
Briles	Nolting	Scott	Van Gilst
Gallagher	Palmer	Taylor	Winkelman
Hansen	Plymat		

Voting present, 1:

Miller of Des Moines

Absent or not voting, 4:

Culver	Gluba	Heying	Hultman

Amendment S—4075 was adopted.

Senator Doderer offered amendment S—4073:

S—4073

Amend House File 803, as amended and passed by the House and reprinted, page 9, by inserting after line 22 the following new section:

"Sec. ..... Section one hundred thirty-five B point twenty-six (135B.26), Code 1975, is amended to read as follows:

135B.26 COMPENSATION. The contract between the hospital and doctor in charge of the laboratory or x-ray facilities may contain any provision for compensation of each upon which they mutually agree[, provided, however, that no contract shall be entered into which in any way creates the relationship of employer and employee between the hospital and the doctor, and a]. *A* percentage arrangement *or a relationship of employer and employee between the hospital and the doctor* is not [and shall not be construed to be] unprofessional conduct on the part of the doctor or in violation of the statutes of this state upon the part of the hospital."

Senator Briles raised the point of order that amendment S—4073 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4073 out of order.

Senator Junkins moved that the bill 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. 803) the vote was:

Ayes, 44:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Polk	Nolting	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Marshall	Rabedeaux	Van Gilst
Glenn	Murray	Ramsey	Willits
Griffin		Robinson	Winkelman
Hansen			

Nays, 1:

Redmond

Voting present, 1:

Miller of Des Moines

Absent or not voting, 4:

Culver	Gallagher	Gluba	Hill of Jasper

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Van Gilst asked and received unanimous consent that **Senate File 55** be **withdrawn** from further consideration of the Senate.

Senator Bergman asked and received unanimous consent that **Senate File 148** be **withdrawn** from further consideration of the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the following conference committee on **House File 185**, on the part of the Senate: Senators Scott, chairman; Merritt, Redmond, Burroughs and Shaff.

SENATE RECEDES

House File 421

Senator Doderer called up for consideration House File 421, a bill for an act relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law, amended by the Senate, and moved that the Senate recede from its amendment.

The motion prevailed and the Senate receded from its amendment.

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?" (H.F. 421) the vote was:

Rule 25 was invoked.

Ayes, 27:

Andersen	Heying	Miller of Marshall	Redmond
Bergman	Hill of Jasper	Murray	Robinson
Carr	Hill of Polk	Nolting	Rodgers
Curtis	Junkins	Orr	Shaff
DeKoster	Kelly	Palmer	Shaw
Doderer	Kinley	Plymat	Taylor
Glenn	Lamborn		Van Gilst

Nays, 20:

Burroughs	Merritt	Nystrom	Scott
Coleman	Miller of	Priebe	Sovern
Gallagher	Des Moines	Rabedeaux	Tieden
Griffin	Nolin	Ramsey	Willits
Hansen	Norpel	Schwengels	Winkelman
Hultman			

Absent or not voting, 3:

Briles	Culver	Gluba

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER LOST

Senate File 536

Senator Curtis called up the following motion to reconsider filed by him on June 2, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 536 passed the Senate on June 2, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 536) the vote was:

Ayes, 5:

Carr	Redmond	Sovern	Winkelman
Nolting			

Nays, 39:

Andersen	Hultman	Murray	Robinson
Bergman	Junkins	Nolin	Rodgers
Burroughs	Kelly	Norpel	Schwengels
Coleman	Kinley	Nystrom	Scott
Curtis	Lamborn	Orr	Shaff
Gallagher	Merritt	Palmer	Shaw
Glenn	Miller of	Plymat	Taylor
Hansen	Des Moines	Priebe	Tieden
Heying	Miller of	Rabedeaux	Van Gilst
Hill of Jasper	Marshall	Ramsey	Willits
Hill of Polk			

Absent or not voting, 6:

Briles	DeKoster	Gluba	Griffin
Culver	Doderer		

The motion lost.

MOTION TO RECONSIDER WITHDRAWN

Senator Gallagher withdrew the motion to reconsider the vote by which **Senate File 536** passed the Senate filed by him on June 2, 1975.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Harriette J. Baum, Manchester, Delaware County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of James P. Fuller, Muscatine, Muscatine County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Harriette Lindberg, Des Moines, Polk County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Orren S. Olson, Humboldt, Humboldt County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Robert D. Porter, Sioux City, Woodbury County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976.

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 on June 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 895, a bill for an act making an appropriation to the department of social services.

Also: That the House has on June 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 897, a bill for an act relating to the salaries of area school superintendents.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILL

Senate File 570, by Senator Gluba, a bill for an act relating to the regulation of certain dealers, commercial breeders, commercial kennel operators, and public auction operators.

Read first time and **passed on file.**

HOUSE MESSAGES CONSIDERED

House File 895, a bill for an act making an appropriation to the department of social services and divisions of the department for the purpose of funding social service programs and providing for their administration.

Read first time and **passed on file.**

House File 897, a bill for an act relating to the salaries of area school superintendents.

Read first time and **passed on file.**

WITHDRAWN

Senator Palmer asked and received unanimous consent that **Senate File 432** be **withdrawn** from further consideration of the Senate.

SENATE CONCURRENT RESOLUTION 44
By Committee on Ways and Means

Whereas, the revaluation of all property in the state has resulted in greatly increased property values; and

Whereas, the proposed budgets of certain political subdivisions of the state may greatly increase the property taxes to be paid by property owners; and

Whereas, the general assembly is greatly concerned with the property taxes which the property owners in this state will pay; and

Whereas, there is a need to study the feasibility of stabilizing the property taxes; and

Whereas, the general assembly is concerned with the capitalization rate used in valuing agricultural property for tax purposes; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee as provided by law, composed of members of the Senate and the House of Representatives representing both political parties, to conduct a study during the 1975 interim relating to the feasibility of imposing a property tax freeze in this state and to determine the need for revising the method of valuing agricultural property; and

Be It Further Resolved, That the study committee shall prepare a report of its findings and recommendations and submit it to the legislative council and the members of the Sixty-sixth General Assembly, 1976 Session, accompanied by, if necessary, legislative bill drafts designed to carry out the recommendations of the study committee.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 45
By Doderer, Hansen, Heying, Willits, Robinson, Kelly, Orr, Priebe, Ramsey, Miller of Marshall, Burroughs, Gallagher, Junkins, Carr, Miller of Des Moines, Griffin, Redmond, Sovern, Nystrom, Merritt and Schwengels

Whereas, the General Assembly has recognized and prohibited certain unfair and discriminatory practices based on a person's sex or marital status; and

Whereas, unfair and discriminatory practices based on a person's sex or marital status may exist in the issuing, coverage, and other terms of insurance policies; and

Whereas, unfair and discriminatory practices based on a person's sex or marital status impose a significant burden on such persons and limit their ability to enjoy certain rights and privileges enjoyed by other persons who do not suffer such discrimination; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Legislative Council is authorized to create a study committee, as provided by law, to study unfair and discrim-

inatory practices based on a person's sex or marital status in the issuing, coverage, and other terms of insurance policies. The study committee shall be composed of members of the Senate and House of Representatives and shall conduct the study during the 1975-1976 legislative interim.

Be It Further Resolved, That the study committee shall include nonlegislative members having special knowledge of the insurance industry and that a report of the study shall be prepared and submitted to the legislative council and members of the General Assembly at the conclusion of the interim which shall be accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

Read first time and passed on file.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 570 Agriculture

S.C.R. 45 Rules and administration

H. F. 795 Education

H. F. 812 State government

H. F. 892 Appropriations

H. F. 895 Appropriations

H. F. 897 Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John C. Brophy of Lansing, Allamakee County, Iowa, for appointment as a member of the Iowa Conservation Commission under the provisions of Sections 107.1-4, 1975 Code of Iowa, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
CHARLES P. MILLER
JOHN N. NYSTROM
CLOYD E. ROBINSON
DALE L. TIEDEN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of James M. Duffy, Sioux City, Woodbury County, Iowa, for appointment to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1,

1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
JAMES W. GRIFFIN, SR.
E. KEVIN KELLY
MILO MERRITT
RICHARD J. NORPEL, SR.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Rosalie B. Neligh of Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, Code 1975, for an initial term commencing July 1, 1975 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
GENE W. GLENN
JAMES W. GRIFFIN, SR.
KARL NOLIN
WILLIAM P. WINKELMAN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Conrad A. Amend, Des Moines, Polk County, Iowa, for appointment to the Transportation Regulation Board, Division of the Iowa Department of Transportation, pursuant to Section 307.15, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
JAMES E. BRILES
PHILIP B. HILL
CLOYD E. ROBINSON
EARL M. WILLITS

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on June 5, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 44—Relating to the registration of relating to certain trailers and semitrailers which are not for hire and making the act retroactive.

S. F. 309—Relating to the reproduction and duplication of sound recordings and providing a penalty.

S. F. 397—Relating to benefited street lighting districts.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was called out of the Senate chamber Thursday morning, June 5, 1975. Had I been present I would have voted "aye" on House File 880.

C. JOSEPH COLEMAN

MR. PRESIDENT: I was called out of the Senate chamber Thursday morning, June 5, 1975. Had I been present I would have voted "aye" on Senate File 565.

C. JOSEPH COLEMAN

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate from:

HIGHER EDUCATION FACILITIES COMMISSION

A copy of the report on the 1973-75 biennium of the Higher Education Facilities Commission in accordance with Section 261.15, Code 1975.

THE STATE OF TENNESSEE

A copy of House Joint Resolution 139, adopted by the Eighty-ninth General Assembly of the State of Tennessee, urging the United States Congress to institute procedures to add an amendment to the Constitution of the United States requiring that the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of the estimated revenues.

REPORT OF COMMITTEE

Senator Rodgers submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 891**, a bill for an act relating to fees collected by sheriffs and certain other police authorities, begs leave to report it has had the same under consideration and recommends the same **do pass**.

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4068

Amend Senate File 255 as follows:

1. Page 1, by inserting after line 35 the following new section:

"Sec. ..... Section two hundred thirty-two point fifty-six (232.56), Code 1975, is amended to read as follows:

232.56 RECORDS KEPT SEPARATE. Peace officers' records of children except for offenses exempted from this chapter by law shall be kept separate from the records of persons eighteen years of age or older. These records shall be public records. *Any person*

who has sustained injury to person or property as a result of an act or omission for which a juvenile has been taken into custody by a law enforcement agency shall be entitled upon request to disclosure by that law enforcement agency of the names and addresses of the juvenile involved and the parents of that juvenile, and of other relevant information."

2. Amend the title, line 2, by inserting after the word "hearing" the words "and the disclosure of certain information respecting a child taken into custody".

RICHARD R. RAMSEY
ELIZABETH SHAW

S—4061

Amend House amendment S—3983 to Senate File 266, as amended and passed by the Senate as follows:

1. Page 1 by striking lines 39 through 42.

CALVIN O. HULTMAN

S—4074

Amend Senate File 524, page 7, by striking lines 25 and 26.

RICHARD RAMSEY
CALVIN HULTMAN

S—4057

Amend House File 848 as amended and passed by the House as follows:

1. Page 4, by inserting before line 19 the following:

"Sec. ..... Section three hundred twenty-one point one hundred eighty-nine (321.189), Code 1975, is amended to read as follows:

321.189 LICENSES ISSUED. The department shall upon payment of the required fee, issue to every applicant qualifying therefor an operator's [or], *school or* chauffeur's license, *or an instruction permit, or temporary driving permit,* as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, occupation, sex, residence address, a brief description of the licensee, *a color photograph,* and the usual signature of the licensee. No license shall be valid unless it bears the signature of the licensee. *The department may issue to any Iowa resident over the age of fourteen years an identification card bearing such information and on such form as prescribed by the department. The identification card shall bear a color photograph of the applicant and shall be valid for a period of four years. Any qualified applicant temporarily residing outside the state or whose religious beliefs prohibit photographing of the person shall be issued, upon*

application, a license, permit or identification card without a color photograph.

Sec. ..... Section three hundred twenty-one point one hundred ninety-one (321.191), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The fee for an operator's license shall be [five] *six* dollars if issued for a period of two years, and [ten] *eleven* dollars if issued for a period of four years. The fee for a chauffeur's license shall be [ten] *eleven* dollars if issued for a period of two years, and [twenty] *twenty-one* dollars if issued for a period of four years. The fee for an instruction permit shall be [three] *four* dollars and for a temporary driver's permit, [five] *six* dollars. *The fee for an identification card shall be four dollars.*

Sec. ..... The provisions of this Act amending sections three hundred twenty-one point one hundred eighty-nine (321.189) and three hundred twenty-one point one hundred ninety-one (321.191) of the Code shall become effective for new and renewal licenses and identification cards issued by the department after July 1, 1977."

2. Amend the title, line 4, by inserting after

Page 2

the word "departments" the words "and providing for color photographs on operator's and chauffeur's licenses, permits, and identification cards issued by the state department of transportation".

3. Renumber the sections and correct internal references in conformance with this amendment.

JAMES W. GRIFFIN, SR.

S—4066

Amend House File 887, as follows:

1. Page 1, by inserting after line 13 the following:

"a. General office".

2. Page 1, line 15, by striking the figure "518,853" and inserting in lieu thereof the figure "368,853".

3. Page 1, by inserting after line 15 the following:

"b. For the trial venereal disease program ....200,000".

ELIZABETH SHAW

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 7:40 p.m., until 9:00 a.m., Friday, June 6, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-FIFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, JUNE 6, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend John Dorton, pastor of the St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Thursday, June 5, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dayrle Crabb, Denison, Iowa.

DISTINGUISHED VISITORS

President Neu welcomed to the Senate a delegation from Iowa's Sister states in Mexico, and presented Senora Seoro Cabrero de Rodriguez, wife of the Governor of Campeche; Senor Fernando Berron Waring, Treasurer of Campeche; Senor Sabas Baroudi, Department of Economic Development, Quintana Roo; and Senors Jaime Ramos, Eduardo Puerto and Victor Perez Norelo of Yucatan.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Glenn presiding.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

June 5, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Jerry L. Addy, Des Moines, Polk County, Iowa, for appointment as Labor Commissioner for the State of Iowa pursuant to Section 91.2, 1975 Code of Iowa, for a fourth term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

President pro tempore Doderer took the chair at 12:15 p.m.

HOUSE AMENDMENTS CONSIDERED

Senate File 521

Senator Willits called up for consideration Senate File 521, a bill for an act relating to expenses for persons seeking or employed in professional positions with the state, amended by the House, and moved that the Senate concur in the following amendment:

S—4020

Amend Senate File 521, as passed by the Senate, as follows:

1. Page 1, line 5, by striking the word "professional".

2. Page 1, line 9, by striking the word "professional".

3. Page 1, line 11, by inserting after the period the following:

"However, expenses incurred in moving this person's household goods and other personal effects shall be reimbursed only to the extent the expense is for the packing and moving of ten thousand pounds or less of these goods and effects. Also reimbursement for moving expenses shall not include reimbursement for the expense of moving animals."

4. Title page, line 2, by striking the word "professional".

The motion prevailed and the Senate concurred in House amendment S—4020.

Senator Willits 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. 521) the vote was:

Ayes, 41:

Andersen	Gluba	Murray	Ramsey
Bergman	Hansen	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of Des Moines	Rabedeaux	Winkelman
Glenn			

Nays, none.

Absent or not voting, 9:

Briles	Lamborn	Redmond	Shaff
Griffin	Miller of Marshall	Robinson	Tieden
Heying			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate Joint Resolution 6

Senator Hill of Polk called up for consideration Senate Joint Resolution 6, a joint resolution to continue the governor's task force on early childhood development and making an appropriation, amended by the House, and moved that the Senate concur in the following amendment:

S—4018

Amend Senate Joint Resolution 6, as amended and passed by the Senate, as follows:

1. Page 1, line 14, by striking the word "year" and inserting in lieu thereof the word "period".

2. Page 1, line 15, by striking the word and figure "June 30" and inserting in lieu thereof the word and figure "March 31".

3. Page 1, line 19, by inserting after the word "force" the words "to enable the task force to complete its study".

4. Page 1, line 19, by inserting after the period the words "Unobligated or unencumbered funds appropriated in this section remaining on February 15, 1976 shall revert to the general fund of the state on April 15, 1976."

The motion prevailed and the Senate concurred in House amendment S—4018.

Senator Hill of Polk moved that the resolution as amended by the House and concurred in by the Senate 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. 6) the vote was:

Ayes, 41:

Andersen	Gluba	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaw
Coleman	Hultman	Nystrom	Sovern
Culver	Junkins	Orr	Taylor
Curtis	Kelly	Palmer	Tieden
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of Des Moines	Ramsey	Winkelman
Glenn			

Nays, none.

Absent or not voting, 9:

Briles	Lamborn	Rabedeaux	Robinson
Griffin	Miller of	Redmond	Shaff
Heying	Marshall		

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 887.

House File 887

On motion of Senator Priebe, House File 887, a bill for an act making an appropriation to the state department of health to finance programs subject to administration by the department, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw offered amendment S—4066 filed by her and moved its adoption:

S—4066
Amend House File 887, as follows:
1. Page 1, by inserting after line 13 the following:
"a. General office".
2. Page 1, line 15, by striking the figure "518,853" and inserting in lieu thereof the figure "368,853".
3. Page 1, by inserting after line 15 the following:
"b. For the trial venereal disease program .....200,000".

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 20, nays 23.

Amendment S—4066 lost.

Senator Hill of Polk offered amendment S—4082 and moved its adoption:

S—4082
Amend House File 887, as follows:
1. Page 2, by striking lines 21 through 27.
2. Page 2, line 28, by striking the number "3" and inserting in lieu thereof the number "2".

Amendment S—4082 was adopted.

Senator Priebe moved that the bill 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. 887)

Ayes, 42:

Andersen	Gluba	Murray	Redmond
Bergman	Hansen	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of	Rabedeaux	Winkelman
Glenn	Des Moines	Ramsey	

Nays, none.

Absent or not voting, 8:

Briles	Lamborn	Robinson	Tieden
Griffin	Miller of	Shaff	
Heying	Marshall		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 883.

House File 883

On motion of Senator Willits, House File 883, a bill for an act relating to and appropriating funds to judicial courts and agencies and appropriating funds to the attorney general, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Willits offered amendment S—4021 filed by the committee on appropriations and moved its adoption:

S—4021
1 **Amend House File 883, page 1, line 20, by striking**
2 **the word "for".**

Amendment S—4021 was adopted.

Senator Hansen asked unanimous consent that further action on House File 883 be deferred.

Objection was raised.

DEFERRED

Senator Kinley asked and received unanimous consent that further action on **House File 883** be deferred **and that the bill retain its place on the calendar.**

CONSIDERATION OF BILL

Senate File 553

On motion of Senator Kelly, Senate File 553, a bill for an act to exempt the equalization of property from the provisions of the Iowa administrative procedure act, was taken up for consideration.

Senator Kelly asked and received unanimous consent that **House File 885** be **substituted** for **Senate File 553.**

House File 885

On motion of Senator Kelly, House File 885, a bill for an act to exempt the equalization of property from the provisions of the Iowa administrative procedure act, was taken up for consideration.

Senator Kelly moved that the bill 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. 885) the vote was:

Ayes, 41:

Andersen	Hansen	Nolting	Rodgers
Bergman	Hill of Jasper	Norpel	Schwengels
Burroughs	Hill of Polk	Nystrom	Scott
Carr	Hultman	Orr	Shaw
Coleman	Junkins	Palmer	Sovern
Culver	Kelly	Plymat	Taylor
Curtis	Kinley	Priebe	Tieden
DeKoster	Merritt	Rabedeaux	Van Gilst
Doderer	Murray	Ramsey	Willits
Glenn	Nolin	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 9:

Briles	Lamborn	Miller of	Robinson
Gallagher	Miller of	Marshall	Shaff
Griffin	Des Moines		
Heying			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Kelly asked and received unanimous consent that **Senate File 553** be **withdrawn** from further consideration of the Senate.

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 on June 4, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 289, a bill for an act to create an energy research and development fund within the energy policy council and making an appropriation.

Also, That the House has on June 2, 1975, amended and passed the following bill in which concurrence of the House was asked:

Senate File 296, a bill for an act to establish and regulate the practice of barbering and the practice of cosmetology.

Also: That the House has on June 4, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 187, a bill for an act relating to use of state funds to assist counties in paying a portion of the cost of mental health services.

Also: That the House has on June 5, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 896, a bill for an act making an appropriation to the Iowa housing finance authority.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 289

S—4079

Amend Senate File 289 as follows:

1. By striking all after the word "of" on page 1, line 6, "as determined" in line 7, and inserting in lieu thereof the following: "projects designated to improve Iowa's energy situation by developing improved methods of energy conservation, by enabling Iowans to better manage available energy resources, or through the increased development and use of Iowa's renewable or non-renewable energy resources. Said projects will be selected".

2. By inserting after the word "of" on page 1, line 12, the words "the above described".

HOUSE AMENDMENT TO SENATE FILE 296

S—4080

Amend Senate File 296, as amended, passed, and reprinted by the Senate, as follows:

1. Page 2, line 22, by striking the words "satisfactorily completes" and inserting in lieu thereof the word "satisfies".

2. Page 6, by striking lines 4 through 9.

3. Page 6, line 10, by striking the words "MANAGER'S LICENSE" and inserting in lieu thereof the word "MANAGER".

4. Page 6, by striking lines 12 through 35 and inserting in lieu thereof the word

"cosmetologists."

5. Page 7, by striking lines 1 through 17.

6. Page 7, by striking lines 18 through 29.

7. Page 7, by inserting after line 29 the following new subsection:

"..... Notwithstanding the provisions of section fourteen (14) of this Act, a licensed cosmetologist may practice cosmetology under the supervision of a licensed funeral home director or embalmer in a funeral home."

8. Page 9, by striking all of lines 15 through 25.

9. Page 11, lines 16 and 17, by striking the words "satisfactorily completes" and inserting in lieu thereof the word "satisfies".

10. Page 12, lines 5 and 6, by striking the words "more than two years" and inserting in lieu thereof the words "at least twelve months in the twenty-four month period preceding the submission of the application".

11. Page 14, by striking lines 29 through 34.

12. Page 14, line 35, by striking the words "MANAGER'S LICENSE" and inserting in lieu thereof the word "MANAGER".

13. Page 15, line 1, by striking the word "holding" and inserting in lieu thereof a period.

14. Page 15, by striking lines 2 through 35.

15. Page 16, by striking lines 1 through 5.

16. Page 16, by striking lines 14 through 24.

17. Page 16, by inserting after line 24 the following new subsection:

"..... Notwithstanding the provisions of section thirty-three (33) of this Act, a barber may practice barbering under the supervision of a licensed funeral home director or embalmer in a funeral home."

18. Page 18, by striking lines 31 through 35.

19. Page 19, by striking lines 1 through 5.

20. Page 19, by striking lines 17 and 18 and inserting in lieu thereof the words *"a beauty salon,"*.

21. Page 19, line 20, by striking the words ",

Page 2

certificate of".

22. Page 19, line 33, by striking the word "original" and inserting in lieu thereof the word "[original]".

23. Page 19, by striking line 21 and inserting in lieu thereof a period.

24. Page 19, by striking the words *"manager's license, renewal of a manager's license"* from lines 34 and 35.

25. Page 19, by striking line 35 and inserting in lieu thereof the word *"license."*

26. By renumbering sections and subsections and correcting internal references as necessary in accordance with this amendment.

INTRODUCTION OF BILLS

Senate File 571, by committee on ways and means, a bill for an act relating to the reimbursement for property taxes paid and rent constituting property taxes paid for persons sixty-five years of age or older or totally disabled.

Read first time and **placed on calendar.**

Senate File 572, by committee on appropriations, a bill for an act making an appropriation for and relating to social service programs including aging, drug abuse, and alcoholism programs.

Read first time and **placed on calendar.**

HOUSE MESSAGES CONSIDERED

House File 187, a bill for an act relating to use of state funds to assist counties in paying a portion of the cost of mental health and mental retardation services, and to charges by state mental health institutes for care of patients thereof.

Read first time and **passed on file.**

House File 896, a bill for an act making an appropriation to the Iowa housing finance authority.

Read first time and **passed on file.**

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on June 6, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 522—Making an appropriation to supplement funds appropriated to the state board of veterinary examiners fund.

H. F. 18—Relating to expert witness fees.

H. F. 36—Relating to discrimination in the renewal of automobile insurance.

H. F. 390—Authorizing the expenditure of federal funds or grants for the support of mental health centers, programs for the mentally retarded, and capital improvements by counties.

H. F. 411—Relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict.

H. F. 465—Relating to the transportation of nonpublic school pupils outside the boundary lines of the school district of residence.

H. F. 479—Relating to the movement of mobile homes and factory-built structures of excessive size subject to penalties provided by law.

H. F. 498—To provide that the making or delivering of a false odometer statement is an offense subject to a penalty provided by law.

H. F. 742—To legalize and validate proceedings of the city council of the city of Missouri Valley, Harrison County, Iowa, vacating and disposing of certain streets and alleys.

H. F. 793—Relating to the marketing board of the department of agriculture.

H. F. 881—Relating to the taxation of individual retirement annuity premiums.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Ruth E. Kuney, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Accountancy under the provisions of Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report it has made investigation and recommends that the appointment be confirmed.

IRVIN L. BERGMAN, Chairman
JAMES V. GALLAGHER
GENE W. GLENN
KARL NOLIN
WILLIAM N. PLYMAT

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Alfred D. Wilson of Des Moines, Polk County, Iowa, for appointment to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LEONARD C. ANDERSEN, Chairman
C. JOSEPH COLEMAN
PHILIP B. HILL
MILO MERRITT
STEVE SOVERN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Hal R. Hirleman of Cedar Rapids, Linn County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

W. R. RABEDEAUX, Chairman
JAMES V. GALLAGHER
MILO MERRITT
RICHARD R. RAMSEY
JAMES M. REDMOND

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate chamber to attend a meeting on a coal research project when the vote on House File 803 was taken on June 5, 1975. Had I been present, I would have voted "aye".

JAMES V. GALLAGHER

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu announced, in accordance with Section 2.32, 1975 Code of Iowa, the appointment of the following Senators to investigating committees.

As members of the Energy Policy Council:

Harriette J. Baum, Manchester, Delaware County, Iowa, for reappointment to a one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Glenn, Chairman
Senator Curtis
Senator Norpel
Senator Tieden
Senator Willits

James P. Fuller, Muscatine, Muscatine County, Iowa, for reappointment to a one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Nolin, Chairman
Senator Junkins
Senator Miller of Marshall
Senator Rabedeaux
Senator Van Gilst

Harriette Lindberg, Des Moines, Polk County, Iowa, for reappointment to a one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Bergman, Chairman
Senator Culver
Senator Nolting
Senator Plymat
Senator Orr

Orren S. Olson, Humboldt, Humboldt County, Iowa, for reappointment to a one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Winkelman, Chairman
Senator Coleman
Senator Heying
Senator Murray
Senator Sovern

Robert D. Poster, Sioux City, Woodbury County, Iowa for reappointment to a one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Hill of Jasper, Chairman
Senator Andersen
Senator Nystrom
Senator Redmond
Senator Robinson

SUBCOMMITTEE ASSIGNMENTS

Senate File 128
Transportation
Nolin, Chairman
Rabedeaux
Coleman

Senate File 556
Ways and Means
Gluba, Chairman
Rodgers
Shaff

House File 502
Transportation
Gallagher, Chairman
Nolin
Norpel

House File 704
Transportation
Gallagher, Chairman
Murray
Shaff

House File 739
Transportation
Norpel, Chairman
Orr
Rabedeaux

House File 743
Transportation
Rabedeaux, Chairman
Nolin
Shaff

House File 774
Judiciary
Doderer, Chairman
Kelly
Shaw

House File 787
Agriculture
Scott, Chairman
Tieden
Merritt

House File 790
Judiciary
DeKoster, Chairman
Miller of Des Moines
Coleman

House File 795
Education
Carr, Chairman
Griffin
Sovern

House File 820
Transportation
Doderer, Chairman
Orr
Murray

House File 826
Judiciary
Willits, Chairman
Hill of Polk
Redmond

House File 889
Appropriations—
State Departments

House File 890
Appropriations—
State Departments

REPORTS OF COMMITTEES

Senator Palmer submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 555,** a bill for an act relating to benefits for public employees **and retired public employees** providing for salary adjustments and certain retirement benefits for public employees and certain elected officials and retired public employees and to make appropriations, begs leave to report **it has had the same under consideration** and recommends that the same **be amended as follows; and when so amended the bill do pass:**

S—4084

Amend Senate File 555 as follows:

1. Page 2, by striking lines 17 through 27.

2. Page 3, by inserting after line 9 the following section:

"Sec. ..... Section ninety-seven B point forty-one (97B.41), subsection two (2), Code 1975, is amended **to read as follows:**

3. 'Employment' means any service performed under an employer-employee relationship under the provisions of this chapter. *For the purposes of this chapter, elected officials not excluded from membership under subsection three (3), paragraph b, subparagraph one **(1), of this section are deemed to be in employment.***"

4. Page 3, by striking lines 10 through 20.

5. Page 3, by striking lines 34 and 35.

6. Page 4, by striking lines 1 through 8.

7. Page 4, by striking lines 23 through 32.

8. Page 12, by striking lines 9 through 29.

9. Page 13, by inserting after line 25 the following:

"Sec. ..... Section two hundred ninety-four point nine (294.9), subsection two (2), Code 1975, is amended to read as follows:

10. From the proceeds of an annual tax levy[, not exceeding the amount produced in the current school year by the assessment of teachers as provided in the preceding paragraph of this section].

Sec. ..... Section ninety-seven C point two (97C.2), subsection three (3), Code 1975, is amended to read as follows:

3. The term 'employee' includes elective and appointive officials of the state or any political subdivision thereof, [except members of the general assembly,] elective officials in positions, the compensation for which is on a fee basis, elective officials of school districts, elective officials of townships, and elective officials of other political subdivisions who are in part-time positions; provided that no member of a county board of supervisors shall be deemed to be an elective official in a part-time position, but every member of a county board of supervisors shall be deemed to be an employee within the purview of this chapter and shall be eligible to receive all of the benefits provided by this chapter to which he may be entitled as an employee.

Sec. ..... Prior to January 10, 1976, the state agency as defined in chapter ninety-seven C (97C) of the Code, shall make all arrangements necessary in order to provide for extending the benefits of the federal old-age and survivors' insurance system

Page 2

to members of the general assembly effective January 10, 1977."

11. Page 15, by striking lines 31 through 35 and page 16 by striking lines 1 and 2 and inserting in lieu thereof the following:

"Sec. 27. There is appropriated from the general fund of the state to the following institutions to finance a discretionary merit increase for faculty, professional and scientific personnel under the state board of regents, for the fiscal year beginning July 1, 1975, and ending June 30, 1976. The funds shall be distributed to the faculty, professional and scientific personnel at the discretion of the state board of regents for each institution:

INSTITUTION	AMOUNT
State university of Iowa	$1,426,800
State sanatorium	15,700
Hospital school	28,200
Psychopathic hospital	61,400
Hygienic laboratory	18,400
University hospitals	120,100
Iowa state university of science and technology	1,152,100
Experimental station	148,400
Cooperative extension service	186,900
University of northern Iowa	402,100
School for the deaf	33,400

Iowa braille and sight-
saving school..... 14,000"

12. Page 16, line 16, by inserting after the word "assembly" the words "or set by the governor or the appointing authority".

13. Page 18, by striking lines 18 through 21 and inserting in lieu thereof the following:

"Funds appropriated under this section shall be used to supplement other funds appropriated by the general assembly to fund increases to salaries of the chief justice and each justice of the supreme court, the chief district court judges, all district court judges and associate judges, all full-time and part-time judicial magistrates, the code editor, court administrator, clerk of the supreme court and the legal assistants to the supreme court, the chairman and member of the public employment relations board: $500,000."

14. Page 19, by inserting after line 20 the following:

"Sec. ..... There is appropriated from the general fund of the state to the state comptroller for the fiscal year beginning July 1, 1975, and ending June

30, 1976, the following amounts, or so much thereof as necessary, to finance an increase in the amount financed with state funds for the single person premium cost approved by the commissioner of insurance, for the medical and health group insurance programs for each member of the merit system and the executive council exempt pay plan, provided for in section nineteen A point nine (19A.9), subsection two (2) of the Code, all salaries of persons who are exempt from chapter nineteen A (19A) of the Code who are included in the state comptroller's central payroll system and the state board of regents office employees and salaries of persons set by the governor, general assembly or appointing authority.

The amount per month for each employee shall be equal to the difference between the total single person premium cost per month for each employee approved by the commissioner of insurance for the medical and health group insurance programs during the fiscal year beginning July 1, 1975 and ending June 30, 1976 and that amount per month for each employee financed with state funds for the fiscal year beginning July 1, 1974 and ending June 30, 1975, as follows:

1. From the primary road fund to pay for permanent full-time state employees eligible for insurance premiums payments from the funds: $219,140.

2. From the road use tax fund to pay for permanent full-time state employees eligible for insurance premium payments from the fund: $11,500.

3. From departmental revolving, trust or special funds so much as necessary as computed by the comptroller to pay for permanent full-time employees presently paid a portion of the single person premium cost, approved by the commissioner of insurance, for medical and health group insurance programs, from such funds. This supplemental authorization is provided from those funds for which the general assembly has established an operating budget, unless otherwise provided, in an amount necessary for the medical and health insurance programs.

4. From the general fund of the state for all other eligible full-time state employees: $410,000."

15. Page 19, by striking from line 22 the words and figures "four (4), seven (7),".

16. Page 19, by striking line 23.

17. Page 19, line 24, by striking the words "January 10, 1977, and sections".

18. By renumbering sections and correcting internal references as necessary.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Junkins submitted the following report:

MR. PRESIDENT: Your committee on commerce to which was referred **Senate File 439**, a bill for an act relating to agreements entered into between doctors and hospitals in the provision of pathology and radiology services, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LOWELL JUNKINS, Chairman

Ordered passed on file.

Senator Glenn submitted the following reports:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 352**, a bill for an act relating to dissolution of marriage, 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:**

S—4078

Amend House File 352 as amended, passed and reprinted by the House as follows:

1. Page 2, by striking lines 8 through 20 and inserting in lieu thereof the following:

"Upon the application of the petitioner in the petition or by the respondent in the responsive pleading thereto or of an attorney appointed under section five hundred ninety-eight point twelve (598.12) of the Code, within twenty days of appointment the court shall require the parties to participate in conciliation efforts for a period of sixty days from the issuance of an order setting forth the conciliation procedure and the conciliator.

At any time upon its own motion or upon the appli-

cation of a party the court may require the parties to participate in conciliation efforts for sixty days or less following the issuance of such an order."

2. Page 4, by striking lines 20 through 23 and inserting in lieu thereof the words "ordered by the court."

3. Page 5, by striking lines 1 and 2 and inserting in lieu thereof the following:

"Sec. 11. Sections five hundred ninety-eight point ten (598.10), five hundred ninety-eight point twenty-seven (598.27) and five hundred ninety-eight point thirty-three (598.33), Code 1975, are repealed."

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 766,** a bill for an act to establish an office of prosecuting attorneys training coordinator and to prescribe the functions and duties, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 776,** a bill for an act permitting the commissioner of social services to grant an easement for sewage lines across certain land belonging to the state, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 835,** a bill for an act providing that certain ammunition and firearms shall be deposited with the state criminalistics laboratory, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **Senate File 462,** a bill for an act relating to motor vehicle reciprocal agreements relating to motor vehicle inspections and a study of motor vehicle inspection requirements by the director of the state department of transportation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4077

Amend Senate File 564, page 1, line 31, by striking the figure "18,190" and insert in lieu thereof the figure "21,000".

BERL E. PRIEBE
E. KEVIN KELLY

S—4081

Amend House File 628, as amended and passed by the House, as follows:

1. Page 2, by inserting after line 20 the following:

"Sec. ..... Section three hundred twenty-one point three hundred seventy-two (321.372), subsection one (1), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

1. The driver of any school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils, turn on flashing warning lamps at a distance of not less than three hundred feet nor more than five hundred feet from the point where said pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver of the bus shall bring bus to a stop, turn off the amber flashing warning lamps, turn on the red flashing warning lamps, and extend the stop arm. After receiving or discharging pupils, the bus driver shall turn off all flashing warning lamps, retract the stop arm and proceed on the route. No school bus shall stop to load or unload pupils unless there is at least three hundred feet of clear vision in each direction. *A school bus shall not be operated to transport children to or from a public or private school when weather conditions reduce visibility to less than one thousand feet; however, if the visibility is reduced to less than one thousand feet while the bus is enroute to or from a school, the driver shall stop to receive or discharge pupils off the traveled portion of the road where possible.*"

2. By renumbering sections to conform to this amendment.

CLIFF BURROUGHS

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 1:15 p.m., until 10:00 a.m., Monday, June 9, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JUNE 9, 1975

The Senate met in regular session, President pro tempore Doderer presiding.

Prayer was offered by the Reverend LaVern Kiel, pastor of the United Church of Avoca, Avoca, Iowa.

The Journal of Friday, June 6, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald Boldt, Ackley, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murray until 1:00 p.m. on request of Senator Lamborn.

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 on June 2, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 799, a bill for an act relating to liability protection for state employees.

Also: That the House has on June 3, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 802, a bill for an act to create a county compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 799, a bill for an act relating to liability protection for state employees.

Read first time and **passed on file.**

House File 802, a bill for an act to create a county compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers.

Read first time and **passed on file.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Robinson called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sister Mary Xavier Coens of Dubuque, Dubuque County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners under the provisions of Section 147.12, Code 1975, for the regular two-year term beginning July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD ROBINSON, Chairman
LEONARD C. ANDERSEN
ROBERT M. CARR
MINNETTE DODERER
RAY TAYLOR

The motion prevailed and the report was adopted.

Senator Robinson moved the appointment of Sister Mary Xavier Coens as a member of the State Board of Chiropractic Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Des Moines	Ramsey
Bergman	Griffin	Miller of Marshall	Redmond
Briles	Hansen	Nolting	Robinson
Burroughs	Heying	Norpel	Rodgers
Carr	Hill of Jasper	Nystrom	Schwengels
Coleman	Hill of Polk	Orr	Shaw
Curtis	Hultman	Palmer	Sovern
DeKoster	Kelly	Plymat	Taylor
Doderer	Kinley	Priebe	Tieden
Gallagher	Lamborn		Van Gilst
Glenn	Merritt		Winkelman

Nays, none.

Absent or not voting, 8:

Culver	Murray	Rabedeaux	Shaff
Junkins	Nolin	Scott	Willits

President pro tempore Doderer declared the appointment of Sister Mary Xavier Coens as a member of the State Board of

Chiropractic Examiners confirmed for the regular two-year term ending June 30, 1977.

Senator Robinson called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Margaret Baehr of Spencer, Clay County, Iowa, for appointment as a member of the Board of Examiners for Hearing Aid Dealers under the provisions of Section 154A.2, Code 1975, for the regular three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD ROBINSON, Chairman
IRVIN L. BERGMAN
LOUIS P. CULVER
DALE L. TIEDEN
JAMES V. GALLAGHER

The motion prevailed and the report was adopted.

Senator Robinson moved the appointment of Margaret Baehr as a member of the Board of Examiners for Hearing Aid Dealers be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaw
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
DeKoster	Lamborn	Priebe	Van Gilst
Doderer	Merritt	Ramsey	Willits
Gallagher	Miller of Des Moines	Redmond	Winkelman
Glenn			
Griffin			

Nays, 1:

Gluba

Absent or not voting, 3:

Murray	Rabedeaux	Shaff

President pro tempore Doderer declared the appointment of Margaret Baehr as a member of the Board of Examiners for Hearing Aid Dealers confirmed for the regular three-year term ending June 30, 1978.

MOTION TO RECONSIDER WITHDRAWN

Senator Griffin asked and received unanimous consent to withdraw the motion to reconsider the vote by which **Senate File 530** passed the Senate filed by him on June 2, 1975.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 848.

House File 848

On motion of Senator Norpel, House File 848, a bill for an act making appropriations to the Iowa crime commission and the department of public safety and providing for the administration and use of funds and personnel of such departments, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel offered amendment S—4026 by the committee on appropriations:

S—4026

Amend House File 848, as amended and passed by the House, as follows:

Division S—4026A

1. Page 2, by striking lines 12 and 13 and inserting in lieu thereof the following:

"b. For support, maintenance, and miscellaneous purposes, except for maintenance of state cars assigned to the department $2,089,000

c. For the maintenance of state cars assigned to the department for patrolling the highways of the state, except that such funds shall not be expended for the maintenance of unmarked cars used for patrolling the highways of the state ..... $ 900,000"

Division S—4026B

2. Page 3, by striking lines 25 through 35 and inserting in lieu thereof the following new section:

"Sec. ..... *NEW SECTION.* The department of public safety and the state department of transportation shall not make available to persons other than the named driver or a person authorized by the named driver, or a court or a peace officer, an individual's manual or automated traffic record relating to an individual's involvement in a motor vehicle accident unless such involvement resulted in the person's conviction of a violation of a motor vehicle law or ordinance or unless such person failed to comply with

the provisions of chapter three hundred twenty-one A (321A) of the Code."

Senator Junkins offered amendment S—4049 to amendment S—4026 filed by him and moved its adoption:

S—4049

Amend the appropriations committee amendment S—4026 to House File 848, on line 13, by inserting after the word "of" the words "more than fourteen".

President Neu took the chair at 10:40 a.m.

A record roll call was requested.

On the question "Shall amendment S—4049 to amendment S—4026 be adopted?" (H.F. 848) the vote was:

Ayes, 36:

Andersen	Hill of Jasper	Miller of Marshall	Schwengels
Bergman	Hill of Polk	Norpel	Scott
Burroughs	Hultman	Nystrom	Shaff
Culver	Junkins	Palmer	Shaw
Curtis	Kelly	Plymat	Sovern
DeKoster	Kinley	Priebe	Taylor
Glenn	Lamborn	Rabedeaux	Van Gilst
Gluba	Miller of Des Moines	Ramsey	Willits
Griffin		Rodgers	Winkelman
Hansen			

Nays, 12:

Carr	Gallagher	Nolin	Redmond
Coleman	Heying	Nolting	Robinson
Doderer	Merritt	Orr	Tieden

Absent or not voting, 2:

Briles	Murray

Amendment S—4049 to amendment S—4026 was adopted.

Senator Priebe offered amendment S—4086 to amendment S—4026:

S—4086

Amend the appropriations committee amendment S—4026 to House File 848, as follows:

1. Line 14, by inserting after the word "used" the word **"only".**

2. Line 15, by inserting after the word "state" the words "between sunrise and sunset".

Action on amendment S—4086, to amendment S—4026, was temporarily deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Shaff presiding.

(House File 848 and amendment S—4086 to amendment S—4026 pending on recess.)

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

June 9, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Max W. Eggleston, Waverly, Bremer County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of William E. Ewing, Oskaloosa, Mahaska County, Iowa, for appointment as a representative of the general public to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Vennetta M. Fiedler, Spencer, Clay County, Iowa, for appointment as a representative of the general public to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Dennis D. Killion, Red Oak, Montgomery County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section

147.12, 1975 Code of Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Susan C. Lutz, Altoona, Polk County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Robert J. Osterhaus, Maquoketa, Jackson County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Angelo J. Palmer, Des Moines, Polk County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

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 on June 5, 1975, passed the following billl in which the concurrence of the House was asked:

Senate File 548, a bill for an act to make an appropriation to the legislative council for a comprehensive study of mental health delivery systems in the state.

Also: That the House has on June 5, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 550, a bill for an act making supplementary appropriations to designated boards.

Also: That the House has on June 6, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 899, a bill for an act relating to the printing and custody of cigarette and little cigar tax stamps.

Also: That the House has on June 6, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 900, a bill for an act to make an appropriation from the motor vehicle fuel tax fund to the state comptroller.

Also: That the House has on June 6, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 903, a bill for an act to appropriate from the general fund of the state to the municipal assistance fund.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 550

S—4087

Amend Senate File 550 as follows:

1. Page 1, after line 21 insert the following:

"4. From the fund of the board of engineering examiners for salaries, support, maintenance, and miscellaneous purposes of the state board of engineering examiners ..... $3,000"

HOUSE MESSAGES CONSIDERED

House File 899, a bill for an act relating to the printing and custody of cigarette and little cigar tax stamps.

Read first time and **passed on file.**

House File 900, a bill for an act to make an appropriation from the motor vehicle fuel tax fund to the state comptroller.

Read first time and **passed on file.**

House File 903, a bill for an act to appropriate from the general fund of the state to the municipal assistance fund.

Read first time and **passed on file.**

On motion of Senator Lamborn, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

House File 848

The Senate resumed consideration of amendment S—4086 to amendment S—4026 previously deferred.

Senator Priebe withdrew amendment S—4086 to amendment S—4026.

Senator Priebe offered amendment S—4088 to amendment S—4026:

S—4088

Amend the appropriations committee amendment S—4026 to House File 848, line 15, by inserting after the word "state" the following: ". None of the fourteen unmarked cars shall patrol the highways of the state between sunset and sunrise."

Senator Priebe asked unanimous consent to withdraw amendment S—4088 to amendment S—4026.

Objection was raised.

Senator Priebe moved to withdraw amendment S—4088 to amendment S—4026.

The motion prevailed and amendment S—4088 to amendment S—4026 was withdrawn.

Senator Willits called for a division of the committee amendment S—4026, section 1 to be considered as division S—4026A and section 2 to be considered as division S—4026B.

Senator Junkins took the chair at 1:30 p.m.

Senator Norpel moved the adoption of division S—4026A of the amendment.

A record roll call was requested.

On the question "Shall division S—4026A of the amendment be adopted?" (H.F. 848) the vote was:

Ayes, 30:

Andersen	Glenn	Miller of Des Moines	Rabedeaux
Bergman	Hansen	Nolin	Ramsey
Briles	Heying	Nolting	Redmond
Burroughs	Hill of Jasper	Norpel	Rodgers
Carr	Junkins	Orr	Scott
Coleman	Kinley	Palmer	Sovern
Culver	Merritt	Priebe	Tieden
Gallagher			Winkelman

Nays, 18:

Curtis	Gluba	Hill of Polk	Kelly
DeKoster	Griffin	Hultman	Lamborn

Miller of Marshall	Nystrom	Shaff	Van Gilst
Murray	Plymat	Shaw	Willits
	Schwengels	Taylor	

Absent or not voting, 2:

Doderer Robinson

Division S—4026A of the amendment was adopted.

On motion of Senator Norpel, division S—4026B of the amendment was adopted.

Senator Norpel offered amendment S—4035 filed by the committee on appropriations and moved its adoption:

S—4035

Amend House File 848 as amended and passed by the House, page 4, by striking lines 18a through 18h.

Amendment S—4035 was adopted.

Senator Griffin offered amendment S—4057 filed by him on June 5, 1975, and found on pages 1795 and 1796 of the Senate Journal.

Senator Palmer raised the point of order that amendment S—4057 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4057 out of order.

Senator Norpel moved that the bill 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. 848) the vote was:

Ayes, 49:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Gluba			
Griffin			

Nays, 1:

Hill of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

House File 883

On motion of Senator Willits, House File 883, a bill for an act relating to and appropriating funds to judicial courts and agencies and appropriating funds to the attorney general, was taken up for further consideration.

Senator Griffin withdrew amendment S—4054 filed by him on June 4, 1975, and found on page 1760 of the Senate Journal.

Senator Willits moved that the bill 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. 883) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Heying	Murray	Redmond
Briles	Hill of Jasper	Nolin	Robinson
Burroughs	Hill of Polk	Nolting	Rodgers
Carr	Hultman	Norpel	Schwengels
Coleman	Junkins	Nystrom	Scott
Culver	Kelly	Orr	Shaff
Curtis	Kinley	Palmer	Shaw
DeKoster	Lamborn	Plymat	Sovern
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Rabedeaux	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 4:

Doderer	Hansen	Taylor	Tieden

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 pro tempore Doderer presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE CONCURRENT RESOLUTION 6

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House of Representatives on Senate Concurrent Resolution 6, a resolution providing for the joint rules of the Senate and House for the Sixty-sixth General Assembly, respectfully submit the following report:

1. That the Senate and House conferees failed to reach an agreement.

On the Part of the Senate:	On the Part of the House:
WILLIAM D. PALMER, Chairman	JEROME FITZGERALD, Chairman
GENE W. GLENN	CARL V. NIELSEN
W. R. RABEDEAUX	FLOYD H. MILLEN

ANNOUNCEMENT OF SECOND CONFERENCE COMMITTEE

Senator Kinley announced the appointment of the second conference committee on Senate Concurrent Resolution 6, on the part of the Senate: Senators Hill of Jasper, chairman; Miller of Des Moines and Hultman.

HOUSE AMENDMENT CONSIDERED

Senate File 266

Senator Robinson called up for consideration Senate File 266, a bill for an act relating to leaves of absence for persons who are elected to a municipal, county, state or federal office and providing penalties, amended by the House, as follows:

S—3983

Amend Senate File 266, as amended and passed by the Senate, as follows:

1. Page 1, line 3, by inserting after the word "more" the word "full-time".

2. Page 1, line 7, by inserting after the word "position" the words ", status, or employment benefits that have been earned prior to the leave of absence".

3. Page 1, line 10, by striking the word "his" and inserting in lieu thereof the words "the employee's".

4. Page 1, line 11, by striking the word "him" and inserting in lieu thereof the words "the employee".

5. Page 1, by inserting after line 20 the following:

"Sec. 2. *NEW SECTION.* An employer shall not terminate the employment of an employee who becomes a candidate for a federal, state or local office,

because of the employee's candidacy.

Sec. 3. *NEW SECTION.* A candidate for a federal, state, or local office for which an election is held shall, upon application to an employer, be granted a leave of absence without pay, prior to the date at which the office will be voted upon, for not exceeding thirty days. The leave of absence shall be granted without a loss of position, status, or employment benefits that have been earned prior to the leave of absence.

Sec. 4. *NEW SECTION.* Any person elected to a municipal, county, or state office, except a member of the general assembly, who is entitled to a leave of absence shall receive such leave of absence for not exceeding four consecutive years. A member of the general assembly shall receive a leave of absence for each period of time during which the general assembly to which the member has been elected is in session.

Sec. 5. *NEW SECTION.* Nothing in this Act shall be construed to prevent an employer and employee from entering into a severance agreement. The agreement shall be in writing."

6. Page 1, line 21, by striking the numeral "2" and inserting in lieu thereof the numeral "5".

7. Page 1, line 22, by striking the words "his or her" and inserting in lieu thereof the words "the employee's".

8. Page 1, line 28, by striking the words "his or her" and inserting in lieu thereof the words "the employee's".

Page 2

9. Title page, line 1, by striking all after the word "to" and inserting in lieu thereof the words "termination of employment because an employee becomes a candidate for, and to leave of absence for persons who are seeking election or have been".

Senator Hultman offered amendment S—4013 to House amendment S—3983 filed by him:

S—4013

Amend the House amendment S—3983 to Senate File 266, as amended and passed by the Senate as follows:

1. Page 1, line 6 by striking the word "status,".

2. Page 1, line 27 by striking the word "status,".

Senator Hill of Polk raised the point of order that amendment S—4013 to House amendment S—3983 was out of order under Chapter 72, Mason's Manual of Legislative Procedure.

DEFERRED

Senator Kinley asked and received unanimous consent that further action on **Senate File 266** be deferred and that the bill **retain its place on the calendar.**

UNFINISHED BUSINESS

Senate File 93

On motion of Senator Taylor, Senate File 93, a bill for an act to permit severance of certain land from an established drainage or levee district if it is found that the land receives no material benefit from the district, was taken up for further consideration.

Senator Taylor offered amendment S—3303 filed by Senators Coleman, et al.:

S—3303

Amend Senate File 93 as follows:

1. Page 1, striking lines 32 through 35, and page 2, by striking lines 1 through 12 and inserting in lieu thereof the following:

"shall be promptly investigated by the board. Unless the board concludes that the allegations made in the petition are entirely without merit, it shall appoint an engineer with the qualifications specified in this chapter to examine the lands described in the petition and to make a survey and plat thereof showing their relation, elevation and condition of drainage with reference both to the district of which they are a part, and to any other established district by which these lands are being benefited. The engineer shall make and file with the auditor a report as provided in this chapter for the original establishment of a district, which report shall specify the character of any benefits received by those lands, and the district or districts, if any, from which benefits are received.

3. If the engineer's report confirms the allegations made in the petition, the board shall:

a. So notify the petitioning".

2. Page 2, by inserting after line 20 the following:

"b. Send notice of the fact to the board of any other district from which the engineer's report shows that these lands are receiving benefit. The board of each district which receives such a notice shall initiate proceedings to annex the appropriate lands, in the manner prescribed by law."

3. Page 2, by inserting after line 35 the following:

"Sec. 2. Section four hundred fifty-five point one hundred twenty-eight (455.128), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Upon receiving notice from the board of any other district that an engineer's report, prepared in accordance with section one (1) of this Act, shows that lands not currently a part of the district are in fact receiving benefits from the district, the board may adopt a resolution of necessity

for annexation of those lands without obtaining an engineer's report as otherwise required by this section."

Senator Taylor offered amendment S—3606 to amendment S—3303 filed by him and moved its adoption:

S—3606

Amend the Coleman, et al., amendment, S—3303, to Senate File 93, line 20, by adding after the period the words "The costs incurred in conducting the survey shall be assessed against the petitioner."

Amendment S—3606 to amendment S—3303 was adopted.

Senator Redmond raised the point of order that amendment S—3303 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3303 in order.

On motion of Senator Taylor, amendment S—3303 as amended was adopted.

Senator Taylor moved that the bill 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. 93) the vote was:

Ayes, 40:

Andersen	Glenn	Merritt	Robinson
Bergman	Gluba	Murray	Rodgers
Briles	Hansen	Nolin	Schwengels
Burroughs	Heying	Nolting	Shaff
Carr	Hill of Jasper	Norpel	Shaw
Coleman	Hill of Polk	Orr	Sovern
Culver	Hultman	Palmer	Taylor
Curtis	Junkins	Priebe	Tieden
DeKoster	Kinley	Ramsey	Van Gilst
Gallagher	Lamborn	Redmond	Willits

Nays, 4:

Griffin	Kelly	Rabedeaux	Winkelman

Absent or not voting, 6:

Doderer	Miller of Marshall	Nystrom	Scott
Miller of Des Moines		Plymat	

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 289

Senator Gallagher called up for consideration Senate File 289, a bill for an act to create an energy research and development

fund within the energy policy council and making an appropriation, amended by the House, and moved that the Senate concur in the following amendment:

S—4079
Amend Senate File 289 as follows:
1. By striking all after the word "of" on page 1, line 6, "as determined" in line 7, and inserting in lieu thereof the following: "projects designated to improve Iowa's energy situation by developing improved methods of energy conservation, by enabling Iowans to better manage available energy resources, or through the increased development and use of Iowa's renewable or non-renewable energy resources. Said projects will be selected".
2. By inserting after the word "of" on page 1, line 12, the words "the above described".

The motion prevailed and the Senate concurred in the House amendment S—4079.

Senator Gallagher 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. 289) the vote was:

Ayes, 47:

Andersen	Gluba	Miller of Des Moines	Redmond
Bergman	Griffin	Murrav	Robinson
Briles	Hansen	Nolin	Rodgers
Burroughs	Heying	Nolting	Schwengels
Carr	Hill of Jasper	Norpel	Shaff
Coleman	Hill of Polk	Orr	Shaw
Culver	Hultman	Palmer	Sovern
Curtis	Junkins	Plymat	Taylor
DeKoster	Kelly	Priebe	Tieden
Doderer	Kinley	Rabedeaux	Van Gilst
Gallagher	Lamborn	Ramsey	Willits
Glenn	Merritt		Winkelman

Nays, none.

Absent or not voting, 3:

Miller of Marshall	Nystrom	Scott

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 296

Senator Coleman called up for consideration Senate File 296, a bill for an act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties, amended by the House, and moved that the Senate concur in

House amendment S—4080 found on pages 1803 and 1804 of the Senate Journal.

The motion prevailed and the Senate concurred in House amendment S—4080.

Senator Coleman 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. 296) the vote was:

Ayes, 41:

Andersen	Gluba	Miller of Des Moines	Robinson
Bergman	Griffin	Murray	Rodgers
Briles	Hansen	Nolting	Schwengels
Burroughs	Heying	Norpel	Shaff
Carr	Hill of Jasper	Palmer	Shaw
Coleman	Junkins	Plymat	Sovern
Culver	Kelly	Priebe	Tieden
Curtis	Kinley	Rabedeaux	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Gallagher	Merritt	Redmond	Winkelman
Glenn			

Nays, 5:

DeKoster	Hultman	Nolin	Taylor
Hill of Polk			

Absent or not voting, 4:

Miller of Marshall	Nystrom	Orr	Scott

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

Senate File 489

On motion of Senator Nolin, Senate File 489, a bill for an act relating to the width of commercial vehicles subject to penalties provided by law, was taken up for further consideration.

The Senate resumed consideration of amendment S—3948, offered and deferred on May 27, 1975.

Senator Coleman offered amendment S—3965 to amendment S—3948 filed by Senators Coleman and Nolin and moved its adoption:

S—3965

Amend the Coleman amendment S—3948 to Senate File 489, on line 9, by inserting after the period the following:

"However, if hay, straw, or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry shall not be subject to the permit requirements of chapter three hundred twenty-one E (321E) of the Code. If hay, straw, or stover is moved on any other vehicle subject to registration, such moves shall be subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter three hundred twenty-one E (321E) of the Code."

Amendment S—3965 to amendment S—3948 was adopted.

On motion of Senator Coleman, amendment S—3948 as amended was adopted.

Amendment S—3916 filed by Senators Willits, et al., and amendment S—3960 filed by Senators Coleman, et al., were ruled out of order with the adoption of amendment S—3948 as amended.

Senator Nolin moved that the bill 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. 489) the vote was:

Ayes, 44:

Andersen	Gluba	Merritt	Redmond
Bergman	Griffin	Miller of Des Moines	Robinson
Briles	Hansen	Nolin	Rodgers
Burroughs	Heying	Nolting	Schwengels
Carr	Hill of Jasper	Norpel	Shaff
Coleman	Hill of Polk	Orr	Sovern
Culver	Hultman	Palmer	Taylor
Curtis	Junkins	Plymat	Tieden
DeKoster	Kelly	Priebe	Van Gilst
Doderer	Kinley	Rabedeaux	Willits
Gallagher	Lamborn		Winkelman
Glenn			

Nays, 1:

Ramsey

Absent or not voting, 5:

Miller of Marshall	Murray	Scott	Shaw
	Nystrom		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ANNOUNCEMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the **conference committee** on **House File 215**, on the part of the Senate: Senators Nolting, chairman; Rodgers, Coleman, Bergman and Taylor.

CONSIDERATION OF BILLS

Senate File 255

On motion of Senator DeKoster, Senate File 255, a bill for an act relating to the detention of a child prior to the adjudicative hearing, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered amendment S—3857 by the committee on judiciary and moved its adoption:

S—3857
Amend Senate File 255, page 1, line 16, by inserting after the word "hours" the words "excluding Sundays and holidays".

Amendment S—3857 was adopted.

Senator DeKoster withdrew amendment S—3410 filed by him on March 31, 1975, and found on page 758 of the Senate Journal.

Senator Shaw withdrew amendment S—3979 filed by her on May 29, 1975, and found on pages 1638 and 1639 of the Senate Journal.

Senator Shaw offered amendment S—4068 filed by Senators Ramsey and Shaw:

S—4068
Amend Senate File 255 as follows:
1. Page 1, by inserting after line 35 the following new section:
"Sec. ..... Section two hundred thirty-two point fifty-six (232.56), Code 1975, is amended to read as follows:
232.56 RECORDS KEPT SEPARATE. Peace officers' records of children except for offenses exempted from this chapter by law shall be kept separate from the records of persons eighteen years of age or older. These records shall be public records. *Any person who has sustained injury to person or property as a result of an act or omission for which a juvenile has been taken into custody by a law enforcement agency shall be entitled upon request to disclosure by that law enforcement agency of the names and addresses of the juvenile involved and the parents of that juvenile, and of other relevant information.*"
2. Amend the title, line 2, by inserting after the word "hearing" the words "and the disclosure of certain information respecting a child taken into custody".

Senator Glenn raised the point of order that amendment S—4068 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4068 out of order.

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. 255) the vote was:

Ayes, 45:

Andersen	Gluba	Miller of Des Moines	Robinson
Bergman	Griffin	Nolin	Rodgers
Briles	Hansen	Nolting	Schwengels
Burroughs	Heying	Norpel	Shaff
Carr	Hill of Jasper	Orr	Shaw
Coleman	Hill of Polk	Palmer	Sovern
Culver	Junkins	Plymat	Taylor
Curtis	Kelly	Priebe	Tieden
DeKoster	Kinley	Rabedeaux	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Gallagher	Merritt	Redmond	Winkelman
Glenn			

Nays, none.

Absent or not voting, 5:

Hultman	Miller of Marshall	Murray	Scott
		Nystrom	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 273

On motion of Senator Doderer, Senate File 273, a bill for an act relating to the issuance of a summons and notice by the juvenile court, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Kelly offered amendment S—3996 filed by Senators Kelly, Doderer and DeKoster and moved its adoption:

S—3996

Amend Senate File 273 as follows:

1. Page 1, line 17 by inserting after the word "hearing" the words *"and all subsequent hearings"*.

2. Page 1, line 17 by striking the word *"and"*.

3. Page 1, line 18 by inserting after the word "child" the words *"and the child"*.

Amendment S—3996 was adopted.

Senator Glenn offered amendment S—3856 by the committee on judiciary and moved its adoption:

S—3856
1 Amend Senate File 273, by amending the title,
2 line 1, by inserting after the word "issuance"
3 the words "and service".

Amendment S—3856 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. 273) the vote was:

Ayes, 45:

Andersen	Gluba	Miller of Des Moines	Robinson
Bergman	Griffin	Nolin	Rodgers
Briles	Hansen	Nolting	Schwengels
Burroughs	Heying	Norpel	Shaff
Carr	Hill of Jasper	Orr	Shaw
Coleman	Hill of Polk	Palmer	Sovern
Culver	Hultman	Plymat	Taylor
Curtis	Junkins	Priebe	Tieden
DeKoster	Kelly	Rabedeaux	Van Gilst
Doderer	Kinley	Redmond	Willits
Gallagher	Lamborn		Winkelman
Glenn	Merritt		

Nays, 1:

Ramsey

Absent or not voting, 4:

Miller of Marshall	Murray	Nystrom	Scott

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 544

On motion of Senator Orr, Senate File 544, a bill for an act to abolish the state advisory committee on area schools, was taken upon for consideration.

Senator Orr moved that the bill 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, 44:

Andersen	Hansen	Nolin	Rodgers
Bergman	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Shaff
Carr	Hill of Polk	Orr	Shaw
Coleman	Hultman	Palmer	Sovern
Culver	Junkins	Plymat	Taylor
Curtis	Kelly	Priebe	Tieden
DeKoster	Kinley	Rabedeaux	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Gallagher	Merritt	Redmond	Winkelman
Glenn	Miller of Des Moines	Robinson	
Griffin			

Nays, none.

Absent or not voting, 6:

Briles	Miller of	Murray	Scott
Gluba	Marshall	Nystrom	

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 on June 9, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 303, a bill for an act relating to the composition and appointment of members of the Iowa crime commission.

Also: That the House has on June 9, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 308, a bill for an act relating to the definition of finance charge in consumer credit transactions.

Also: That the House has on June 9, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 617, a bill for an act relating to mobile home tiedowns and providing a penalty.

Also: That the House has on June 6, 1975, refused to concur in Senate amendment to the following bill in which the concurrence of the House was asked:

House File 764, a bill for an act relating to the Iowa income tax by providing a simplified reporting form for Iowa individual income taxpayers, making changes in Iowa individual income tax rates, etc.

Also: That the House has on June 6, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 901, a bill for an act to make supplemental appropriation from the general fund of the state to the municipal assistance fund and to appropriate from the general fund of the state to the county government assistance fund.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 303

S—4095

Amend Senate File 303, as amended and passed by the Senate, page 1, by striking lines 8 through 35 and inserting in lieu thereof the following:

"1. [Ten] *Five* members [shall be officials of cities or counties, appointed by the governor] *representative of law enforcement and criminal justice agencies maintaining programs to reduce and control crime, two of whom shall be officials of cities or counties,*

two of whom shall be officials of the state and one of whom shall be a representative of a juvenile justice agency.

2. [Eleven] *Four citizen* members [concerned with and knowledgeable about the problems of criminal justice, appointed by the governor] *who have demonstrated knowledge and concern in the prevention and control of crime and delinquency. At least one citizen member shall be appointed to represent the citizens of the state who are affected by unemployment, low income or substandard housing.*

[3. Ten officials of the state, as follows:

a. The attorney general.

b. The commissioner of public safety.

c. The director of the division of criminal investigation and bureau of identification.

d. The director of the Iowa law enforcement academy.

e. The director of the adult corrections services of the department of social services.

f. The chief of the Iowa highway safety patrol.

The governor shall also appoint one state senator, one state representative, a member of the board of parole and a supreme court justice.

4.] The governor shall appoint an executive director of the commission who shall be his official representative, and who shall be the principal executive administrator of the commission [and shall also be a member of the commission].

All commissioners designated by the governor shall serve at the governor's pleasure. No member of the General".

2. Page 2, line 1, by inserting after the word "a" the word "voting".

HOUSE AMENDMENT TO SENATE FILE 808

S—4096

Amend Senate File 808 as passed by the Senate as follows:

1. Page 1, line 11, by striking *"and"* and inserting in lieu thereof *"or"*.

2. Page 1, line 15, by inserting after *"time"* the figure ",".

HOUSE MESSAGES CONSIDERED

House File 617, a bill for an act relating to mobile home tiedowns and providing a penalty.

Read first time and **passed on file.**

House File 901, a bill for an act to make a supplemental appropriation from the general fund of the state to the municipal assistance fund and to appropriate from the general fund of the

state to the county government assistance fund created by this Act.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 46
By Orr, Rodgers and Palmer

Whereas, the Multistate Tax Commission, created in the year 1967, is composed of twenty-two states as regular members and fifteen states as associate members and it is expected that additional states will become either regular or associate members within the near future; and

Whereas, some of the stated objectives of the Multistate Tax Commission are the reduction of the complexities of the taxation of multistate businesses, the protections of revenues of member states and the interest of local taxpayers, the reduction of compliance problems of taxpayers which do multistate business, and the avoidance of double taxation for multistate businesses; and

Whereas, the Multistate Tax Commission has implemented a joint national audit program which may be of benefit to states and businesses because of providing qualified auditors, reducing the number of audits a business will be subjected to, eliminating costly duplication in tax administration and reducing the cost per dollar of tax compliance; and

Whereas, a state may become an associate member of the Multistate Tax Commission without cost to the state except for costs of attending meetings and conferences by the state's representatives, and such membership entitles a state to attend all meetings of the Multistate Tax Commission, receive information developed by the Multistate Tax Commission, and determine if membership or participation in the Multistate Tax Commission would be beneficial to a particular state, *Now Therefore,*

Page 2

Be It Resolved by the Senate, the House Concurring, That the General Assembly approves Iowa's participation as an associate member in the Multistate Tax Commission and that appropriate members of the executive and legislative branches of government be appointed to represent the state of Iowa in its capacity as an associate member of the Multistate Tax Commission in order that information might be gained which will enable the state of Iowa to determine the degree it might wish to participate in and cooperate with all other states which are members of the Multistate Tax Commission in the future.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 47
By Priebe, Nolin, Scott and Merritt
(Fitzgerald, Husak and Jesse)

Whereas, one of the problems facing the midwest agriculture industry is the grading and moisture testing of grain; *Now*

Therefore,

Be It Resolved by the Senate, the House Concurring, That the legislative council is requested to appoint a study committee to consider the problems noted in this resolution and to offer recommendations concerning methods and necessary legislation to resolve such problems; and

Be It Further Resolved, That representatives from the agricultural departments of the states of Missouri, Illinois, Wisconsin, Nebraska, and Minnesota and representatives of the United States Department of Agriculture be invited to attend meetings of the study committee; and

Be It Further Resolved, That the study committee consider the possible changes in grain grading procedures with regard to foreign material and damaged grain to more accurately determine the quality of grain and to further determine the extent of blending grain in this state.

Read first time and **passed on file.**

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

H. F. 825 S. F. 481 H. F. 614

C. JOSEPH COLEMAN, Chairman

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

H. F. 187 Appropriations

H. F. 799 State government

H. F. 896 Appropriations

H. F. 899 Appropriations

H. F. 900 Appropriations

H. F. 903 Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Alice Van Wert of Hampton, Franklin County, Iowa, for appointment as a member of the Occupational Safety and Health Review Commission under the provisions of Section 88.10, Code 1975, for the unexpired term beginning immediately and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RAY TAYLOR, Chairman
RICHARD R. RAMSEY

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, 1975 Code of Iowa, announced the appointment of the following Senators to investigating committees:

As Labor Commissioner:

Jerry L. Addy, Des Moines, Polk County, Iowa, for reappointment to a fourth two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Robinson, Chairman
Senator DeKoster
Senator Hansen
Senator Merritt
Senator Orr

As members of the State Board of Pharmacy Examiners:

Max W. Eggleston, Waverly, Bremer County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Briles, Chairman
Senator Burroughs
Senator Glenn
Senator Heying
Senator Redmond

William E. Ewing, Oskaloosa, Mahaska County, Iowa, as a public member for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Doderer, Chairman
Senator Andersen
Senator Murray
Senator Norpel
Senator Van Gilst

Vennetta M. Fiedler, Spencer, Clay County, Iowa, as a public member for an initial two-year term commencing July 1, 1975 and ending July 30, 1977.

Senator Hill of Polk, Chairman
Senator Bergman
Senator Culver
Senator Nolting
Senator Scott

Dennis D. Killion, Red Oak, Montgomery, County, Iowa, for an initial one-year term commencing July 1, 1975 and ending June 30, 1976.

Senator Miller of Des Moines, Chairman
Senator Hultman
Senator Nystrom
Senator Rodgers
Senator Sovern

Susan C. Lutz, Altoona, Polk County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Shaw, Chairman
Senator Carr

Senator Palmer
Senator Taylor
Senator Willits

Robert J. Osterhaus, Maquoketa, Jackson County, Iowa, for an initial three-year term commencing July 1, 1975 and ending June 30, 1978.

Senator Priebe, Chairman
Senator Coleman
Senator Gallagher
Senator Lamborn
Senator Schwengels

Angelo J. Palmer, Des Moines, Polk County, Iowa, for an initial two-year term commencing July 1, 1975 and ending June 30, 1977.

Senator Ramsey, Chairman
Senator Gluba
Senator Hill of Jasper
Senator Kinley
Senator Winkelman

COMMUNICATION FROM THE SECRETARY OF STATE

June 6, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 728 was published in The Bulletin-Journal, Independence, Iowa, May 30, 1975, and in the Independence Conservative, Independence, Iowa, June 3, 1975.

I further certify that House File 741, was published in the Onawa Democrat, Onawa, Iowa, May 29, 1975, and in The Manning Monitor, Manning, Iowa, May 29, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

REPORTS OF COMMITTEE

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 353**, a bill for an act making an appropriation from the general fund of the state to the Iowa American revolution bicentennial commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 889**, a bill for an act appropriating funds to the governor, lieutenant governor, office for planning and programming and the council

of state governments, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 890,** a bill for an act appropriating funds for the financing of programs under the administration of the Iowa employment security commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor, 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:**

S—4105

1 Amend House File 890, as amended and passed
2 by the House, page 1, by striking lines 19 through
3 19D and insert in lieu thereof the following:
4 "and miscellaneous purposes.....$765,897".

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 895,** a bill for an act making an appropriation to the department of social services and divisions of the department for the purpose of funding social service programs and providing for their administration, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 899,** a bill for an act relating to the printing and custody of cigarette and little cigar tax stamps, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 900,** a bill for an act to make an appropriation from the motor vehicle fuel tax fund to the state comptroller, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4085

Amend the House amendment S—3983 to Senate File 266, as amended and passed by the Senate, as follows:

1. By inserting after line 2, page 1, the following:

"1. Page 1, line 3, by striking the word *'twenty-five'* and inserting in lieu thereof the word *'one'*."

2. By renumbering the remaining paragraphs.

JOHN N. NYSTROM

S—4097

Amend Senate File 555 as follows:

1. Page 3, by inserting after line 20 the following section:

"Sec. ..... Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, Code 1975, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH: Members of the general assembly, unless the member of the general assembly makes a written application to the commission to be covered under the provisions of this chapter. The provisions of this section shall be effective January 10, 1977."

2. Page 12, line 17, by inserting before the word "accumulated" the words "sum of the".

3. Page 12, line 22, by inserting after the figure "1977" the words "plus the contributions in an amount equal to the contributions that would have been paid by the employer for a member of the system, accumulated at two percent interest plus interest dividends for all completed calendar years compounded annually from the end of the calendar year in which the contribution was made".

4. Page 12, by striking lines 25 through 29 and inserting in lieu thereof the words "than December 31, 1977."

5. By renumbering sections as necessary.

LEONARD C. ANDERSEN

S—4094

Amend Senate File 555 as follows:

1. Page 5, by striking line 31 and inserting in lieu thereof the words "the month [coinciding with or next following] *in which the member attains* his sixty-fifth".

2. Page 6, line 11, by striking the word "date" and inserting in lieu thereof the words "[date] *first of the month in which*".

3. Page 6, by striking line 17 and inserting in lieu thereof the words "day of the month [next following or coinciding with] *in which* such date *occurs.*

4. Page 6, by inserting after line 26 the following section:

"Sec. ..... Section ninety-seven B point forty-seven (97B.47), Code 1975, is amended to read as follows:

97B.47 RETIREMENT DATE. A member's early retirement date shall be the first of [any] *the* month [coinciding with or following] *in which the member attains* his fifty-fifth birthday [and] *or the first of any month following the member's fifty-fifth birthday* prior to his normal retirement date, provided such date shall be after the last day of service. A member may retire on his early retirement date by submitting written notice to the commission setting forth the early retirement date which shall not be before the first day of the sixth calendar month preceding the month in which such notice is filed."

5. Page 6, by striking line 30 and inserting in lieu thereof the words "[coinciding with or next following] *in which the member attains* his fifty-fifth birthday".

6. Page 7, by striking line 3 and inserting in lieu thereof the words "[coinciding with or next following] *in which the member attains* his sixty-fifth birthday".

7. Page 7, lines 7 and 8, by striking the words "coinciding with or next following the member's [seventy-second]" and inserting in lieu thereof the words "[coinciding with or next following the member's seventy-second] *in which a member attains his*".

JOHN N. NYSTROM

S—4098

Amend S—4084 filed by the committee on appropriations to Senate File 555 as follows:

1. Page 1, line 8, by striking the figure "3" and inserting in lieu thereof the figure "2".

2. Page 1, line 24, by striking the figure "10" and inserting in lieu thereof the figure "2".

3. By renumbering amendments as necessary.

EUGENE M. HILL

S—4104

Amend S—4084, filed by the committee on appropriations, to Senate File 555 as follows:

1. Page 1, line 27, by inserting quotation marks after the period.

2. Page 1, by striking lines 28 through 50.

3. Page 2, by striking lines 1 and 2.

PHILIP B. HILL
CLIFF BURROUGHS

S—4093

Amend Senate File 572, page 2, by striking lines 14 thru 23 inclusive.

RICHARD J. NORPEL, SR.

S—4103

Amend House File 814, as amended and passed by the House, page 1, line 12, by inserting after the word "designated" the following:

"at a purchase price approved by the executive council".

RICHARD J. NORPEL, SR.

S—4102

Amend House File 895 as amended and passed by the House by striking on page 1, line 10, the figure "7,356,163", and inserting in lieu thereof the figure "6,856,163".

RICHARD J. NORPEL, SR.

S—4090

Amend House File 895 as amended and passed by the House, page 2, line 32, by striking the figure "$38,280,000" and inserting in lieu thereof the figure "$46,894,000".

WILLIAM E. GLUBA

S—4092

Amend House File 895 as amended and passed by the House, page 2, line 32, by striking the figure "$38,280,000" and inserting in lieu thereof the figure "$42,086,000".

WILLIAM E. GLUBA

S—4100

Amend House File 895 as amended and passed by the House by striking on page 2, line 32, the figure "38,280,000" and inserting in lieu thereof the figure "35,280,000".

RICHARD J. NORPEL, SR.

S—4089

Amend House File 895 as amended and passed by the House, page 2, line 32, by inserting after the word "children" the words ", which shall be paid at a rate not less than eighty-five percent of the 1975 standard of need during the fiscal year for which this appropriation is made."

WILLIAM E. GLUBA
JOHN S. MURRAY
MINNETTE F. DODERER

S—4101

Amend House File 895 as amended and passed by the House by striking on page 3, line 2, the figure "7,000,000" and inserting in lieu thereof the figure "6,300,000".

RICHARD J. NORPEL, SR.

S—4099

Amend House File 895 as amended and passed by the House by striking on page 3, line 5, the figure "1,300,000" and inserting in lieu thereof the figure "1,000,000".

RICHARD J. NORPEL, SR.

S—4091

Amend House File 895 as amended and passed by the House, page 6, line 6, by striking the word "nineteen" and inserting in lieu thereof the word "twenty-one".

WILLIAM E. GLUBA

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 6:37 p.m., until 8:00 a.m., Tuesday, June 10, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, JUNE 10, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Father Dick Leonard, director of the Catholic Student Center, Iowa City, Iowa.

The Journal of Monday, June 9, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. A. Nicoll, Panora, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nolin from the morning session on request of Senator Kinley.

SPECIAL GUESTS

The Chair welcomed the following visitors who were present in the Senate chamber as the guests of Senator Shaff: Miss Norma Natusch, American Field Service student from Trinidad, Bolivia, and Miss Alina Angelica Veneros, a Youth for Understanding student from Antosagasta, Chile.

PETITION

The following petition was presented and placed on file:

By Senator DeKoster from sixty-one residents of Lyon County favoring legislation that prohibits smoking of tobacco in certain public areas and provides a penalty.

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 on June 9, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 904, a bill for an act relating to the railroad grade crossings on public highways and increasing funds allocated for such purposes.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 904, a bill for an act relating to the railroad grade crossings on public highways and increasing funds allocated for such purposes.

Read first time and **passed on file.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Bergman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Ruth E. Kuney, Des Moines, Polk County, Iowa, for appointment as a member of the State Board of Accountancy under the provisions of Section 116.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report it has made investigation and recommends that the appointment be confirmed.

IRVIN L. BERGMAN, Chairman
JAMES V. GALLAGHER
GENE W. GLENN
KARL NOLIN
WILLIAM N. PLYMAT

The motion prevailed and the report was adopted.

Senator Bergman moved the appointment of Ruth E. Kuney as a member of the State Board of Accountancy be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote **was:**

Ayes, 37:

Andersen	Hansen	Miller of Des Moines	Robinson
Bergman	Heying	Norpel	Rodgers
Briles	Hill of Jasper	Nystrom	Schwengels
Burroughs	Hill of Polk	Orr	Scott
Carr	Hultman	Palmer	Shaff
Coleman	Junkins	Plymat	Shaw
Culver	Kinley	Rabedeaux	Sovern
Curtis	Lamborn	Ramsey	Tieden
Glenn	Merritt	Redmond	Van Gilst
Griffin			

Nays, none.

Absent or not voting, 13:

DeKoster	Kelly	Nolin	Taylor
Doderer	Miller of Marshall	Nolting	Willits
Gallagher	Murray	Priebe	Winkelman
Gluba			

President Neu declared the appointment of Ruth E. Kuney as a member of the State Board of Accountancy confirmed for an initial term ending June 30, 1976.

Senator Van Gilst called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Rosalie B. Neligh of Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, Code 1975, for an initial term commencing July 1, 1975 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BASS VAN GILST, Chairman
GENE W. GLENN
JAMES W. GRIFFIN, SR.
KARL NOLIN
WILLIAM P. WINKELMAN

The motion prevailed and the report was adopted.

Senator Van Gilst moved the appointment of Rosalie B. Neligh as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Polk	Norpel	Rodgers
Briles	Hultman	Nystrom	Schwengels
Burroughs	Junkins	Orr	Scott
Carr	Kelly	Palmer	Shaff
Coleman	Kinley	Plymat	Shaw
Culver	Lamborn	Priebe	Sovern
Curtis	Merritt	Rabedeaux	Tieden
Glenn	Miller of Des Moines	Ramsey	Van Gilst
Griffin		Redmond	Winkelman
Hansen			

Nays, none.

Absent or not voting, 10:

DeKoster	Gluba	Miller of Marshall	Nolting
Doderer	Hill of Jasper	Nolin	Taylor
Gallagher			Willits

President Neu declared the appointment of Rosalie B. Neligh as a member of State Board of Medical Examiners confirmed for an initial term ending June 30, 1977.

Senator Griffin called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Cyrus L. Beye, M.D., of Sioux City, Woodbury County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES W. GRIFFIN, SR., Chairman
LOUIS P. CULVER
EUGENE M. HILL
E. KEVIN KELLY
JOAN ORR

The motion prevailed and the report was adopted.

Senator Griffin moved the appointment of Cyrus L. Beye, M.D., as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Norpel	Schwengels
Burroughs	Hill of Polk	Nystrom	Scott
Carr	Hultman	Orr	Shaff
Coleman	Junkins	Palmer	Shaw
Culver	Kelly	Plymat	Sovern
Curtis	Kinley	Priebe	Tieden
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Merritt	Ramsey	Willits
Gallagher	Miller of Des Moines	Redmond	Winkelman
Glenn			
Griffin			

Nays, none.

Absent or not voting, 4:

Gluba	Nolin	Nolting	Taylor

President Neu declared the appointment of Cyrus L. Beye, M.D., as a member of the State Board of Medical Examiners confirmed for an initial term ending June 30, 1976.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 273 passed the Senate on June 9, 1975.

WILLIAM P. WINKELMAN

SENATE INSISTS

House File 764

Senator Rodgers called up for consideration House File 764, a bill for an act relating to the Iowa income tax by providing a simplified reporting form for Iowa individual income taxpayers, making changes in Iowa individual income tax rates, exemptions, and administrative requirements, providing for reporting of additional corporate income tax information, adopting penalties, making necessary corrective amendments and making the Act retroactive, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed and the Senate **insisted** on its amendment to **House File 764.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the following conference committee on **House File 764** on the part of the Senate: Senators Junkins, chairman; Culver, Van Gilst, Plymat and Schwengels.

CONSIDERATION OF BILLS

House File 386

On motion of Senator Carr, House File 386, a bill for an act relating to the issuance of high school equivalency diplomas, including changes in fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Carr moved that the bill 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, 47:

Andersen	Curtis	Hansen	Lamborn
Bergman	DeKoster	Heying	Merritt
Briles	Doderer	Hill of Jasper	Miller of Des Moines
Burroughs	Gallagher	Hultman	Miller of Marshall
Carr	Glenn	Junkins	Murray
Coleman	Gluba	Kelly	
Culver	Griffin	Kinley	

Nolting	Priebe	Rodgers	Sovern
Norpel	Rabedeaux	Schwengels	Tieden
Nystrom	Ramsey	Scott	Van Gilst
Orr	Redmond	Shaff	Willits
Palmer	Robinson	Shaw	Winkelman
Plymat			

Nays, 1:
Hill of Polk

Absent or not voting, 2:
Nolin Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 345

On motion of Senator DeKoster, Senate File 345, a bill for an act relating to the method used by judges of election to select and certify potential jurors, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered amendment S—3925 filed by the committee on judiciary and moved its adoption:

S—3925
Amend Senate File 345, page 1, as follows:
1. Lines 6, 13, 14 and 15, by striking the words "judges of election" and inserting in lieu thereof the words "precinct election officials".
2. Line 19, by striking the word "judges" and inserting in lieu thereof the word "officials".
3. By striking line 20 and inserting in lieu thereof the following:
"election officials. The precinct election officials may adopt those".
4. Line 22, by striking the word "judges" and inserting in lieu thereof the word "officials".
5. Lines 23 and 24, by striking the words "judges of election" and inserting in lieu thereof the words "precinct election officials".

Amendment S—3925 was adopted.

Senator DeKoster withdrew amendment S—3395 filed by him on March 27, 1975, and found on pages 747 and 748 of the Senate Journal.

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. 345) the vote was:

Ayes, 47:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Priebe	Tieden
DeKoster	Kinley	Rabedeaux	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Gallagher	Merritt	Redmond	Winkelman
Glenn	Miller of Des Moines		
Gluba			

Nays, none.

Absent or not voting, 3:

Nolin	Plymat	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 77

On motion of Senator Miller of Des Moines, House File 77, a bill for an act relating to the installation of automatic fire extinguishing systems in high-rise buildings, and providing penalties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Andersen offered amendment S—3435 filed by him, moved its adoption, and requested a non-record roll call:

S—3435

Amend House File 77, as amended and passed by the House, as follows:

1. Page 1, line 5, by striking the words "sixty-five feet above grade" and inserting in lieu thereof the words "that have floors for human occupancy located more than sixty-five feet above the lowest grade surrounding the building".

2. Page 1, by inserting after line 21 the following:

"4. Buildings that are more than four stories but less than sixty-five feet above the lowest grade surrounding the building and that are located in cities where the fire department has the equipment necessary to fight a fire and evacuate occupants from such buildings."

The ayes were 18, nays 26.

Amendment S—3435 lost.

Senator Griffin offered amendment S—3493 filed by him and moved its adoption:

S—3493
1 **Amend House File 77 as follows:**
2 **1. Page 1, by striking line 35.**
3 **2. Page 2, by striking lines 1, 2, 3, and 4.**

Amendment S—3493 was adopted.

Senator Miller of Des Moines moved that the bill 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. 77) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolting	Rodgers
Burroughs	Hill of Jasper	Norpel	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaff
Culver	Kelly	Palmer	Shaw
Curtis	Kinley	Plymat	Sovern
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, 1:
DeKoster

Absent or not voting, 3:

Hill of Polk	Nolin	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 472

On motion of Senator Robinson, Senate File 472, a bill for an act providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions of the state which regulate the operation of railroad trains within the political subdivisions of the state, was taken up for consideration.

Senator Robinson asked and received unanimous consent that **House File 623** be substituted for **Senate File 472.**

House File 623

On motion of Senator Robinson, House File 623, a bill for an act providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions of the state which regulate the operation of railroad

trains within the political subdivisions of the state, was taken up for consideration.

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. 623) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolting	Rodgers
Burroughs	Hill of Jasper	Norpel	Schwengels
Carr	Hill of Polk	Nystrom	Scott
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kinley	Plymat	Tieden
DeKoster	Lamborn	Priebe	Van Gilst
Doderer	Merritt	Rabedeaux	Willits
Gallagher	Miller of Des Moines	Ramsey	Winkelman
Glenn			
Gluba			

Nays, 1:

Kelly

Absent or not voting, 3:

Noi	Shaff	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Robinson asked and received unanimous consent that **Senate File 472** be withdrawn from further consideration of the Senate.

SPECIAL PRESENTATION

The Senate Pages appeared in the well of the Senate and presented a check for $540.00 to the Iowa Division of the American Cancer Society. The gift was accepted by James Monachino on behalf of the society.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

CONSIDERATION OF BILLS

Senate File 524

On motion of Senator Ramsey, Senate File 524, a bill for an act relating to business corporations, was taken up for consideration.

Senator Ramsey offered amendment S—4074 filed by Senators Ramsey and Hultman, moved its adoption, and requested a non-record roll call:

S—4074
Amend Senate File 524, page 7, by striking lines 25 and 26.

The ayes were 29, nays 18.

Amendment S—4074 was adopted.

Senator Ramsey moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

Senator Winkelman took the chair at 11:38 a.m.

On the question "Shall the bill pass?" (S.F. 524) the vote was:

Ayes, 47:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba	Miller of Marshall	Robinson	
Hansen			

Nays, none.

Absent or not voting, 3:

Briles	Griffin	Nolin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 816

On motion of Senator Miller of Des Moines, House File 816, a bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn offered amendment S—3926 by the committee on judiciary and moved its adoption:

S—3926
Amend House File 816 as follows:
1. Page 1, line 6, by striking the word "*no*".

2. Page 1, line 6, by striking the words *"director, officer, member"* and by inserting in lieu thereof the words *"directors, officers, members"*.

3. Page 1, line 7, by striking the word *"non-compensated"* and by inserting in lieu thereof the word *"other"*.

4. Page 1, line 7, by striking the words *"volunteer person"* and by inserting in lieu thereof the word *"volunteers"*.

5. Page 1, line 7, by inserting the word *"not"* after the word *"shall"*.

Amendment S—3926 was adopted.

Senator Miller of Des Moines offered amendment S—3987 filed by him:

S—3987

Amend House File 816 as amended and passed by the House as follows:

1. Page 1, after line 10 by inserting the following:

"Sec. 2. Section five hundred four point five (504.5), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. No director, officer, member or noncompensated volunteer person shall be personally liable for any claim based upon an act or omission of such person performed in the reasonable discharge of their lawful corporate duties."

DEFERRED

Senator Hill of Polk asked and received unanimous consent that further action on **House File 816** be deferred and that the bill be placed on the calendar under **unfinished business.**

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President 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 members of the second conference committee on the part of the House to consider the differences between the House and the Senate concerning Senate Concurrent Resolution 6, are as follows: The Representative from Polk, Mr. Byerly, chairman; the Representative from Fayette, Mr. Avenson; the Representative from Clinton, Mr. Oakley.

Also: That the House insists on its amendment to Senate File 507, relating to the funding, compensation, expenses and membership of legislative members of committees and certain statutory or appointive boards, commissions, and councils, and that the members of the conference committee on the part of the House to consider the differences between the House and the Senate are as follows: The Representative from Scott, Mr. Cusack, chairman; the Representative from Polk, Mr. Jesse; the Representative from Polk, Mr. Woods; the Representative from Clinton, Mr. Oakley; and the Representative from Marshall, Mr. Brockett.

Also: That the members of the conference committee on the part of the House to consider the differences between the House and the Senate concerning House File 215 are as follows: The Representative from Guthrie, Mr. Hutchins, chairman; the Representative from Floyd, Mr. Howell; the Representative from Calhoun, Mrs. Miller; the Representative from Henry, Mr. Lindeen; and the Representative from Bremer, Mr. Lageschulte.

Also: That the members of the conference committee on the part of the House to consider the differences between the House and the Senate concerning House File 764, an act to relating to the Iowa income tax and making changes in individual income tax rates, exemptions, and administrative requirements, are as follows; The Representative from Clinton, Mr. Mennenga, chairman; the Representative from Iowa, Miss Svoboda; the Representative from Jasper, Mr. Anderson; the Representative from Story, Mrs. Egenes; and the Representative from Scott, Mr. Harvey.

Also: That the House has on June 9, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 803, a bill for an act relating to the compensation of persons suffering loss as a result of medical malpractice.

Also: That the House has on June 6, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 898, a bill for an act making appropriations to various state agencies for the purposes of providing for capital improvements.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 898, a bill for an act making appropriations to various state agencies for the purpose of providing for capital improvements, clarifying responsibility for determining compliance with the state building code of state owned capital improvements, buildings, and structures, providing for reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase of certain equipment, providing funds for sewage works purposes, creating a hospital schools revolving fund and providing for expenditures from such fund, providing for land acquisition, providing a memorial for medal of honor recipients, and providing for the reversion of funds.

Read first time and **passed on file.**

SENATE RESOLUTION 14
By Taylor

Whereas, the city of Sheffield, Iowa, is nearing the centennial anniversary of its incorporation as a city; and

Whereas, the citizens of Sheffield, Iowa are preparing for a centennial celebration to be observed on June 21, 1975, commemorating the one-hundredth anniversary of the city's incorporation; *Now Therefore,*

Be It Resolved by the Senate, That the membership of the Senate of the Sixty-sixth General Assembly of the State of Iowa extends its heartiest congratulations to the city of Sheffield, Iowa in commemoration of the centennial anniversary of its incorporation; and

Be It Further Resolved, That a copy of this resolution be forwarded to the mayor, the city council, and the citizens of Sheffield who are in charge of making preparations for the centennial celebration.

Read first time and **passed on file.**

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 555.

Senate File 555

On motion of Senator Hill of Jasper, Senate File 555, a bill for an act relating to benefits for public employees and retired public employees providing for salary adjustments and certain retirement benefits for public employees and certain elected officials and retired public employees and to make appropriations, with report of committee on appropriations recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Jasper asked and received unanimous consent that Ed Longnecker, Director, Iowa Public Employees Retirement System, Employment Security Commission, be permitted to remain in the Senate chamber as a consultant during consideration of the bill.

Senator Hill of Jasper offered amendment S—4084 by the committee on appropriations, filed June 6, 1975, and found on pages 1808-1811, inclusive, of the Senate Journal.

Senator Hill of Jasper offered amendment S—4098 to amendment S—4084 filed by him and moved its adoption:

S—4098

Amend S—4084 filed by the committee on appropriations to Senate File 555 as follows:

1. Page 1, line 8, by striking the figure "3" and inserting in lieu thereof the figure "2".

2. Page 1, line 24, by striking the figure "10" and inserting in lieu thereof the figure "2".

3. By renumbering amendments as necessary.

Amendment S—4098 to amendment S—4084 was adopted.

Senator DeKoster offered amendment S—4120 to amendment S—4084 by Senators DeKoster, Shaw and Lamborn and called for a division of the amendment as follows:

S—4120

Amend the Senate amendment (S—4084) to Senate File 555 as follows:

Division S—4120A

1. Page 2, by striking lines 3 through 45.

Division S—4120B

2. Page 2, by striking lines 46 through 50 and page 3 by striking lines 1 through 43.

Division S—4120A (Cont'd)

3. Page 3 by inserting before line 44 the following:

..... Page 14, by striking lines 18 through 35, by striking pages 15 through 18, and by striking on page 19, lines 1 through 4 and inserting in lieu thereof the following:

"Sec. 26. There is appropriated from the general fund of the state the following amounts to supplement other funds appropriated for salaries, support, maintenance, equipment and miscellaneous by the general assembly to the state board of regents and the following institutions to implement the salary schedule increases for employees under the state board of regents merit system except board office employees, and to provide funds for salary increases for the faculty, professional and scientific personnel under the state board of regents to be allocated within the discretion of the state board of regents:

INSTITUTION	APPROPRIATION
State university of Iowa	$5,226,800
State sanatorium	205,000
Hospital school	177,700
Psychopathic hospital	314,100

Hygienic laboratory	115,300
University hospitals	3,221,400
Iowa state university of science and technology	4,239,500
Experimental station	604,600
Cooperative extension service	702,500
University of northern Iowa	1,831,900
School for the deaf	227,900
Iowa braille and sightsaving school	122,300

Sec. 27. There is appropriated to the state board of regents the following amount to finance an amount per month for each employee under the board of regents merit system who is a member of the Iowa public employees' retirement system, equal to the difference between the total single person premium cost per month for each employee approved by the commissioner of insurance for the medical and health group insurance programs during the fiscal year beginning July 1, 1975, and ending June 30, 1976, and that amount per month for each employee financed with state funds for the fiscal year beginning July 1, 1974, and ending

Page 2

June 30, 1975 .....$700,000

Sec. 28. The salary schedules provided for in the pay plan recommended by the merit employment commission for merit system position adjustments and the executive council exempt pay plan provided for in section nineteen A point nine (19A.9), subsection two (2), of the Code, to be effective July 1, 1975, shall be implemented for the fiscal year beginning July 1, 1975, and ending June 30, 1976. All exempt positions provided for in chapter nineteen A (19A) of the Code included in the state comptroller's central payroll system shall receive similar increases except members of the general assembly, board and commission members, all salaries set by the general assembly or set by the governor or appointing authority.

Sec. 29. There is appropriated from the general fund of the state to the salary adjustment fund, created by this Act, the following amount for the fiscal year beginning July 1, 1975, and ending June 30, 1976, or so much thereof as may be necessary to be distributed to various departments to implement the pay plans provided in section twenty-eight (28) of this Act, as added by this amendment $13,012,000

Sec. 30. There is appropriated from the road use tax fund to the state department of transportation, the following amount for the fiscal year begining July 1, 1975, and ending June 30, 1976, or so much thereof as may be necessary, to supplement other funds appropriated by the general assembly. This amount shall be used to fund position adjustments under the salary schedules provided in section twenty-eight

(28) of this Act as added by this amendment, for employees of the state department of transportation who are eligible to be paid from the road use tax fund $325,700

Sec. 31. There is appropriated from the primary road fund to the state department of transportation the following amount for the fiscal year beginning July 1, 1975, and ending June 30, 1976, or so much thereof as may be necessary, to supplement other funds appropriated by the general assembly. This amount shall be used to fund position adjustments under the salary schedules provided in section twenty-eight (28) of this Act, as added by this amendment for employees of the state department of transportation who are eligible to be paid from the primary road fund .....$5,478,300"

..... Page 19, line 5, by striking the words and figures "section twenty-nine (29)" and inserting in

Page 3

lieu thereof the following: "sections twenty-nine (29) through thirty-one (31)".

..... Page 19, by striking lines 14 through 20 and inserting in lieu thereof the following:

"to fund the salary schedule position adjustments provided in section twenty-eight (28) of this Act."

Senator DeKoster moved the adoption of division S—4120A of the amendment to amendment S—4084 and requested a record roll call:

On the question "Shall division S—4120A of the amendment to amendment S—4084 be adopted?" (S.F. 555) the vote was:

Ayes, 23:

Andersen	Hill of Polk	Murray	Shaff
Bergman	Hultman	Nystrom	Shaw
Briles	Kelly	Plymat	Taylor
Burroughs	Lamborn	Rabedeaux	Tieden
Curtis	Miller of Marshall	Ramsey	Winkelman
DeKoster		Schwengels	
Hansen			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 1:

Griffin

Division S—4120A of the amendment to amendment S—4084 lost.

Senator DeKoster withdrew Division S—4120B to amendment S—4084.

Senator Hill of Jasper called for a division of the committee amendment S—4084 as follows:

Division S—4084A—Sections 1, 4, 5, 6, 7, 8, 15, 16 and 17.

Division S—4084B—Section 2.

Division S—4084C—Section 9.

Division S—4084E—Section 11.

Division S—4084F—Section 12.

Division S—4084G—Section 13.

Division S—4084H—Section 14.

Division S—4084I—Section 18.

Senator Hill of Jasper moved the adoption of division S—4084A of the amendment and requested a record roll call.

On the question "Shall division S—4084A of the amendment be adopted?" (S.F. 555) the vote was:

Ayes, 39:

Bergman	Hill of Polk	Nolin	Rodgers
Burroughs	Hultman	Nolting	Schwengels
Culver	Junkins	Orr	Scott
Curtis	Kelly	Palmer	Shaff
DeKoster	Kinley	Plymat	Shaw
Doderer	Lamborn	Priebe	Sovern
Glenn	Merritt	Rabedeaux	Taylor
Griffin	Miller of Marshall	Ramsey	Tieden
Hansen	Murray	Redmond	Willits
Hill of Jasper		Robinson	Winkelman

Nays, 11:

Andersen	Coleman	Heying	Nornel
Briles	Gallagher	Miller of Des Moines	Nystrom
Carr	Gluba		Van Gilst

Division S—4084A of the amendment was adopted.

Senator Hill of Jasper moved the adoption of division S—4084B of the amendment.

A record roll call was requested.

On the question "Shall division S—4084B of the amendment be adopted?" (S.F. 555) the vote was:

Rule 25 was invoked.

Ayes, 32:

Andersen	Griffin	Miller of Marshall	Priebe
Bergman	Hansen	Murray	Redmond
Briles	Heying	Nolin	Robinson
Burroughs	Hill of Jasper	Nolting	Shaff
Carr	Junkins	Norpel	Shaw
Coleman	Kinley	Orr	Sovern
Culver	Merritt	Palmer	Van Gilst
Curtis	Miller of Des Moines		Willits
Glenn			

Nays, 17:

DeKoster	Hultman	Plymat	Scott
Doderer	Kelly	Ramsey	Taylor
Gallagher	Lamborn	Rodgers	Tieden
Gluba	Nystrom	Schwengels	Winkelman
Hill of Polk			

Absent or not voting, 1:

Rabedeaux

Division S—4084B of the amendment was adopted.

Senator Hill of Polk offered amendment S—4104 to division S—4084C filed by Senators Hill of Polk and Burroughs:

S—4104

Amend S—4084, filed by the committee on appropriations, to Senate File 555 as follows:

1. Page 1, line 27, by inserting quotation marks after the period.
2. Page 1, by striking lines 28 through 50.
3. Page 2, by striking lines 1 and 2.

President pro tempore Doderer took the chair at 3:20 p.m.

Senator Hill of Polk moved the adoption of amendment S—4104 to division S—4084C and requested a record roll call.

On the question "Shall amendment S—4104 to division S—4084C be adopted?" (S.F. 555) the vote was:

Ayes, 31:

Andersen	Heying	Miller of Marshall	Schwengels
Bergman	Hill of Polk	Murray	Scott
Burroughs	Hultman	Nolting	Shaff
Coleman	Junkins	Nystrom	Shaw
Curtis	Kelly	Plymat	Sovern
DeKoster	Merritt	Rabedeaux	Taylor
Glenn	Miller of Des Moines	Ramsey	Tieden
Griffin			Winkelman
Hansen			

Nays, 19:

Briles	Gluba	Norpel	Robinson
Carr	Hill of Jasper	Orr	Rodgers
Culver	Kinley	Palmer	Van Gilst
Doderer	Lamborn	Priebe	Willits
Gallagher	Nolin	Redmond	

Amendment S—4104 to division S—4084C was adopted.

Amendment S—4117 to division S—4084C of the committee amendment by Senator Hill of Jasper was ruled out of order with the adoption of amendment S—4104:

S—4117

Amend the committee on appropriations amendment S—4084 to Senate File 555, page 1, line 33, by striking the word "[except]" and inserting in lieu thereof the word "except".

Senator Hansen offered amendment S—4116 to division S—4084C by Senators Hansen, et al., moved its adoption and requested a record roll call:

S—4116

Amend the Senate amendment (S—4084) to Senate File 555 as follows:

1. Page 2, by inserting after line 2 the following:

Page 14, by striking lines 18 through 35 and page 15 by striking lines 1 through 30 and inserting in lieu thereof the following:

"Sec. ..... There is appropriated from the general fund of the state to supplement other funds appropriated for salaries, support, maintenance, equipment and miscellaneous by the general assembly to the following institutions the following amounts for the fiscal year beginning July 1, 1975, and ending June 30, 1976:

INSTITUTION	AMOUNT
State university of Iowa	$4,068,200
State sanatorium	194,700
Hospital school	165,600
Psychopathic hospital	289,300
Hygienic laboratory	105,600
University hospitals	3,209,600
Iowa state university of science and technology	3,139,100
Experimental station	482,200
Cooperative extension service	558,400
University of northern Iowa	1,399,600
School for the deaf	218,400
Iowa braille and sight-saving school	113,300

Funds appropriated in this section shall be used for the following purposes:

1. So much as necessary to fund a mandatory base salary increase of seven percent of the base salary paid for the fiscal year beginning July 1, 1974, and ending June 30, 1975, of each faculty member of the state board of regents to be allocated to each faculty member by the state board of regents.

2. So much as is necessary to be used to fund a mandatory cost-of-living increase rounded to the

nearest dollar divisible by the number of payrolls paid annually for professional and scientific personnel and a mandatory cost-of-living increase rounded to the nearest dollar divisible by the number of payrolls paid annually and any normal merit increase rounded to the nearest dollar divisible by the number of payrolls paid annually for all employees under the state board of regents merit system except board office employees and employees included in subsection one (1) of this section as follows:

a. For positions for which the annual compensation is less than seven thousand dollars, an increase of

Page 2

ten percent.

b. For positions for which the annual compensation is less than fourteen thousand dollars but equal to or greater than seven thousand dollars, an increase of nine percent.

c. For positions for which the annual compensation is an amount equal to or greater than fourteen thousand dollars, an increase of seven percent.

However, the mandatory cost-of-living increase given an employee shall equal one-half of that provided under the provisions of this subsection if the salary of the employee is in excess of the pay grade for the classification to which the employee is assigned.

3. Miscellaneous and other expenses."

2. Renumber the sections and correct internal references in conformance with this amendment.

On the question "Shall amendment S—4116 to division S—4084C be adopted?" (S.F. 555) the vote was:

Rule 25 was invoked.

Ayes, 17:

Andersen	Griffin	Kelly	Nystrom
Bergman	Hansen	Murray	Robinson
Briles	Hill of Polk	Nolting	Schwengels
Curtis	Hultman	Norpel	Sovern
Gallagher			

Nays, 31:

Burroughs	Hill of Jasper	Nolin	Scott
Carr	Junkins	Orr	Shaff
Coleman	Kinley	Palmer	Shaw
Culver	Merritt	Plymat	Taylor
DeKoster	Miller of	Priebe	Tieden
Doderer	Des Moines	Ramsey	Van Gilst
Glenn	Miller of	Redmond	Willits
Gluba	Marshall	Rodgers	Winkelman
Heying			

Absent or not voting, 2:

Lamborn	Rabedeaux

Amendment S—4116 to division S—4084C of the amendment lost.

On motion of Senator Hill of Jasper, division S—4084C of the amendment as amended was adopted.

On motion of Senator Hill of Jasper, division S—4084E of the amendment was adopted.

On motion of Senator Hill of Jasper, division S—4084F of the amendment was adopted.

On motion of Senator Hill of Jasper, division S—4084G of the amendment was adopted.

Senator Willits offered amendment S—4109 to division S—4084H of the amendment and moved its adoption:

S—4109

Amend the appropriations committee amendment S—4084 to Senate File 555, on page 3, line 12, by inserting after the word "employees" the words ", employees of the Iowa School for the Deaf and of the Iowa Braille and Sight Saving School".

Amendment S—4109 to division S—4084H of the amendment was adopted.

On motion of Senator Hill of Jasper, division S—4084H of the amendment as amended was adopted.

On motion of Senator Hill of Jasper, division S—4084I of the amendment was adopted.

Senator Ramsey offered amendment S—4122 by Senators Ramsey, et al., and moved its adoption:

S—4122

Amend Senate File 555 as follows:

1. Page 1, line 3, by striking the word and figures "January 1, 1976" and inserting in lieu thereof the word and figures "July 1, 1975".

2. Page 1, line 7, by striking the word "December" and inserting in lieu thereof the word "June".

3. Page 1, line 8, by striking the word "December" and inserting in lieu thereof the word "June".

4. Page 1, line 10, by striking the word and figures "January 1, 1976" and inserting in lieu thereof the word and figures "July 1, 1975".

5. Page 5, line 18, by striking the word and figures "*January 1, 1976*" and inserting in lieu thereof the word and figures "*July 1, 1975*".

6. Page 5, line 19, by striking the word "*December*" and inserting in lieu thereof the word "*June*".

7. Page 14, line 2, by striking the word and figures "*January 1, 1976*" and inserting in lieu thereof the word and figures "*July 1, 1975*".

8. Page 19, line 24, by inserting after the word "sections" the words and figures "one (1), twelve (12), twenty-four (24), and".

A record roll call was requested.

On the question "Shall amendment S—4122 be adopted?" (S.F. 555) the vote was:

Ayes, 50:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

Amendment S—4122 was adopted.

Senator Junkins offered amendment S—4123, moved its adoption, and requested a record roll call:

S—4123

Amend Senate File 555 as follows:

1. Page 1, line 6, by inserting after the word "hundred" the word "eighteen".

2. Page 5, line 21, by inserting after the first use of the word *"hundred"* the word *"eighteen"*.

3. Page 5, line 21, by striking the words *"nine hundred"* and inserting in lieu thereof the words *"one thousand sixty-two"*.

4. Page 5, line 22, by striking the words *"six hundred"* and inserting in lieu thereof the words *"seven hundred eight"*.

5. Page 10, by striking lines 13 through 21 and inserting in lieu thereof the following:

"1975 is increased by the applicable percentage listed in the chart in this subsection, based upon the calendar year during which the member retired and the number of years of membership service and prior service of the member, except as otherwise provided in this subsection.

The letter columns in the chart shall correspond to the number of years of membership service and prior service of the member as follows:

Column	*Years of Membership Service and Prior Service*
A	*Less than ten years*
B	*Ten years through fourteen years*

C Fifteen years through nineteen years
D Twenty years through twenty-four years
E Twenty-five years through twenty-nine years
F Thirty or more years

The amount of regular monthly retirement allowance shall be increased by the following percentages:

Year of Retirement	*A*	*B*	*C*	*D*	*E*	*F*
1953	*110*	*113*	*115*	*115*	*116*	*116*
1954	*96*	*104*	*108*	*110*	*112*	*112*
1955	*85*	*96*	*102*	*105*	*108*	*109*
1956	*75*	*89*	*96*	*101*	*104*	*105*
1957	*66*	*82*	*91*	*96*	*100*	*101*
1958	*58*	*75*	*85*	*91*	*96*	*97*
1959	*50*	*69*	*80*	*87*	*92*	*94*
1960	*46*	*64*	*75*	*83*	*88*	*90*
1961	*44*	*58*	*70*	*78*	*84*	*87*
1962	*41*	*53*	*66*	*74*	*81*	*84*
1963	*39*	*48*	*62*	*71*	*77*	*80*
1964	*37*	*44*	*57*	*66*	*73*	*77*
1965	*35*	*40*	*53*	*62*	*69*	*73*
1966	*33*	*38*	*49*	*58*	*66*	*69*

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1967	*30*	*35*	*44*	*55*	*62*	*66*
1968	*27*	*32*	*40*	*50*	*58*	*61*
1969	*23*	*28*	*35*	*45*	*53*	*57*
1970	*19*	*25*	*31*	*40*	*48*	*52*
1971	*14*	*21*	*27*	*35*	*44*	*48*
1972	*10*	*17*	*23*	*31*	*39*	*43*
1973	*5*	*13*	*18*	*25*	*33*	*38*
1974	*0*	*7*	*14*	*20*	*28*	*32*
1975	*0*	*3*	*9*	*15*	*23*	*27*

There is appropriated from the general fund of the state to the employment security commission from funds not otherwise appropriated an amount sufficient to fund the provisions of this subsection.

Notwithstanding the provisions of this subsection, if the total amount of regular monthly retirement allowances paid to retired members under this subsection plus the total amount of benefits paid to persons under the provisions of sections one (1), twelve (12), and twenty-four (24) of this Act, during the calendar year beginning January 1, 1976, either exceeds or is less than eight million four hundred thousand dollars, the employment security commission is directed to adjust the percentages in the chart proportionally so that the total amount of regular monthly retirement allowances paid to retired members under this subsection plus the total amount of benefits paid to persons under the provisions of sections one (1), twelve (12), and twenty-four (24) of this Act, during the calendar year beginning January 1, 1976 equals eight million four hundred thousand dollars.

If the percentages are adjusted by the employment security commission, the adjusted percentages shall be used for each calendar year thereafter."

6. Page 14, line 3, by inserting after the word *"hundred"* the word *"eighteen"*.

7. Page 14, line 8, by inserting after the word "hundred" the word *"eighteen"*.

On the question "Shall amendment S—4123 be adopted?" (S.F. 555) the vote was:

Ayes, 14:

Carr	Gluba	Miller of Des Moines	Ramsey
Culver	Heying	Norpel	Redmond
Doderer	Hultman	Orr	Scott
Gallagher	Junkins		

Nays, 34:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Jasper	Nolin	Shaw
Briles	Hill of Polk	Nolting	Sovern
Burroughs	Kelly	Nystrom	Taylor
Coleman	Kinley	Palmer	Tieden
Curtis	Lamborn	Plymat	Van Gilst
DeKoster	Merritt	Priebe	Willits
Glenn	Miller of Marshall	Rodgers	Winkelman
Griffin		Schwengels	

Absent or not voting, 2::

Rabedeaux	Robinson

Amendment S—4123 lost.

Senator Andersen withdrew amendment S—4097 filed by him on June 9, 1975, and found on page 1842 of the Senate Journal.

Senator Shaw offered amendment S—4111:

S—4111

Amend Senate File 555 as follows:

Division S—4111A

1. Page 4, by striking lines 9 through 22.

2. Page 7, by striking lines 29 through 35 and inserting in lieu thereof the following:

"1. For each active member retiring from employment after **[July 1, 1973]** ***January 1, 1976***, with four or more complete years of service, a formula benefit shall be determined".

3. Page 8, line 1, by striking the words and figure *"subsection five (5) of this section"*.

4. Page 8, line 4, by striking the word "fifty-seven" and inserting in lieu thereof the words "[fifty-seven] ***seventy***".

5. Page 8, by inserting after line 23 the following:

"For each active member retiring from employment on or after January 1, 1976, the formula benefit

computed under this subsection shall be increased by the percent listed for the calendar year in which the member retired from employment:

Year of Retirement	*Percent of Increase*
1976	*30%*
1977	*27%*
1978	*24%*
1979	*21%*
1980	*18%*
1981	*15%*
1982	*12%*
1983	*9%*
1984	*6%*
1985	*3%"*

6. Page 8, line 27, by striking the words and figure *"or subsection five (5)"*.

7. Page 9, line 5, by striking the words and figures *"employed before January 1, 1976,"*.

8. Page 9, by striking lines 32 through 35.

9. Page 10, by striking lines 1 through 8.

10. Page 10, line 9, by striking the first use of the figure *"6"* and inserting in lieu thereof the figure *"5"*.

11. Page 10, line 13, by striking the word *"ten"* and inserting in lieu thereof the word *"thirty"*.

12. Page 10, line 15, by striking the word *"five"* and inserting in lieu thereof the word *"two"*.

13. Page 10, by striking from lines 16 and 17 the words *"The total increase shall not exceed one hundred percent."*

Division S—4111B

14. Page 13, by striking lines 13 through 25.

Senator Shaw offered amendment S—4126 to amendment S—4111, moved its adoption and requested a record roll call:

S—4126

Amend the Shaw amendment S—4111 to Senate File 555, as follows:

1. Line 45, by striking the word *"two"* and inserting in lieu thereof the word *"three"*.

2. By striking lines 46, 47, and 48.

3. By renumbering amendments as necessary.

On the question "Shall amendment S—4126 to amendment S—4111 be adopted?" (S.F. 555) the vote was:

Rule 25 was invoked.

Ayes, 25:

Andersen	DeKoster	Hultman	Murray
Bergman	Doderer	Kelly	Nystrom
Briles	Griffin	Lamborn	Plymat
Burroughs	Hansen	Miller of Marshall	Rabedeaux
Curtis	Hill of Polk		Ramsey

Schwengels	Shaw	Tieden	Winkelman
Shaff	Taylor		

Nays, 25:

Carr	Hill of Jasper	Nolting	Robinson
Coleman	Junkins	Norpel	Rodgers
Culver	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Redmond	Willits
Heying	Nolin		

President Neu took the chair at 5:05 p.m.

The Chair cast an "aye" vote to break the tie and declared amendment S—4126 to amendment S—4111 adopted.

Senator Shaw called for a division of amendment S—4111 as amended, sections 1 through 13 to be considered as division S—4111A; section 14 to be considered as division S—4111B.

Senator Shaw moved the adoption of division S—4111A of the amendment as amended and requested a record roll call.

On the question "Shall division S—4111A of the amendment as amended be adopted?" (S.F. 555) the vote was:

Ayes, 21:

Andersen	Griffin	Nolin	Shaff
Bergman	Hansen	Plymat	Shaw
Briles	Hultman	Rabedeaux	Taylor
Burroughs	Lamborn	Ramsey	Tieden
Curtis	Miller of	Schwengels	Winkelman
DeKoster	Marshall		

Nays, 29:

Carr	Hill of Jasper	Murray	Redmond
Coleman	Hill of Polk	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Doderer	Kelly	Nystrom	Scott
Gallagher	Kinley	Orr	Sovern
Glenn	Merritt	Palmer	Van Gilst
Gluba	Miller of	Priebe	Willits
Heying	Des Moines		

Division S—4111A of the amendment as amended lost.

Senator Shaw moved the adoption of division S—4111B of the amendment and requested a record roll call.

On the question "Shall division S—4111B of the amendment be adopted?" (S.F. 555) the vote was:

Ayes, 20:

Bergman	Hultman	Murray	Shaff
Briles	Kelly	Nolin	Shaw
Burroughs	Lamborn	Plymat	Taylor
DeKoster	Miller of	Ramsey	Tieden
Griffin	Marshall	Schwengels	Winkelman
Hill of Polk			

Nays, 28:

Andersen	Gluba	Nolting	Robinson
Carr	Heying	Norpel	Rodgers
Coleman	Hill of Jasper	Nystrom	Scott
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of	Redmond	
Glenn	Des Moines		

Absent or not voting, 2:

Hansen	Rabedeaux

Division S—4111B of the amendment lost.

Senator Coleman offered amendment S—4015 filed by Senators Coleman, et al.:

S—4015

Amend Senate File 555 as follows:

1. Page 4, line 10, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

2. Page 4, by inserting the following after line 22:

"*NEW SUBSECTION.* 'Final five-year average wage' means the wages of a member who is employed as a conservation peace officer under the provisions of section one hundred seven point thirteen (107.13) of the Code, averaged over the five consecutive years as a member which will produce the highest average."

3. Page 10, by inserting after line 21, the following subsection:

"7. Notwithstanding the provisions of this chapter, a member who is employed as a conservation peace officer under the provisions of section one hundred seven point thirteen (107.13) of the Code and who retires on or after January 1, 1976, and at the time of retirement is at least fifty-five years of age and has completed at least twenty-two years of membership service as a conservation peace officer, may elect to receive a monthly retirement allowance equal to one-twelfth of fifty percent of the member's final five-year average wage, with benefits payable during the member's lifetime."

Senator Coleman offered amendment S—4106 to amendment S—4015 by Senators Coleman, et al., and moved its adoption:

S—4106

Amend S—4015 filed by Coleman to Senate File 555 as follows:

1. By striking lines 2 through 12.

2. Line 25, by inserting after the word "average" the word "covered".

3. By renumbering amendments as necessary.

Amendment S—4106 to amendment S—4015 was adopted.

Senator Coleman offered amendment S—4107 to amendment S—4015 and moved its adoption:

S—4107
Amend S—4015 filed by Coleman, et al., to Senate File 555 as follows:
1. By inserting after line 26 the following:
"..... Page 14, by inserting after line 11 the following section:
Sec. ..... The provisions of section ninety-seven B point forty-nine (97B.49), subsection seven (7), of the Code are severable, and if the United States internal revenue service disqualifies the retirement program provided under the provisions of section ninety-seven B point forty-nine (97B.49), subsection seven (7), of the Code, the ruling shall not affect the approval of the United States internal revenue service of the remaining provisions of chapter ninety-seven B (97B) of the Code."
2. By renumbering sections as necessary.

Amendment S—4107 to amendment S—4015 was adopted.

Senator Coleman moved the adoption of amendment S—4015 as amended and requested a record roll call.

On the question "Shall amendment S—4015 as amended be adopted?" (S.F. 555) the vote was:

Ayes, 32:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Hultman	Murray	Schwengels
Briles	Junkins	Norpel	Scott
Burroughs	Kelly	Nystrom	Shaff
Coleman	Lamborn	Plymat	Sovern
Culver	Merritt	Priebe	Taylor
DeKoster	Miller of Des Moines	Rabedeaux	Tieden
Gallagher		Ramsey	Winkelman
Griffin			

Nays, 17:

Carr	Heying	Nolin	Robinson
Curtis	Hill of Jasper	Nolting	Rodgers
Doderer	Hill of Polk	Orr	Shaw
Glenn	Kinley	Palmer	Willits
Gluba			

Absent or not voting, 1:
Van Gilst

Amendment S—4015 as amended was adopted.

Senator Nystrom offered amendment S—4094 filed by him, moved its adoption and requested a record roll call:

S—4094

Amend Senate File 555 as follows:

1. Page 5, by striking line 31 and inserting in lieu thereof the words "the month [coinciding with or next following] *in which the member attains* his sixty-fifth".

2. Page 6, line 11, by striking the word "date" and inserting in lieu thereof the words "[date] *first of the month in which*".

3. Page 6, by striking line 17 and inserting in lieu thereof the words "day of the month [next following or coinciding with] *in which* such date *occurs.*"

4. Page 6, by inserting after line 26 the following section:

"Sec. ..... Section ninety-seven B point forty-seven (97B.47), Code 1975, is amended to read as follows:

97B.47 RETIREMENT DATE. A member's early retirement date shall be the first of [any] *the* month [coinciding with or following] *in which the member attains* his fifty-fifth birthday [and] *or the first of any month following the member's fifty-fifth birthday* prior to his normal retirement date, provided such date shall be after the last day of service. A member may retire on his early retirement date by submitting written notice to the commission setting forth the early retirement date which shall not be before the first day of the sixth calendar month preceding the month in which such notice is filed."

5. Page 6, by striking line 30 and inserting in lieu thereof the words "[coinciding with or next following] *in which the member attains* his fifty-fifth birthday".

6. Page 7, by striking line 3 and inserting in lieu thereof the words "[coinciding with or next following] *in which the member attains* his sixty-fifth birthday".

7. Page 7, lines 7 and 8, by striking the words "coinciding with or next following the member's [seventy-second]" and inserting in lieu thereof the words "[coinciding with or next following the member's seventy-second] *in which a member attains his*".

On the question "Shall amendment S—4094 be adopted?" (S.F. 555) the vote was:

Rule 25 was invoked.

Ayes, 24:

Andersen	Hansen	Murray	Shaff
Bergman	Hill of Polk	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
DeKoster	Lamborn	Ramsey	Winkelman
Gallagher	Miller of Marshall	Schwengels	
Griffin			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Curtis	Kinley	Orr	Sovern
Doderer	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Amendment S—4094 lost.

Senator Nystrom offered amendment S—4114 and called for a division of the amendment as follows:

S—4114

Amend Senate File 555 as follows:

Division S—4114A

1. Page 5, line 33, by striking the words "except as otherwise" and inserting in lieu thereof the words "[except] as [otherwise]".

2. Page 6, by striking lines 13 and 14 and inserting in lieu thereof the words "shall approve[, provided, however, that credit for such service shall cease when contributions cease as provided in section], *until the member attains the age of seventy upon the filing with the employer of a written statement by the member's physician that the member is physically and mentally able to be actively employed*".

3. Page 6, line 15, by striking the figure "97B.11" and inserting in lieu thereof the figure "[97B.11]".

4. Page 6, by striking lines 18 through 26 and inserting in lieu thereof the following:

"[A member remaining in service past his seventy-second birthday shall be entitled to receive a retirement allowance under subsections 2 and 3 of section 97B.49 commencing with payment for the calendar month within which the written notice is submitted to the commission, except that if he fails to submit the notice on a timely basis, retroactive payments shall be made for no more than six months immediately preceding the month in which the written notice is submitted.]"

5. Page 7, by striking lines 6 through 10 and inserting in lieu thereof the following:

"the amount of remuneration received. [As of the first of the month coinciding with or next following the member's seventy-second birthday, he shall be entitled to receive a retirement allowance determined under section 97B.49, regardless of the amount of remuneration received.] Upon any".

Division S—4114B

6. Page 14, by inserting after line 11 the following section:

"Sec. ..... Section six hundred five point twenty-four (605.24), Code 1975, is amended to read as

follows:

605.24 MANDATORY RETIREMENT. All judges of the supreme court or district court who shall have reached the mandatory retirement age, shall cease to hold office. The mandatory retirement age shall be seventy-five years for all judges of the supreme court or district court holding office on July 1, 1965. The **mandatory retirement age shall be** [seventy-two] *sixty-five* years for all judges of the supreme court or district court appointed to office after [July 1, 1965] *January 1, 1976.*

7. By renumbering sections as necessary.

Senator Nystrom moved the adoption of division S—4114A of the amendment and requested a record roll call.

On the question "Shall division S—4114A of the amendment be adopted?" (S.F. 555) the vote was:

Ayes, 20:

Andersen	DeKoster	Hultman	Schwengels
Briles	Griffin	Lamborn	Shaw
Burroughs	Hansen	Nystrom	Taylor
Coleman	Heying	Plymat	Tieden
Curtis	Hill of Polk	Rabedeaux	Winkelman

Nays, 30:

Bergman	Junkins	Murray	Redmond
Carr	Kelly	Nolin	Robinson
Culver	Kinley	Nolting	Rodgers
Doderer	Merritt	Norpel	Scott
Gallagher	Miller of	Orr	Shaff
Glenn	Des Moines	Palmer	Sovern
Gluba	Miller of	Priebe	Van Gilst
Hill of Jasper	Marshall	Ramsey	Willits

Division S—4114A of the amendment lost.

Senator Nystrom withdrew division S—4114B of the amendment.

Senator Shaw withdrew amendment S—4110:

S—4110

Amend Senate File 555 as follows:

1. Page 6, lines 18 and 19, by striking the words "[seventy-second] *seventieth*" and inserting in lieu thereof the word "seventy-second".

2. Page 7, lines 7 and 8, by striking the words "[seventy-second] *seventieth*" and inserting in lieu thereof the word "seventy-second".

Senator DeKoster withdrew amendment S—4112 by Senators DeKoster, Shaw and Lamborn:

S—4112

Amend Senate File 555 as follows:

1. Page 14, by striking lines 18 through 35, by

striking pages 15 through 18, and by striking on page 19 lines 1 through 4 and inserting in lieu thereof the following:

"Sec. 26. There is appropriated from the general fund of the state the following amounts to supplement other funds appropriated for salaries, support, maintenance, equipment and miscellaneous by the general assembly to the state board of regents and the following institutions to implement the salary schedule increases for employees under the state board of regents merit system except board office employees, and to provide funds for salary increases for the faculty, professional and scientific personnel under the state board of regents to be allocated within the discretion of the state board of regents:

INSTITUTION	APPROPRIATION
State university of Iowa	$5,329,000
State sanatorium	210,000
Hospital school	181,000
Psychopathic hospital	318,000
Hygienic laboratory	117,000
University hospitals	2,968,000
Iowa state university of science and technology	4,323,000
Experimental station	611,000
Cooperative extension service	710,000
University of northern Iowa	1,867,000
School for the deaf	231,000
Iowa braille and sightsaving school	124,000

Sec. 27. There is appropriated to the state board of regents the following amount to finance an amount per month for each employee under the board of regents merit system who is a member of the Iowa public employees' retirement system, equal to the difference between the total single person premium cost per month for each employee approved by the commissioner of insurance for the medical and health group insurance programs during the fiscal year beginning July 1, 1975, and ending June 30, 1976, and that amount per month for each employee financed with state funds for the fiscal year beginning July 1, 1974, and ending June 30, 1975 .....$700,000

Sec. 28. The salary schedules provided for in the pay plan recommended by the merit employment commission for merit system position adjustments and the executive council exempt pay plan provided for in section nineteen A point nine (19A.9), subsection

two (2), of the Code, to be effective July 1, 1975, shall be implemented for the fiscal year beginning July 1, 1975, and ending June 30, 1976. All exempt positions provided for in chapter nineteen A (19A) of the Code included in the state comptroller's central

payroll system shall receive similar increases except members of the general assembly, board and commission members, all salaries set by the general assembly or set by the governor or appointing authority, and all employees of the board of regents.

Sec. 29. There is appropriated from the general fund of the state to the salary adjustment fund, created by this Act, the following amount for the fiscal year beginning July 1, 1975, and ending June 30, 1976, or so much thereof as may be necessary to be distributed to various departments to implement the pay plans provided in section twenty-eight (28) of this Act, as added by this amendment $13,012,000

Sec. 30. There is appropriated from the road use tax fund to the state department of transportation, the following amount for the fiscal year beginning July 1, 1975, and ending June 30, 1976, or so much thereof as may be necessary, to supplement other funds appropriated by the general assembly. This amount shall be used to fund position adjustments under the salary schedules provided in section twenty-eight (28) of this Act as added by this amendment, for employees of the state department of transportation who are eligible to be paid from the road use tax fund.....$325,700

Sec. 31. There is appropriated from the primary road fund to the state department of transportation the following amount for the fiscal year beginning July 1, 1975, and ending June 30, 1976, or so much thereof as may be necessary, to supplement other funds appropriated by the general assembly. This amount shall be used to fund position adjustments under the salary schedules provided in section twenty-eight (28) of this Act as added by this amendment for employees of the state department of transportation who are eligible to be paid from the primary road fund .....$5,478,300"

2. Page 19, line 5, by striking the words and figures "section twenty-nine (29)" and inserting in lieu thereof the following: "sections twenty-nine (29) through thirty-one (31)".

3. Page 19, by striking lines 14 through 20 and inserting in lieu thereof the following:

"to fund the salary schedule position adjustments

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provided in section twenty-eight (28) of this Act."

4. Renumber the sections and correct internal references in conformance with this amendment.

Amendment S—4115 by Senator Hansen, et al., was ruled out of order:

S—4115

Amend Senate File 555 as follows:

1. Page 14, by striking lines 18 through 35 and

page 15 by striking lines 1 through 30 and inserting in lieu thereof the following:

"Sec. ..... There is appropriated from the general fund of the state to supplement other funds appropriated for salaries, support, maintenance, equipment and miscellaneous by the general assembly to the following institutions the following amounts for the fiscal year beginning July 1, 1975, and ending June 30, 1976:

INSTITUTION	AMOUNT
State university of Iowa	$4,068,200
State sanatorium	194,700
Hospital school	165,600
Psychopathic hospital	289,300
Hygienic laboratory	105,600
University hospital	3,209,600
Iowa state university of science and technology	3,139,100
Experimental station	482,200
Cooperative extension service	558,400
University of northern Iowa	1,399,600
School for the deaf	218,400
Iowa braille and sight-saving school	113,300

Funds appropriated in this section shall be used for the following purposes:

1. So much as necessary to fund a mandatory base salary increase of seven percent of the base salary paid for the fiscal year beginning July 1, 1974, and ending June 30, 1975, of each faculty member of the state board of regents to be allocated to each faculty member by the state board of regents.

2. So much as is necessary to be used to fund a mandatory cost-of-living increase rounded to the nearest dollar divisible by the number of payrolls paid annually for professional and scientific personnel and a mandatory cost-of-living increase rounded to the nearest dollar divisible by the number of payrolls paid annually and any normal merit increase rounded to the nearest dollar divisible by the number of payrolls paid annually for all employees under the state board of regents merit system except board office employees and employees included in subsection one (1) of this section as follows:

a. For positions for which the annual compensation is less than seven thousand dollars, an increase of ten percent.

b. For positions for which the annual compensation

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is less than fourteen thousand dollars but equal to or greater than seven thousand dollars, an increase of nine percent.

c. For positions for which the annual compensation is an amount equal to or greater than fourteen thousand dollars, an increase of seven percent.

However, the mandatory cost-of-living increase given an employee shall equal one-half of that provided under the provisions of this subsection if the salary of the employee is in excess of the pay grade for the classification to which the employee is assigned.

3. Miscellaneous and other expenses."

2. Renumber the sections and correct internal references in conformance with this amendment.

Senator Murray withdrew amendment S—4025 filed by him on June 3, 1975, and found on page 1713 of the Senate Journal.

Senator Hill of Jasper moved that the bill 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, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn	Miller of Marshall	Ramsey	Winkelman
Gluba		Redmond	
Griffin			

Nays, 3:

DeKoster	Lamborn	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 555** be **immediately messaged** to the House, which request was complied with.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 764

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House of Representatives on House File 764, a bill for an act relating to the Iowa income tax and making changes in individual income tax rates, exemptions, and administrative requirements, respectfully submit the following report:

1. That the Senate and House conferees failed to reach an agreement.

On the Part of the House:	On the Part of the Senate:
JAY MENNENGA, Chairman	LOWELL L. JUNKINS, Chairman
LINDA O. SVOBODA	LOUIS P. CULVER
ROBERT T. ANDERSON	WILLIAM N. PLYMAT
	FORREST V. SCHWENGELS
	BASS VAN GILST

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 215

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House of Representatives on House File 215, a bill for an act relating to farming by corporations, respectfully submit the following report:

1. That the Senate and House conferees failed to reach an agreement.

On the Part of the Senate:	On the Part of the House:
FRED W. NOLTING, Chairman	C. W. HUTCHINS, Chairman
IRVIN L. BERGMAN	ROLLIN K. HOWELL
C. JOSEPH COLEMAN	ARNOLD R. LINDEEN
NORMAN G. RODGERS	RAY LAGESCHULTE
RAY TAYLOR	OPAL MILLER

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 on May 29, 1975, receded from its amendment to the following bill:

Senate File 285, a bill for an act relating to the administration of state records and providing an appropriation.

Also: That the House on June 9, 1975, insists on its amendment to the following bill:

Senate File 504, a bill for an act making an appropriation to continue a study of the problems of Spanish-speaking persons.

Also: That the House has on June 9, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 549, a bill for an act making an appropriation to the Iowa law enforcement academy.

Also: That the House has on June 9, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 559, a bill for an act making an appropriation to the department of public instruction for the administration of driver education courses.

Also: That the House has on June 9, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 560, a bill for an act making an appropriation to the moneys and credits replacement fund.

Also: That the House has on June 9, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 561, a bill for an act creating and making an appropriation to the executive council general contingent fund.

Also: That the members of the second conference committee on the part of the House to consider the differences between the House and the Senate concerning House File 215, an act relating to farming by corporations, restricting the ownership of farming land by corporations, etc., are as follows: The Representative from Woodbury, Mr. Scheelhaase, chairman; the Representative from Greene, Mr. Perkins; the Representative from Cedar, Mr. Hinkhouse; the Representative from Hancock, Mr. Stromer; and the Representative from Grundy, Mr. Evans.

Also: That the members of the second conference committee on the part of the House to consider the differences between the House and the Senate concerning House File 764, an act relating to the Iowa income tax and making changes in individual income tax rates, exemptions, and administrative requirements, are as follows: The Representative from Worth, Mr. Norland, chairman; the Representative from Story, Mr. Hines; the Representative from Buchanan, Mr. Miller; the Representative from Polk, Mr. Readinger; and the Representative from Marshall, Mr. West.

Also: That the House has on June 10, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 887, a bill for an act making an appropriation to the state department of health to finance programs subject to administration by the department.

Also: That the House has June 10, 1975, passed the following bill in which the concurrence of the House was asked:

House File 905, a bill for an act relating to the inspection of grain by the department of agriculture and providing penalties for violations.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILL

Senate File 573, by committee on appropriations, a bill for an act relating to programs for elderly, handicapped, and lower income persons and persons in need of health care and making appropriations.

Read first time and **placed on calendar.**

HOUSE MESSAGE CONSIDERED

House File 905, a bill for an act relating to the inspection of grain by the department of agriculture and providing penalties for violations.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 48
By Committee on Energy

Whereas, Iowa and the nation are facing a serious national energy shortage because of the growing demand for energy and the increasing technological, economic, and environmental problems involved in meeting energy needs; and

Whereas, significant levels of conservation of energy and reclamation of valuable resources is possible through the recycling of waste; and

Whereas, nonrefillable beverage containers contribute to problems of unsightly litter and solid waste disposal; and

Whereas, returnable beverage containers use one-third as much energy as nonrefillable bimetal cans, glass bottles, and aluminum cans; and

Whereas, land for landfills has become increasingly difficult to locate and is costly to purchase; and

***Whereas*, the production of supplementary-fired solid waste boiler fuel appears to be economically attractive for those utilities which have coal burning boilers; *Now Therefore*,**

***Be It Resolved by the Senate, the House Concurring*, That the legislative council create a study committee, as provided by law, composed of members of both houses of the general assembly, to study the energy-related impacts of nonrefillable beverage containers and the feasibility of resource recovery systems as they relate to the waste disposal problem in this state and to solid waste management, which study shall include consideration of social, political, economic and energy aspects of the problem; and**

Be It Further Resolved, That the study committee may include nonlegislative members representing the Department of Environmental Quality, the State Department of Health, the Energy Policy Council, and other citizens who have demonstrated

Page 2

an interest in and knowledge of solid waste management, including representatives of management and labor, and that a report of the study shall be prepared and submitted to the legislative council and the members of the general assembly at the conclusion of the 1975 interim, which shall be accompanied by legislative bill drafts as necessary to carry out the recommendations of the committee.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 49
By Van Gilst, Nolting, DeKoster, Orr and Plymat

***Whereas*, the people of Iowa will soon experience difficulty in securing professional vision care because of the potential shortage of optometrists caused by the high average age of the practicing optometrists and the shortage of optometric colleges in the Midwest, and**

***Whereas*, the State of Iowa will need at least fifteen (15) to twenty (20) graduates of optometry**

each year to maintain the present doctor-patient ratio considering the expected population trend and the attrition rate of practicing optometrists, and

Whereas, there is a shortage of optometrists throughout the nation but especially so in the Midwest where there is only one educational center, and

Whereas, optometry is the only major health provider not having a professional college in Iowa, and

Whereas, there are at least two (2) of the Iowa educational centers interested in establishing a college of optometry which would solve our vision care needs, *Now Therefore*

Be It Resolved, that the Senate, the House of Representatives concurring, that the legislative council is authorized to create a study committee as

Page 2

provided by law composed of members of the Senate and House of Representatives representing both political parties to conduct a study during the 1975 legislative interim relating to the feasibility of establishing a college of optometry in Iowa. This study would concern itself with the following points:

1. Should Iowa have a college of optometry?
2. What costs are involved?
3. Where should this college be located?
4. If a college of optometry is not feasible, what steps should be taken to provide an adequate supply of optometrists for Iowa in the future; and

Be It Further Resolved, that the study committee shall prepare a report of its findings and submit it to the legislative council and members of the Sixty-sixth General Assembly of the 1976 session.

Read first time and passed on file.

APPOINTMENT OF SECOND CONFERENCE COMMITTEE

The Chair announced the appointment of the **second conference committee** on **House File 215**, on the part of the Senate: Senators Van Gilst, chairman; Sovern, Heying, Shaff and Murray.

APPOINTMENT OF SECOND CONFERENCE COMMITTEE

The Chair announced the appointment of the **second conference committee** on **House File 764**, on the part of the Senate: Senators Rodgers, chairman; Nolting, Gluba, Hill of Polk and DeKoster.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harriette J. Baum of Manchester, Delaware County,

Iowa, for reappointment as a member of the Energy Policy Council under the provisions of Section 93.2, Code 1975, for the regular one-year term beginning July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GENE W. GLENN, Chairman
WARREN E. CURTIS
RICHARD J. NORPEL, SR.
DALE L. TIEDEN
EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of James P. Fuller, Muscatine, Muscatine County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
LOWELL L. JUNKINS
ELIZABETH R. MILLER
W. R. RABEDEAUX
BASS VAN GILST

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Orren S. Olson, Humboldt, Humboldt County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM P. WINKELMAN, Chairman
C. JOSEPH COLEMAN
HILARIUS L. HEYING
JOHN S. MURRAY
STEVE SOVERN

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.C.R. 46 Rules and administration

S.C.R. 47 Rules and administration

H. F. 617 Commerce

H. F. 898 Appropriations

H. F. 901 Appropriations

H. F. 904 Appropriations

EXPLANATION OF VOTE

MR. PRESIDENT: I was absent from the Senate chamber when the Senate insisted on the Senate amendments to House File 764. Had I been present, I would have voted "aye" on the motion to insist.

FRED W. NOLTING

AMENDMENTS FILED

S—4118

Amend Senate File 571, page 4, lines 6 and 7, by striking the word and figure "twenty-five (425.25)" and inserting in lieu thereof the word and figure "twenty-six (425.26)".

WILLIAM E. GLUBA

S—4119

Amend Senate File 572, as follows:

1. Page 2, by striking lines 14 through 23.
2. Page 3, by striking lines 33 through 35.
3. Page 4, by striking lines 1 through 14.
4. By renumbering the sections and correcting internal references as necessary.

BERL E. PRIEBE

S—4124

Amend Senate File 573, as follows:

1. Page 6, line 25, by striking the word "year" and inserting in lieu thereof the word "years".
2. Page 6, line 25, by striking the figure "1975" and inserting in lieu thereof the figure "1974".
3. Page 8, by inserting after line 16 the following new section:

"Sec. 22. Upon this Act taking effect, sections one (1) through five (5) and seventeen (17) and twenty-one (21) shall be retroactive to July 1, 1974."

HILARIUS L. HEYING

S—4108

Amend House File 628, as amended and passed by the House as follows:

1. Page 2, by inserting before line 7 the following:

"Sec. ..... Section three hundred twenty-one point eighteen (321.18), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Any motor vehicle designed to carry nine passengers or more which is owned and used exclusively by a church or religious organization to transport passengers to and from activities of

or sponsored by the church or religious organization and which is not for rent or hire for purposes which are unrelated to the activities of the church or religious organization. Upon application and payment of an annual fee of five dollars, the department shall issue a registration certificate and shall also issue registration plates which shall have imprinted thereon the words 'Church Bus' and a distinguishing number assigned to the applicant. Such plates shall be attached to the front and rear of each vehicle exempt from registration under this subsection."

2. Page 2, by inserting before line 27 the following:

"Sec. ..... Section three hundred twenty-one point three hundred seventy-three (321.373), subsection five (5), Code 1975, is amended to read as follows:

5. Vehicles owned by private parties and used as school buses shall have reversed or covered the words 'school bus' wherever they appear on the vehicle when the vehicle is not in use as a school bus. It shall be unlawful to operate flashing stop warning signals on such privately-owned vehicles except as provided in section 321.372 *or when the privately-owned vehicle is used to transport children.*"

3. Page 3, by striking lines 2 and 3 and inserting in lieu thereof the following:

"the 'school bus' signs removed."

4. Page 3, by inserting after line 10 the following:

"Sec. ..... The provisions of section three hundred twenty-one point eighteen (321.18), subsection eight (8), shall be effective January 1, 1976, for registration fees payable on or after December 31, 1975, for registration plates issued for the calendar year beginning January 1, 1976, and ending December 31, 1976."

5. Renumber the sections and correct internal references in conformance with this amendment.

WILLIAM E. GLUBA
W. R. RABEDEAUX
RAY TAYLOR

S—4125

Amend House File 811 as amended and passed by the House, as follows:

1. Page 1, line 8 by striking "September 2," and by striking line 8a and insert in lieu thereof "December 31, 1946".

2. Page 1, line 17, by striking the number "27" and insert in lieu thereof the number "25".

CLIFTON C. LAMBORN
BERL E. PRIEBE

S—4121

Amend House File 825, page 30, by striking lines 11 through 28 and inserting in lieu thereof the following:

"5. Every broker-dealer and every issuer who employs agents in connection with any security or transaction not exempted either by section two hundred two (202) of this Act or section two hundred three (203) of this Act shall file and maintain with the administrator a bond conditioned that the broker-dealer or issuer shall properly account for any moneys or securities received from or belonging to another and shall pay, satisfy, and discharge any judgment or decree that may be rendered against such broker-dealer or issuer in a court of competent jurisdiction in a suit or action brought by a purchaser or seller of securities against such broker-dealer or issuer in which it shall be found or adjudged that such securities were sold or purchased by the broker-dealer or issuer in violation of this Act. Such bond may be drawn to cover the original license and any renewals thereof, and may contain a provision authorizing the surety therein to cancel upon thirty (30) days notice to the principal and the administrator.

Every such bond shall run in favor of the state of Iowa for the use and benefit of any person who sustains damages as a result of any breach of the conditions thereof, in the sum of fifteen thousand dollars and shall be in such form consistent with the provisions hereof as the administrator may prescribe, and shall be executed with surety or sureties satisfactory to the administrator. In suits against the surety upon such bond it shall not be necessary to join such broker-dealer or issuer as a party.

Banks or trust companies under the supervision of this state or of the United States which would otherwise be required under the provisions of this Act to file and maintain the bond required herein may execute said bond without surety.

One or more recoveries upon any such bond shall not vitiate the same but it shall remain in full force and effect, but the aggregate recoveries from the surety upon any such bond shall not exceed the full amount of the penal sum of the bond, and upon suits being commenced in excess of the amount of same the administrator may require additional bond, and if not given within ten days the administrator may revoke the registration of such broker-dealer or issuer.

GENE W. GLENN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 7:00 p.m., until 8:00 a.m., Wednesday, June 11, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JUNE 11, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Randall Cook, pastor of the First Baptist Church, Creston, Iowa.

The Journal of Tuesday, June 10, 1975, was approved.

PETITION

The following petition was presented and placed on file:

By Senator Kelly from fifteen residents of the State of Iowa favoring improvements in the Iowa Public Employees' Retirement System.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Nolin called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Jack L. Jennings, Sioux City, Woodbury County, Iowa, for reappointment to the Iowa Board of Examiners for Hearing Aid Dealers pursuant to Section 154A.2, 1975 Code of Iowa, for a regular three-year term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
LEONARD C. ANDERSEN
CLIFF BURROUGHS
GENE W. GLENN
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Nolin moved the appointment of Jack L. Jennings as a member of the Iowa Board of Examiners for Hearing Aid Dealers be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Andersen	Gluba	Nolin	Redmond
Bergman	Heying	Nolting	Rodgers
Briles	Hill of Polk	Norpel	Schwengels
Burroughs	Hultman	Nystrom	Scott
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Culver	Lamborn	Plymat	Taylor
Curtis	Merritt	Priebe	Van Gilst
Doderer	Miller of	Rabedeaux	Willits
Glenn	Des Moines	Ramsey	Winkelman

Nays, none.

Absent or not voting, 11:

DeKoster	Hansen	Miller of	Robinson
Gallagher	Hill of Jasper	Marshall	Shaff
Griffin	Junkins	Murray	Tieden

President Neu declared the appointment of Jack L. Jennings as a member of the Iowa Board of Examiners for Hearing Aid Dealers confirmed for the regular three-year term ending June 30, 1978.

Senator Priebe called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John C. Brophy of Lansing, Allamakee County, Iowa, for appointment as a member of the Iowa Conservation Commission under the provisions of Sections 107.1-4,1975 Code of Iowa, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
CHARLES P. MILLER
JOHN N. NYSTROM
CLOYD E. ROBINSON
DALE L. TIEDEN

The motion prevailed and the report was adopted.

Senator Priebe moved the appointment of John C. Brophy as a member of the State Conservation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Andersen	Griffin	Norpel	Rodgers
Bergman	Heying	Nystrom	Schwengels
Briles	Hill of Polk	Orr	Scott
Burroughs	Kelly	Palmer	Shaw
Carr	Kinley	Plymat	Sovern
Coleman	Lamborn	Priebe	Taylor
Culver	Merritt	Rabedeaux	Tieden
Curtis	Miller of	Ramsey	Van Gilst
DeKoster	Des Moines	Redmond	Willits
Doderer	Nolin	Robinson	Winkelman
Glenn	Nolting		

Nays, 1:

Gluba

Absent or not voting, 8:

Gallagher	Hultman	Miller of	Murray
Hansen	Junkins	Marshall	Shaff
Hill of Jasper			

President Neu declared the appointment of John C. Brophy as a member of the State Conservation Commission confirmed for the regular six-year term ending June 30, 1981.

Senator Nolin called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Conrad A. Amend, Des Moines, Polk County, Iowa, for appointment to the Transportation Regulation Board, Division of the Iowa Department of Transportation, pursuant to Section 307.15, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
JAMES E. BRILES
PHILIP B. HILL
CLOYD E. ROBINSON
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Nolin moved the appointment of Conrad A. Amend as a member of the Transportation Regulation Board, Division of the Iowa Department of Transportation, be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Griffin	Nolting	Rodgers
Bergman	Heying	Norpel	Schwengels
Briles	Hill of Polk	Nystrom	Scott
Burroughs	Hultman	Orr	Shaw
Carr	Kelly	Palmer	Sovern
Coleman	Kinley	Plymat	Taylor
Culver	Lamborn	Priebe	Tieden
Curtis	Merritt	Rabedeaux	Van Gilst
DeKoster	Miller of	Ramsey	Willits
Doderer	Des Moines	Redmond	Winkelman
Glenn	Nolin	Robinson	

Nays, 1:

Gluba

Absent or not voting, 7:

Gallagher	Hill of Jasper	Miller of	Murray
Hansen	Junkins	Marshall	Shaff

President Neu declared the appointment of Conrad A. Amend as a member of the Transportation Regulation Board, Division of the Iowa Department of Transportation, confirmed for an initial six-year term ending June 30, 1981.

Senator Nolin called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of James M. Duffy, Sioux City, Woodbury County, Iowa, for appointment to the State Board of Architectural Examiners pursuant to Section 118.1, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
JAMES W. GRIFFIN
E. KEVIN KELLY
MILO MERRITT
RICHARD J. NORPEL, SR.

The motion prevailed and the report was adopted.

Senator Nolin moved the appointment of James M. Duffy as a member of the State Board of Architectural Examiners be confirmed by the Senate.

Senator Tieden took the chair at 8:30 a.m.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Andersen	Bergman	Briles	Burroughs

Carr	Hultman	Nolting	Schwengels
Coleman	Junkins	Norpel	Scott
Culver	Kelly	Nystrom	Shaff
Curtis	Kinley	Orr	Shaw
DeKoster	Lamborn	Palmer	Sovern
Doderer	Merritt	Plymat	Taylor
Glenn	Miller of Des Moines	Priebe	Tieden
Gluba	Miller of Marshall	Rabedeaux	Van Gilst
Griffin	Nolin	Ramsey	Willits
Heying		Redmond	Winkelman
Hill of Polk		Rodgers	

Nays, none.

Absent or not voting, 5:

Gallagher	Hill of Jasper	Murray	Robinson
Hansen			

President Neu declared the appointment of James M. Duffy as a member of the State Board of Architectural Examiners confirmed for an initial term ending June 30, 1976.

HOUSE AMENDMENTS CONSIDERED

Senate File 38

Senator Lamborn called up for consideration Senate File 38, a bill for an act relating to the tax rate for nonowned cemetery property, amended by the House, and moved that the Senate concur in the following amendment:

S—4019

Amend Senate File 38, as amended and passed by the Senate, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred thirty-two point three (332.3), Code 1975, is amended by addng the following new subsections:

NEW SUBSECTION. To provide for the maintenance and improvement of cemeteries within the county.

NEW SUBSECTION. To levy taxes in the affected township, subject to the limitation imposed under sections three hundred fifty-nine point thirty (359.30) and three hundred fifty-nine point thirty-three (359.33) of the Code, and expend receipts from such taxes for the care and maintenance of township owned and nonowned cemeteries upon the failure of township officers to levy taxes in the township for the care and maintenance of such cemeteries as prescribed in sections three hundred fifty-nine point thirty (359.30) and three hundred fifty-nine point thirty-three (359.33) of the Code."

2. Amend the title, line 1, by striking the

words "tax rate for nonowned cemetery property" and inserting in lieu thereof the words "maintenance and improvement of cemetery property and permitting the levy of a tax".

The motion prevailed and the Senate concurred in House amendment S—4019.

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. 38) the vote was:

Ayes, 46:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Polk	Nolting	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Culver	Lamborn	Plymat	Taylor
Curtis	Merritt	Priebe	Tieden
DeKoster	Miller of Des Moines	Rabedeaux	Van Gilst
Doderer	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba		Robinson	
Griffin			

Nays, none.

Absent or not voting, 4:

Gallagher	Hansen	Hill of Jasper	Murray

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 303

Senator Lamborn called up for consideration Senate File 303, a bill for an act relating to the composition and appointment of members of the Iowa crime commission, amended by the House, and moved that the Senate concur in the following amendment:

S—4095

Amend Senate File 303, as amended and passed by the Senate, page 1, by striking lines 8 through 35 and inserting in lieu thereof the following:

"1. [Ten] *Five* members [shall be officials of cities or counties, appointed by the governor] *representative of law enforcement and criminal justice agencies maintaining programs to reduce and control crime, two of whom shall be officials of cities or counties, two of whom shall be officials of the state and one of whom shall be a representative of a juvenile justice agency.*

2. [Eleven] *Four citizen* members [concerned with and knowledgeable about the problems of criminal justice, appointed by the governor] *who have demonstrated knowledge and concern in the prevention and control of crime and delinquency. At least one citizen member shall be appointed to represent the citizens of the state who are affected by unemployment, low income or substandard housing.*

[3. Ten officials of the state, as follows:

a. The attorney general.

b. The commissioner of public safety.

c. The director of the division of criminal investigation and bureau of identification.

d. The director of the Iowa law enforcement academy.

e. The director of the adult corrections services of the department of social services.

f. The chief of the Iowa highway safety patrol.

The governor shall also appoint one state senator, one state representative, a member of the board of parole and a supreme court justice.

4.] The governor shall appoint an executive director of the commission who shall be his official representative, and who shall be the principal executive administrator of the commission [and shall also be a member of the commission].

All commissioners designated by the governor shall serve at the governor's pleasure. No member of the General".

2. Page 2, line 1, by inserting after the word "a" the word "voting".

The motion prevailed and the Senate concurred in House amendment S—4095.

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. 303) the vote was:

Ayes, 46:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Polk	Nolting	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Culver	Lamborn	Plymat	Taylor
Curtis	Merritt	Priebe	Tieden
DeKoster	Miller of Des Moines	Rabedeaux	Van Gilst
Doderer	Miller of Marshall	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba		Robinson	
Griffin			

Nays, none.

Absent or not voting, 4:

Gallagher	Hansen	Hill of Jasper	Murray

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 308

Senator Curtis called up for consideration Senate File 308, a bill for an act relating to the definition of finance charge in consumer credit transactions and providing an exception thereto, amended by the House, and moved that the Senate concur in the following amendment:

S—4096

Amend Senate File 308 as passed by the Senate as follows:

1. Page 1, line 11, by striking "*and*" and inserting in lieu thereof "*or*".

2. Page 1, line 15, by inserting after "*time*" the figure ",".

The motion prevailed and the Senate concurred in House amendment S—4096.

Senator Curtis 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. 308) the vote was:

Ayes, 44:

Andersen	Griffin	Nolin	Rodgers
Bergman	Heying	Norpel	Schwengels
Briles	Hill of Polk	Nystrom	Scott
Burroughs	Hultman	Orr	Shaff
Coleman	Junkins	Palmer	Shaw
Culver	Kelly	Plymat	Sovern
Curtis	Kinley	Priebe	Taylor
DeKoster	Lamborn	Rabedeaux	Tieden
Doderer	Miller of Des Moines	Ramsey	Van Gilst
Gallagher		Redmond	Willits
Glenn	Miller of Marshall	Robinson	Winkelman
Gluba			

Nays, 3:

Carr	Merritt	Nolting

Absent or not voting, 3:

Hansen	Hill of Jasper	Murray

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 550

Senator Willits called up for consideration Senate File 550, a bill for an act making supplementary appropriations to designated boards, amended by the House, and moved that the Senate concur in the following amendment:

S—4087
Amend Senate File 550 as follows:
1. Page 1, after line 21 insert the following:
"4. From the fund of the board of engineering examiners for salaries, support, maintenance, and miscellaneous purposes of the state board of engineering examiners ..... $3,000"

The motion prevailed and the Senate concurred in the House amendment S—4087.

Senate Willits 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. 550) the vote was:

Ayes, 46:

Andersen	Griffin	Nolin	Rodgers
Bergman	Heying	Nolting	Schwengels
Briles	Hill of Polk	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Sovern
Culver	Lamborn	Plymat	Taylor
Curtis	Merritt	Priebe	Tieden
DeKoster	Miller of Des Moines	Rabedeaux	Van Gilst
Doderer		Ramsey	Willits
Gallagher	Miller of Marshall	Redmond	Winkelman
Glenn		Robinson	
Gluba			

Nays, none.

Absent or not voting, 4:

Hansen	Hill of Jasper	Hultman	Murray

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

DEFERRED

Senator Kinley asked and received unanimous consent that action on **Senate File 569** be deferred and that the bill **retain its place on the calendar.**

CONSIDERATION OF BILLS

Senate File 572

On motion of Senator Priebe, Senate File 572, a bill for an act making an appropriation for and relating to social service programs including aging, drug abuse, and alcoholism programs, was taken up for consideration.

Senator Norpel withdrew amendment S—4093 filed by him on June 9, 1975, and found on page 1843 of the Senate Journal.

Senator Priebe offered amendment S—4119 filed by him:

S—4119
Amend Senate 572, as follows:
1. Page 2, by striking lines 14 through 23.
2. Page 3, by striking lines 33 through 35.
3. Page 4, by striking lines 1 through 14.
4. By renumbering the sections and correcting internal references as necessary.

Senator Priebe asked unanimous consent to withdraw the amendment.

Objection was raised.

Senator Priebe moved the adoption of amendment S—4119.

A non-record roll call was requested.

The ayes were 8, nays 39.

Amendment S—4119 lost.

Senator Priebe moved that the bill 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, 50:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 572** be **immediately messaged** to the House, which request was complied with.

ANNOUNCEMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the **conference committee** on **Senate File 507**, on the part of the Senate: Senators Hill of Jasper, chairman; Coleman, Glenn, Curtis and Schwengels.

CONSIDERATION OF BILLS

Senate File 353

On motion of Senator Coleman, Senate File 353, a bill for an act making an appropriation from the general fund of the state to the Iowa American revolution bicentennial commission, 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?" (S.F. 353) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Griffin	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 353** be **immediately messaged** to the House, which request was complied with.

House File 889

On motion of Senator Willits, House File 889, a bill for an act appropriating funds to the governor, lieutenant governor, office for planning and programming and the council of state governments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Action on House File 889 was temporarily deferred for the preparation of an amendment.

House File 899

On motion of Senator Willits, House File 899, a bill for an act relating to the printing and custody of cigarette and little cigar tax stamps, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 899) the vote was:

Ayes, 48:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Hansen			

Nays, none.

Absent or not voting, 2:

Gluba	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 900

On motion of Senator Willits, House File 900, a bill for an act to make an appropriation from the motor vehicle fuel tax fund to the state comptroller, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 900) the vote was:

Ayes, 47:

Andersen	Heying	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Rabedeaux	Willits
Gallagher	Miller of Marshall	Ramsey	Winkelman
Glenn		Redmond	
Hansen			

Nays, 1:

Tieden

Absent or not voting, 2:

Gluba	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 890

On motion of Senator Willits, House File 890, a bill for an act appropriating funds for the financing of programs under the administration of the Iowa employment security commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Taylor offered amendment S—4131 by Senators Taylor and Willits and moved its adoption:

S—4131

Amend House File 890 as amended and passed by the House, page 1, line 19A, by striking "$21,000.00 for".

Amendment S—4131 was adopted.

Senator Willits asked and received unanimous consent to withdraw amendment S—4105 by the committee on appropriations found on page 1841 of the Senate Journal.

Senator Willits moved that the bill 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. 890) the vote was:

Ayes, 48:

Andersen	Hansen	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Briles	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Griffin	Rabedeaux

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 825.

House File 825

On motion of Senator Glenn, House File 825, a bill for an act relating to the regulation of securities, and providing for the registration of securities and broker-dealers, prohibiting certain deceptive and manipulative transactions in securities, regulating broker-dealers, and providing civil remedies and criminal penalties for violations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn offered amendment S—4121 filed by him and moved its adoption:

S—4121

Amend House File 825, page 30, by striking lines 11 through 28 and inserting in lieu thereof the following:

"5. Every broker-dealer and every issuer who employs agents in connection with any security or transaction not exempted either by section two hundred two (202) of this Act or section two hundred three (203) of this Act shall file and maintain with the administrator a bond conditioned

that the broker-dealer or issuer shall properly account for any moneys or securities received from or belonging to another and shall pay, satisfy, and discharge any judgment or decree that may be rendered against such broker-dealer or issuer in a court of competent jurisdiction in a suit or action brought by a purchaser or seller of securities against such broker-dealer or issuer in which it shall be found or adjudged that such securities were sold or purchased by the broker-dealer or issuer in violation of this Act. Such bond may be drawn to cover the original license and any renewals thereof, and may contain a provision authorizing the surety therein to cancel upon thirty (30) days notice to the principal and the administrator.

Every such bond shall run in favor of the state of Iowa for the use and benefit of any person who sustains damages as a result of any breach of the conditions thereof, in the sum of fifteen thousand dollars and shall be in such form consistent with the provisions hereof as the administrator may prescribe, and shall be executed with surety or sureties satisfactory to the administrator. In suits against the surety upon such bond it shall not be necessary to join such broker-dealer or issuer as a party.

Banks or trust companies under the supervision of this state or of the United States which would otherwise be required under the provisions of this act to file and maintain the bond required herein may execute said bond without surety.

One or more recoveries upon any such bond shall not vitiate the same but it shall remain in full force and effect, but the aggregate recoveries from the surety upon any such bond shall not exceed the full amount of the penal sum of the bond, and upon suits being commenced in excess of the amount of same the administrator may require additional bond, and if not given within ten days the administrator may revoke the registration of such broker-dealer or issuer.

Amendment S—4121 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. 825) the vote was:

Ayes, 40:

Andersen	DeKoster	Heying	Miller of Des Moines
Bergman	Doderer	Hill of Jasper	Murray
Carr	Gallagher	Hill of Polk	Nolin
Coleman	Glenn	Junkins	Nolting
Culver	Gluba	Kelly	
Curtis	Hansen	Kinley	

Norpel	Priebe	Rodgers	Taylor
Nystrom	Rabedeaux	Scott	Tieden
Orr	Ramsey	Shaff	Willits
Palmer	Redmond	Shaw	Winkelman
Plymat	Robinson		

Nays, 1:

Sovern

Voting present, 4:

Burroughs	Merritt	Miller of Marshall	Schwengels

Absent or not voting, 5:

Briles	Hultman	Lamborn	Van Gilst
Griffin			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 573.

Senate File 573

On motion of Senator Gluba, Senate File 573, a bill for an act relating to programs for elderly, handicapped, and lower income persons and persons in need of health care and making appropriations, was taken up for consideration.

Senator Andersen offered amendment S—4132 by Senators Andersen and Priebe and moved its adoption:

S—4132

Amend Senate File 573 as follows:

1. Page 4, by striking lines 2 through 19.

2. Page 4, by striking line 35.

3. Page 5, by striking lines 1 through 4.

4. By renumbering the sections and subsections in accordance with this amendment.

Amendment S—4132 was adopted.

Senator Heying offered amendment S—4124 filed by him:

S—4124

Amend Senate File 573, as follows:

1. Page 6, line 25, by striking the word "year" and inserting in lieu thereof the word "years".

2. Page 6, line 25, by striking the figure "1975" and inserting in lieu thereof the figure "1974".

3. Page 8, by inserting after line 16 the following new section:

"Sec. 22. Upon this Act taking effect, sections one (1) through five (5) and seventeen (17) and twenty-one (21) shall be retroactive to July 1, 1974."

Senator Heying offered amendment S—4134 to amendment S—4124 and moved its adoption:

S—4134
Amend the Heying amendment S—4124 to Senate File 573 as follows:
1. Line 2, by striking "25" and inserting in lieu thereof "26".
2. Line 4, by striking "25" and inserting in lieu thereof "26".

Amendment S—4134 to amendment S—4124 was adopted.

On motion of Senator Heying, amendment S—4124 as amended was adopted.

Action on Senate File 573 was temporarily deferred.

Senate File 554

On motion of Senator Willits, Senate File 554, a bill for an act relating to interest rates for city bonds, was taken up for consideration.

Senator Willits moved that the bill 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:

Ayes, 46:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Briles	Heying	Nolting	Scott
Burroughs	Hill of Polk	Nystrom	Shaff
Carr	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Gluba		Robinson	

Nays, 1:
Hill of Jasper

Voting present, 1:
Coleman

Absent or not voting, 2:

Miller of Des Moines	Norpel

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 792

On motion of Senator Carr, House File 792, a bill for an act relating to the legal specifications for gasoline volatility, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Carr moved that the bill 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. 792) the vote was:

Ayes, 48:

Andersen	Griffin	Murray	Rodgers
Bergman	Hansen	Nolin	Schwengels
Briles	Heying	Nolting	Scott
Burroughs	Hill of Jasper	Nystrom	Shaff
Carr	Hill of Polk	Orr	Shaw
Coleman	Hultman	Palmer	Sovern
Culver	Junkins	Plymat	Taylor
Curtis	Kelly	Priebe	Tieden
DeKoster	Kinley	Rabedeaux	Van Gilst
Doderer	Lamborn	Ramsey	Willits
Gallagher	Merritt	Redmond	Winkelman
Glenn	Miller of Marshall	Robinson	
Gluba			

Nays, none.

Absent or not voting, 2:

Miller of Des Moines	Norpel

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT RECONSIDERED

Senate File 504

Senator Willits called up for reconsideration Senate File 504, a bill for an act making an appropriation to continue a study of the problems of Spanish-speaking persons, amended by the House, and moved to reconsider the vote by which the Senate refused to concur in House amendment S—3976 on June 2, 1975.

The motion prevailed, and the motion that the Senate refuse to concur in House amendment S—3976 was taken up for reconsideration.

Senator Willits asked and received unanimous consent to withdraw his motion that the Senate refuse to concur in House amendment S—3976.

Senator Willits moved that the Senate concur in House amendment S—3976.

The motion prevailed and the Senate concurred in House amendment S—3976.

Senator Willits 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. 504) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hill of Polk	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Tieden
DeKoster	Lamborn	Priebe	Van Gilst
Doderer	Miller of Des Moines	Rabedeaux	Willits
Glenn	Miller of Marshall	Ramsey	Winkelman
Gluba		Redmond	
Griffin			

Nays, 2:

Merritt Taylor

Absent or not voting, 1:

Gallagher

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Glenn called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harriette J. Baum of Manchester, Delaware County,

Iowa, for reappointment as a member of the Energy Policy Council under the provisions of Section 93.2, Code 1975, for the regular one-year term beginning July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GENE W. GLENN, Chairman
WARREN E. CURTIS
RICHARD J. NORPEL, SR.
DALE L. TIEDEN
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Glenn moved the appointment of Harriette J. Baum as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Andersen	Gluba	Merritt	Priebe
Bergman	Griffin	Miller of Des Moines	Rabedeaux
Burroughs	Hansen	Miller of Marshall	Ramsey
Carr	Hill of Jasper	Nolin	Redmond
Coleman	Hill of Polk	Norpel	Schwengels
Culver	Hultman	Nystrom	Scott
Curtis	Junkins	Palmer	Taylor
DeKoster	Kelly	Plymat	Tieden
Doderer	Kinley		Willits
Gallagher	Lamborn		Winkelman
Glenn			

Nays, none.

Absent or not voting, 11:

Briles	Nolting	Rodgers	Sovern
Heying	Orr	Shaff	Van Gilst
Murray	Robinson	Shaw	

President pro tempore Doderer declared the appointment of Harriette J. Baum as a member of the Energy Policy Council confirmed for the regular one-year term ending June 30, 1976.

Senator Rabedeaux called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Hal R. Hirleman of Cedar Rapids, Linn County, Iowa, for appointment as a member of the State Board of Medical Examiners under the provisions of Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave

to report that it has made investigation and recommends that the appointment be confirmed.

W. R. RABEDEAUX, Chairman
JAMES V. GALLAGHER
MILO MERRITT
RICHARD R. RAMSEY
JAMES M. REDMOND

The motion prevailed and the report was adopted.

Senator Rabedeaux moved the appointment of Hal R. Hirleman as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Glenn	Miller of Des Moines	Rabedeaux
Bergman	Griffin	Miller of Marshall	Ramsey
Briles	Hansen	Nolin	Redmond
Burroughs	Hill of Jasper	Nolting	Rodgers
Carr	Hill of Polk	Norpel	Schwengels
Coleman	Hultman	Nystrom	Scott
Culver	Junkins	Palmer	Shaw
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn		Willits
Gallagher	Merritt		Winkelman

Nays, 1:

Gluba

Absent or not voting, 7:

Heying	Orr	Shaff	Van Gilst
Murray	Robinson	Sovern	

President pro tempore Doderer declared the appointment of Hal R. Hirleman as a member of the State Board of Medical Examiners confirmed for an initial three-year term ending June 30, 1978.

Senator Andersen called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Alfred D. Wilson of Des Moines, Polk County, Iowa, for appointment to the State Board of Barber Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LEONARD C. ANDERSEN, Chairman
C. JOSEPH COLEMAN
PHILIP B. HILL
MILO MERRITT
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Andersen moved the appointment of Alfred D. Wilson as a member of the State Board of Barber Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Griffin	Miller of Des Moines	Ramsey
Bergman	Hansen	Miller of Marshall	Redmond
Briles	Hill of Jasper	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Coleman	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Willits
Gallagher	Merritt		Winkelman
Glenn			

Nays, 1:

Gluba

Absent or not voting, 9:

Burroughs	Orr	Robinson	Sovern
Heying	Plymat	Shaff	Van Gilst
Murray			

President pro tempore Doderer declared the appointment of Alfred D. Wilson as a member of the State Board of Barber Examiners confirmed for an initial term ending June 30, 1976.

CONSIDERATION OF BILLS

Senate File 573

The Senate resumed consideration of Senate File 573 temporarily deferred.

Senator Ramsey offered amendment S—4135 and moved its adoption:

S—4135
1 Amend Senate File 573 as follows:
2 1. Page 7, by striking lines 25 through 35.
3 2. Page 8, by striking lines 1 through 10.

A record roll call was requested.

On the question "Shall amendment S—4135 be adopted?" (S.F. 573) the vote was:

Ayes, 13:

Briles	Hultman	Nolin	Schwengels
Burroughs	Lamborn	Plymat	Taylor
Curtis	Murray	Ramsey	Tieden
Hansen			

Nays, 29:

Andersen	Glenn	Miller of Des Moines	Palmer
Bergman	Gluba	Miller of Marshall	Redmond
Carr	Griffin	Nolting	Rodgers
Coleman	Hill of Polk	Norpel	Scott
Culver	Junkins	Nystrom	Shaw
DeKoster	Kelly	Orr	Willits
Doderer	Kinley		Winkelman
Gallagher	Merritt		

Absent or not voting, 8:

Heying	Priebe	Robinson	Sovern
Hill of Jasper	Rabedeaux	Shaff	Van Gilst

Amendment S—4135 lost.

Senator Gluba moved that the bill 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:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hill of Polk	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			Winkelman
Gluba			

Nays, 2:

Merritt	Nolin

Absent or not voting, 1:

Ramsey

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 573 be immediately messaged** to the House, which request was complied with.

House File 895

On motion of Senator Priebe, House File 895, a bill for an act making an appropriation to the department of social services and divisions of the department for the purpose of funding social service programs and providing for their administration, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel offered amendment S—4102 filed by him and moved its adoption:

S—4102
Amend House File 895 as amended and passed by the House by striking on page 1, line 10, the figure "7,356,163", and inserting in lieu thereof the figure "6,856,163".

Senator Griffin took the chair at 2:15 p.m.

A record roll call was requested.

On the question "Shall amendment S—4102 be adopted?" (H.F. 895) the vote was:

Ayes, 6:

Merritt	Norpel	Schwengels	Taylor
Nolin	Ramsey		

Nays, 41:

Andersen	Gluba	Miller of	Rabedeaux
Bergman	Griffin	Des Moines	Redmond
Burroughs	Heying	Miller of	Robinson
Carr	Hill of Jasper	Marshall	Rodgers
Coleman	Hill of Polk	Murray	Scott
Culver	Hultman	Nolting	Shaff
Curtis	Junkins	Nystrom	Sovern
DeKoster	Kelly	Orr	Tieden
Doderer	Kinley	Palmer	Van Gilst
Gallagher	Lamborn	Plymat	Willits
Glenn		Priebe	Winkelman

Absent or not voting, 3:

Briles	Hansen	Shaw

Amendment S—4102 lost.

Senator Gluba offered amendment S—4089 filed by Senators Gluba, Murray and Doderer, moved its adoption and requested a record roll call:

S—4089
Amend House File 895 as amended and passed by the House, page 2, line 32, by inserting after the word "children" the words ", which shall be paid at a rate not less than eighty-five percent of the 1975 standard of need during the fiscal year for which this appropriation is made."

On the question "Shall amendment S—4089 be adopted?" (H.F. 895) the vote was:

Ayes, 17:

Briles	Heying	Miller of	Plymat
Carr	Hill of Polk	Des Moines	Redmond
Coleman	Kelly	Murray	Robinson
Doderer	Lamborn	Orr	Sovern
Gluba			

Willits

Nays, 31:

Andersen	Griffin	Nolin	Schwengels
Bergman	Hansen	Nolting	Scott
Burroughs	Hill of Jasper	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Priebe	Tieden
Gallagher	Miller of Marshall	Ramsey	Van Gilst
Glenn		Rodgers	Winkelman

Absent or not voting, 2:

Hultman Rabedeaux

Amendment S—4089 lost.

President pro tempore Doderer took the chair at 3:36 p.m.

Senator Gluba withdrew amendments S—4090 and S—4092 filed by him on June 9, 1975, and found on page 1844 of the Senate Journal.

Senator Norpel withdrew amendments S—4100, S—4101 and S—4099, filed by him on June 9, 1975, and found on page 1844 of the Senate Journal.

Senator Nystrom offered amendment S—4139 by Senators Nystrom, et al.:

S—4139

Amend House File 895 as amended and passed by the House, page 3, by inserting after line 26 the following:

"7. The attorney general shall have supervisory power over the child support recovery program and the funds appropriated therefor in the foregoing subsections, including the power to appoint assistant attorneys general who shall be paid from those funds. The attorney general shall enforce all laws for the recovery of child support from responsible relatives, and shall have the power to file and prosecute:

a. Contempt of court proceedings to enforce any court order pertaining to child support.

b. Cases under the Uniform Reciprocal Enforcement of Support Act.

c. An information charging desertion under the provisions of chapter seven hundred thirty-one (731) of the Code.

d. Any other appropriate action which will accomplish collection of support for minor children.

For the purposes of this subsection, the attorney general shall have power to commence, file and prosecute in the proper jurisdiction any action or information which the county attorney could file or prosecute in that jurisdiction."

Senator Lamborn moved that the rules governing germaneness under Sec. 402, Mason's Manual of Legislative Procedure, be suspended for the purpose of considering amendment S—4139.

On the question "Shall the motion to suspend Sec. 402, Mason's Manual of Legislative Procedure, be adopted?" (H.F. 895) the vote was:

Rule 25 was invoked.

Ayes, 19:

Andersen	Hansen	Nystrom	Shaff
Bergman	Hultman	Plymat	Taylor
Briles	Lamborn	Rabedeaux	Tieden
Burroughs	Miller of Marshall	Ramsey	Winkelman
Curtis		Schwengels	
Griffin			

Nays, 31:

Carr	Hill of Jasper	Murray	Robinson
Coleman	Hill of Polk	Nolin	Rodgers
Culver	Junkins	Nolting	Scott
DeKoster	Kelly	Norpel	Shaw
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	
Heying			

The motion lost.

Senator Hill of Polk raised the point of order that amendment S—4139 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4139 out of order.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Doderer presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

House File 895

The Senate resumed consideration of House File 895.

Senator Tieden offered amendment S—4138:

S—4138

Amend House File 895, as amended and passed by the House, as follows:

1. Page 5, line 3, by striking the word "section" and inserting in lieu thereof the word "sections".

2. Page 5, by inserting after line 7 the following:

"NEW SECTION. **CERTAIN FRAUDS AS FELONIES. Any person who violates section two hundred thirty-four point eleven (234.11), unnumbered paragraph two (2), two hundred thirty-nine point fourteen (239.14), two hundred forty-nine point eleven (249.11), or two hundred forty-nine A point seven (249A.7) of the Code and thereby obtains or aids or abets another person in wrongfully obtaining federal commodities or food stamps, aid to dependent children payments, state supplementary assistance payments or medical assistance having a value of one hundred fifty dollars or more, within a period of six months or less, is guilty of a felony, notwithstanding the provisions of those respective sections which define violations as misdemeanors. A person convicted of an offense defined by this section as a felony shall be punished by imprisonment in the penitentiary for not more than five years, a fine of not more than one thousand dollars, or both such imprisonment or fine."**

3. Page 5, by inserting after line 27 the following:

"Sec. ..... Section two hundred thirty-four point eleven (234.11), unnumbered paragraph two (2), Code 1975, is amended to read as follows:

Each county shall participate in federal commodity **or food stamp program.** ***Any person who obtains federal commodities or food stamps by misrepresentation or by failure with fraudulent intent to bring forth all facts required by state or federal laws or rules, or who knowingly makes false statements concerning any other person's eligibility for federal commodities or food stamps, is guilty of a misdemeanor.***"

4. By renumbering the succeeding sections of the bill accordingly.

5. Title page, line 4, by inserting after the word "administration" the words ", defining certain violations of laws administered by the department as felonies and prescribing penalties".

Senator Rodgers raised the point of order that amendment S—4138 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4138 out of order.

Senator Gluba offered amendment S—4091 filed by him and moved its adoption:

S—4091

Amend House File 895 as amended and passed by the House, page 6, line 6, by striking the word "nineteen" and inserting in lieu thereof the word "twenty-one".

A record roll call was requested.

On the question "Shall amendment S—4091 be adopted?" (H.F. 895) the vote was:

Ayes, 12:

Carr	Kelly	Plymat	Robinson
Doderer	Nystrom	Ramsey	Sovern
Gluba	Orr	Redmond	Willits

Nays, 34:

Andersen	Hansen	Miller of Des Moines	Rodgers
Bergman	Heying	Murray	Schwengels
Burroughs	Hill of Jasper	Nolin	Scott
Coleman	Hill of Polk	Nolting	Shaff
Culver	Hultman	Norpel	Shaw
Curtis	Junkins	Palmer	Taylor
DeKoster	Kinley	Priebe	Tieden
Glenn	Lamborn	Rabedeaux	Winkelman
Griffin	Merritt		

Absent or not voting, 4:

Briles	Gallagher	Miller of Marshall	Van Gilst

Amendment S—4091 lost.

Senator Priebe moved that the bill 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. 895) the vote was:

Ayes, 45:

Andersen	Griffin	Nolin	Robinson
Bergman	Hansen	Nolting	Rodgers
Burroughs	Heying	Norpel	Scott
Carr	Hill of Jasper	Nystrom	Shaff
Coleman	Hill of Polk	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn	Murray	Redmond	Winkelman
Gluba			

Nays, 3:

Hultman	Merritt	Schwengels

Absent or not voting, 2:

Briles	Miller of Marshall

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 Winkelman withdrew the motion to reconsider the vote by which **Senate File 273** passed the Senate filed by him on June 10, 1975.

CONSIDERATION OF BILLS

House File 889

The Senate resumed consideration of House File 889 temporarily deferred.

Senator Ramsey offered amendment S—4141 by Senators Ramsey, et al.:

S—4141

Amend House File 889, as passed by the House, as follows:

1. Page 1, by inserting after line 12 the following:

"c. For the salaries, support, and maintenance of a state information and liaison office as provided in sections two (2), three (3) and four (4) of this Act.....$50,000"

2. Page 2, by inserting after line 12, the following:

"Sec. 2. *NEW SECTION.* STATE INFORMATION AND LIAISON OFFICE CREATED. There is created a state information and liaison office located in Washington, D.C. The purpose of this office shall be to advise the governor, members of the general assembly, the judicial branch of government and the agencies of the state and its political subdivisions of federal action affecting them and to keep the various branches of the federal government informed of the interests of this state.

Sec. 3. *NEW SECTION.* DIRECTOR APPOINTED—QUALIFICATIONS. The governor shall, with the approval of the senate, appoint a director of the state information and liaison office. The director shall serve at the pleasure of the governor and shall employ necessary staff for the office. The director and his staff shall be politically nonpartisan and shall not participate in any partisan political activities.

Sec. 4. *NEW SECTION.* DUTIES. The duties of the director shall be:

1. To cooperate with members of the Iowa congressional delegation.

2. To assist and advise the governor, members of the general assembly, members of the judiciary and agencies of the state and its political subdivisions in developing sources of federal funds.

3. To assist and advise the agencies of the state and its political subdivisions in representing their interests before the federal government and its

agencies.
4. To cooperate with the office of programming and planning in operating as a clearinghouse for state applications for federal funds.
5. To perform other services and duties to aid the state and its political subdivisions to become knowledgeable about and be represented before agencies of the federal government.
6. To file a copy of any report or information from the office of state information and liaison with

Page 2

the secretary of the senate and chief clerk of the house of the general assembly."
3. Page 2, line 13, by striking the number "2" and inserting in lieu thereof the number "5".
4. Page 2, line 17, by striking the number "3" and inserting in lieu thereof the number "6".

Senator Ramsey offered amendment S—4143 to amendment S—4141:

S—4143
Amend the Ramsey, et al., amendment S—4141 to House File 889 on page 2 by inserting after line 2 the following new subsection:
"7. To advise the general assembly of all proposed federal legislation or administrative action which would grant federal funds contingent upon passage of legislation by the general assembly or other matters which may be of interest to the general assembly."

Senator Willits raised the point of order that amendment S—4141 was not germane to the bill.

The Chair ruled the point well taken and amendments S—4141 and S—4143 out of order.

Senator Willits moved that the bill 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. 889) the vote was:

Ayes, 44:

Andersen	Heying	Nolin	Robinson
Bergman	Hill of Jasper	Nolting	Rodgers
Carr	Hill of Polk	Norpel	Schwengels
Coleman	Junkins	Nystrom	Scott
Culver	Kelly	Orr	Shaff
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Gallagher	Merritt	Priebe	Tieden
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Gluba	Murray	Ramsey	Willits
Griffin		Redmond	Winkelman
Hansen			

Nays, none.

Absent or not voting, 6:

Briles	Doderer	Miller of	Shaw
Burroughs	Hultman	Marshall	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Norpel took the chair at 6:25 p.m.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 571.

Senate File 571

On motion of Senator Gluba, Senate File 571, a bill for an act relating to the reimbursement for property taxes paid and rent constituting property taxes paid for persons sixty-five years of age or older or totally disabled, was taken up for consideration.

Senator Gluba offered amendment S—4118 filed by him and moved its adoption:

S—4118

Amend Senate File 571, page 4, lines 6 and 7, by striking the word and figure "twenty-five (425.25)" and inserting in lieu thereof the word and figure "twenty-six (425.26)".

Amendment S—4118 was adopted.

Action on Senate File 571 was temporarily deferred for the preparation of an amendment.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 545.

Senate File 545

On motion of Senator Rodgers, Senate File 545, a bill for an act relating to the effective date of equalization orders issued by the director of revenue, was taken up for consideration.

Senator Rodgers offered amendment S—4011 filed by Senators Rodgers and Shaff and moved its adoption:

S—4011

Amend Senate File 545 as follows:

1. Page 1, line 9, by inserting after the word *"county"* the words *"or assessing"*.

2. Page 1, line 11, by striking the words "or otherwise" and inserting in lieu thereof the words [or otherwise] *and other city or county officials"*.

3. Page 1, by striking lines 20 through 35 and

page 2, by striking lines 1 through 15 and inserting in lieu thereof the following:

"441.49 ADJUSTMENT BY COUNTY AUDITOR. The director shall keep a record of the review and adjustment proceedings and finish such proceedings on or before the third Monday of October. The director shall notify each county auditor by mail of the final action taken at the proceedings and specify any adjustments in the valuations of any kind or class of property to be made effective for the jurisdiction. The director shall adjust the valuation when there is a variation of five percent above or below the market value. The county auditor shall notify by publication in official newspapers of general circulation any class or classes of property affected by an equalization order. The county auditor shall thereupon add to or deduct from the valuation of each kind or class of property in his county the required percentage, rejecting all fractions of fifty cents or less in the result, and counting all fractions over fifty cents as one dollar.

The local board of review shall reconvene in special session from November first to November thirtieth for the purpose of hearing any and all protests that any affected property owner or taxpayer within the jurisdiction of the board may have, whose valuation of property, if adjusted pursuant to the property valuation notice issued by the director of revenue to the county auditor of the county would result in a greater taxable value than permitted under section four hundred forty-one point twenty-one (441.21) of the Code and where the property owner or taxpayer is able to show to the satisfaction of the local board of review that an inequity would result if the provisions of the notice would be applied to his property. The local board of review shall accept protests only during the first ten days following the date the local board of review reconvenes. The local board of review may recommend to the director an adjustment to all or a part of the percentage increase ordered by the director of revenue, by adjusting the taxable value of the property to one hundred percent of actual value. Any adjustment so

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recommended by the local board of review shall not exceed the percentage increase provided for in the director's notice. The recommendation of the local board of review at the special session shall be reported to the director of revenue.

Sec. 3. Section four hundred forty-two point two (442.2), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Each school district shall cause to be levied each year, for the school general fund, a foundation

property tax of five dollars and forty cents per thousand dollars of assessed valuation on all taxable property in the district. For the purpose of this chapter, a school district is defined as a school corporation organized under chapter 274. Each county auditor shall certify to each school district within the county and to the state comptroller, not later than [October 1] *January first* each year, the assessed valuation of taxable property for the current year in each school district within the county.

Sec. 4. Section four hundred forty-two point nine (442.9), subsection two (2), Code 1975, is amended to read as follows:

2. No later than [August 1] *May first* of each year, the state comptroller shall notify the county auditor of each county the amount, in dollars and cents per thousand dollars of assessed value, 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."

Amendment S—4011 was adopted.

President pro tempore Doderer took the chair at 7:43 p.m.

Senator Rodgers moved that the bill 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, 34:

Andersen	Gluba	Miller of Des Moines	Redmond
Bergman	Hansen	Murray	Rodgers
Carr	Heying	Nolin	Schwengels
Culver	Hill of Jasper	Nolting	Scott
Curtis	Junkins	Norpel	Shaff
DeKoster	Kinley	Orr	Taylor
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn			Winkelman

Nays, 7:

Griffin	Kelly	Palmer	Sovern
Hill of Polk	Nystrom	Robinson	

Absent or not voting, 9:

Briles	Hultman	Rabedeaux	Shaw
Burroughs	Miller of Marshall	Ramsey	Tieden
Coleman			

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 545 passed the Senate on June 11, 1975.

NORMAN G. RODGERS

Senate File 571

The Senate resumed consideration of Senate File 571 temporarily deferred.

Senator Orr offered amendment S—4152 and called for a division of the amendment as follows:

S—4152

Amend Senate File 571, as follows:

Division S—4152A

1. Page 3, line 17 by inserting after "(2)" the following:

"and insert in lieu thereof the following:

2. 'NET WORTH' means the total assets of a person less his total liabilities as of December 31 of the base year. The value of property shall be its market value as defined in section four hundred forty-one point twenty-one (441.21). Any person with a net worth exceeding fifty thousand dollars shall not be eligible for any credit under section four hundred twenty-five point nineteen (425.19) of the Code, as amended by Senate File 78, Acts of the Sixty-sixth General Assembly."

Division S—4152B

2. Page 4, by striking lines 6 through 10.

Senator Orr withdrew divisions S—4152A and S—4152B of the amendment.

Senator Shaw offered amendment S—4151:

S—4151

Amend Senate File 571, as follows:

1. Page 1, line 14, by striking the word "*and*".

2. Page 1, lines 15, 16 and 17 by striking the words "[, and that part of net worth considered as income under subsection 2]" and inserting in lieu thereof the words: ", and that part of net worth considered as income under subsection 2".

3. Page 1, by inserting after line 19 the following:

"2. 'NET WORTH' means the total assets of a person less his total liabilities as of December 31 of the base year. The value of property shall be its market value as defined in section 441.21. For purposes of computing a person's income, ten percent of his net worth exceeding [thirty-five] *fifty* thousand dollars shall be considered as income."

4. Page 3, by striking lines 15 through 17.

5. Page 4, by striking lines 6 through 10.

6. Page 1, line 2, by inserting after "(1)," the following: "two (2),".

Senator Shaw offered amendment S—4153 to amendment S—4151 and moved its adoption:

S—4153

Amend the Shaw amendment S—4151 to Senate File 571, on line 14 by striking "[thirty-five] *fifty*" and inserting in lieu thereof the words "thirty-five".

Amendment S—4153 to amendment S—4151 was adopted.

Senator Shaw moved the adoption of amendment S—4151 as amended and requested a record roll call.

On the question "Shall amendment S—4151 as amended be adopted?" (S.F. 571) the vote was:

Ayes, 13:

DeKoster	Gluba	Miller of	Orr
Doderer	Hill of Jasper	Des Moines	Priebe
Gallagher	Kelly	Nystrom	Shaw
Glenn	Lamborn		

Nays, 28:

Andersen	Heying	Nolting	Schwengels
Bergman	Hill of Polk	Norpel	Scott
Carr	Junkins	Palmer	Shaff
Culver	Kinley	Plymat	Sovern
Curtis	Merritt	Redmond	Van Gilst
Griffin	Murray	Robinson	Willits
Hansen	Nolin	Rodgers	Winkelman

Absent or not voting, 9:

Briles	Hultman	Rabedeaux	Taylor
Burroughs	Miller of	Ramsey	Tieden
Coleman	Marshall		

Amendment S—4151 as amended lost.

Senator Gluba moved that the bill 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:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Carr	Hill of Polk	Nolting	Schwengels
Culver	Junkins	Norpel	Scott
Curtis	Kelly	Nystrom	Shaff
DeKoster	Kinley	Orr	Sovern
Doderer	Lamborn	Palmer	Van Gilst
Gallagher	Merritt	Plymat	Willits
Glenn	Miller of	Priebe	Winkelman
Gluba	Des Moines	Redmond	
Griffin			

Nays, 2:

Hill of Jasper Shaw

Absent or not voting, 9:

Briles	Hultman	Rabedeaux	Taylor
Burroughs	Miller of	Ramsey	Tieden
Coleman	Marshall		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 571** be **immediately messaged** to the House, which request was complied with.

WITHDRAWN

Senator Rodgers asked and received unanimous consent that **Senate File 179** 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 on June 11, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 491, a bill for an act relating to the licensing and registration of child day care facilities and providing a penalty.

Also: That the House has on June 10, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 496, a bill for an act relating to gambling, and providing penalties.

Also: That the House has on June 9, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 525, a bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties.

Also: That the House has on June 11, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 66, a bill for an act to impose a maximum fifty-five miles per hour speed limit on the public highways of this state.

Also: That the House has on May 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 843, a bill for an act relating to the width of certain vehicles or loads on such vehicles.

Also: That the House has on June 10, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 907, a bill for an act relating to a fruit-tree and forest reservation which may qualify for a tax exemption.

Also: That the House has on June 10, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 908, a bill for an act to amend chapter three hundred ninety (390) of the Code relating to the authority of cities to participate in and finance jointly-owned facilities for the generation, acquisition, or transmission of electric energy.

Also: That the House has on June 11, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 910, a bill for an act making an appropriation to the department of transportation to be used to reimburse nonprofit civic leagues or organizations for towing expenses incurred in the collection of abandoned motor vehicles.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 491

S—4149

Amend Senate File 491, as amended, passed and reprinted by the Senate as follows:

1. Page 4, line 34, by striking line 34 and inserting in lieu thereof the following:

"237A.4 [EXAMINATIONS] *INSPECTION AND EVALUATION.* [The] *The local boards of health shall make periodic inspections of licensed centers to insure compliance with licensing requirements provided in this chapter. In those instances where no local board of health exists then the*".

2. Page 7, by inserting after line 35 the following: "building shall take into consideration that children are".

3. Page 9, line 13, by inserting after the word "be" the words "a member of".

HOUSE AMENDMENT TO SENATE FILE 496

S—4144

Amend Senate File 496 as amended, passed and reprinted by the Senate as follows:

1. Page 3, by striking lines 5 and 6, and inserting in lieu thereof the words "2. A person issued a license pursuant to this chapter shall".

2. Page 7, by striking lines 3 through 21, and inserting in lieu thereof the following:

"a. The holder of the liquor control license or beer permit has submitted to the beer and liquor control department on forms provided by that department a certification by the licensee that the licensee intends to permit gambling on the premises and that the licensee will comply with the applicable provisions of this chapter and chapter one hundred twenty-three (123) of the Code, subject to the penalties provided by law."

3. Page 7, line 25, by inserting after the word "activities" the words ", except as a participant while playing on the same basis as every other participant".

4. Page 8, line 18, by striking the word "wage" and inserting in lieu thereof the word "wager".

5. Page 8, by striking lines 26 through 31.

6. Page 8, by striking lines 32 through 35, and inserting in lieu thereof the following:

"2. The holder of a liquor control license or beer permit shall be strictly accountable for maintaining compliance with subsection one (1) of this

section on the premises of that licensee or permittee. Proof of any violation of subsection one (1) of this section shall constitute grounds for suspension or revocation of the liquor control license or beer permit, when the holder of the license or permit had knowledge of the facts constituting the violation."

7. Page 9, by striking lines 1 and 2.

8. Page 9, by striking lines 7 through 14 and inserting in lieu thereof the following:

"4. The holder of a liquor control license or beer permit and every agent of a licensee or permittee who is required by that licensee or permittee to exercise control over the use of the premises covered by the liquor control license or beer permit who knowingly permits or engages in acts or omissions which constitute a violation of subsection one (1) of this section commits a misdemeanor. A licensee or permittee has knowledge of acts or omissions if any agent of the licensee or permittee has knowledge of those acts or omissions."

9. Page 11, by inserting after line 31 the following paragraph:

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"The board of directors of a school district may authorize that public schools within that district, and the policy-making body of a nonpublic school, may authorize that games of skill, games of chance, bingo and raffles may be held at bona fide school functions, such as carnivals, fall festivals, bazaars and similar events. Each school shall obtain a license pursuant to this section prior to permitting such games or activities on the premises."

10. Page 13, line 26, by inserting after the word "permit" the words "unless such location has been certified pursuant to section eight (8) of this Act as premises upon which gambling is allowed".

11. Page 13, line 29, by inserting after the words "this section" the words ", or sponsors the event on premises otherwise certified pursuant to section eight (8) or section eleven (11) of this Act,".

12. Page 18, line 33, by striking the word "or".

13. Page 18, line 34, by inserting after the numeral "(10)" the words ", or section eleven (11)".

14. Page 22, by inserting after line 15 the following:

"*NEW SECTION.* COMPANY GAMES. Games of skill, games of chance, card games and raffles may be conducted on premises either licensed or unlicensed and no license fee shall be required therefor provided a bona fide social, employment, trade or professional association relationship exists between the sponsors and the participants and the participants

pay no consideration of any nature, either directly or indirectly, to participate in the games or raffles, and only play money or other items of no intrinsic value which may be wagered are provided to the participant free, and the sponsor conducting the game or raffle receives no consideration, either directly or indirectly, other than goodwill.

Any gambling device intended for use or used as herein provided shall be exempt from the provisions of section twenty (20) of this Act.

Sec. ..... Section one hundred twenty-three point thirty-nine (123.39), Code 1975, is amended by adding the following new subsection:

7. *NEW SUBSECTION.* Proof of a violation of subsection one (1) of section eight (8) of this Act which occurred on the premises covered by the license or permit."

15. Page 22, by inserting after line 26 the

Page 3

following new section:

"Sec. ..... Section one hundred twenty-three point fifty (123.50), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The department or a local authority shall suspend or revoke a liquor control license or beer permit upon proof of any violation of chapter ninety-nine B (99B) of the Code, relating to gambling, which violation occurred on the premises covered by the liquor control license or beer permit. Suspension or revocation shall be ordered pursuant to the following:

a. Upon proof of a first violation the license or permit shall be suspended for a period of fourteen days.

b. Upon proof of a second violation within a period of two years, the license or permit shall be suspended for a period of thirty days.

c. Upon proof of a third violation within a period of five years, the license or permit shall be suspended for a period of sixty days.

d. Upon proof of a fourth violation within a period of five years, the license or permit shall be revoked."

16. Page 25, by striking from lines 9 and 17 the words "in the state penitentiary".

17. Page 25, by striking lines 16 through 19 and inserting in lieu thereof the following: "misdemeanor."

18. By renumbering sections of the bill and correcting internal references in conformity with this amendment.

HOUSE AMENDMENT TO SENATE FILE 525

S—4145

Amend Senate File 525 as amended, passed and

reprinted by the Senate, as follows:

1. Page 1, line 31, by inserting after the second word "of" the word "[age,]".

2. Page 2, line 18, by inserting after the second word "of" the word "[age,]".

3. Page 4, by inserting after line 21 the following new subsections:

"15. 'Nursing care' means those services which can be provided only under the direction of a registered nurse or a licensed practical nurse.

16. 'Social services' means services relating to the psychological and social needs of the individual in adjusting to living in a health care facility, and minimizing stress arising from that circumstance.

17. 'Rehabilitative services' means services to encourage and assist restoration of optimum mental and physical capabilities of the individual resident of a health care facility."

4. Page 14, line 12 by striking the word **"designee" and inserting in lieu thereof the words** *"or her* designee *and with industry, professional and consumer groups affected thereby".*

5. Page 15, line 10, by inserting after the period the words *"Staff-to-resident ratios established under this subsection need not be the same for facilities holding different types of licenses, nor for facilities holding the same type of license if there are significant differences in the needs of residents which the respective facilities are serving or intend to serve."*

6. Page 15, line 7, by striking the word *"specified"* and inserting in lieu thereof the word *"minimum".*

7. Page 15, line 19, by striking the words *"not to exceed twelve months".*

8. Page 16, line 14, by inserting after the period the following new sentence: *"The inspector shall identify himself or herself to the person in charge of the facility and state that an inspection is to be made before beginning the inspection."*

9. Page 17, lines 8 and 9 by striking the words *"to operation of the facility and".*

10. Page 18, line 16, by inserting after the period the following:

"When the findings are made public, they shall include no reference to any cited violation which has been corrected to the department's satisfaction unless the same reference also clearly notes that the violation has

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been corrected."

11. Page 19, line 23, by inserting after the word "offense" the words *"or chargeable offense".*

12. Page 20, lines 28 and 29, by striking the words "or such longer period as the department may

by rule require" and inserting in lieu thereof the words "[or such longer period as the department may by rule require]".

13. Page 23, by inserting after line 26 the following:

"5. a. The provisions of this section notwithstanding, the district court may enter an order appointing the administrator of a county care facility as guardian of the person or of the property, or both, of a resident of the county care facility, if the county board of supervisors has so petitioned the court. Notice and hearing on the petition and order are not required. The administrator of a county care facility may establish either separate or consolidated bank accounts for cash funds of residents over whom guardianship has been granted to the administrator. The administrator shall maintain records as required by the auditor of state to account for receipts and disbursements of the residents' cash or property, and shall file a report on the status of the people and property over which he or she has been granted guardianship with the county care facility's care review committee on July first and January first of each year.

b. The board of supervisors shall not petition the district court for appointment of the county care facility administrator as guardian of the person or the property, or both, of a resident of the facility unless the county has made every reasonable effort to have guardianship assumed by a person related to the resident within the third degree of consanguinity. The board may so petition the court not less than ninety days after sending to all of the resident's known relatives of that degree a notice stating that it is proposed that the county care facility administrator be appointed guardian. The court may grant limited guardianship, having due regard for the needs of the resident and the extent of the efforts required of the county care facility administrator to properly manage the resident's affairs. The resident, if competent, or the resident's relatives shall have the right to appear before the court in opposition to the county board's petition to appoint the county care

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facility administrator as guardian."

14. Page 23, by striking lines 29 through 35, inclusive, and page 24, by striking line 1, and inserting in lieu thereof the following:

"135C.25 CARE REVIEW COMMITTEE—*APPOINTMENT—DUTIES.*

1. Each health care facility shall have a care review committee whose members shall be appointed [by] *as follows:*

a. By the areawide health planning council recognized as such by this state acting through the office for comprehensive health planning in the office for planning and programming*; or*

b. If the appropriate areawide health planning council has failed to make any appointment necessary under this subsection within thirty days after being notified of a vacancy by the administrator of the facility involved, by the commissioner; or

c. If the commissioner has failed to act within thirty days after being notified by the administrator of the facility involved of a vacancy which has not been filled by the appropriate areawide health planning council within the time prescribed by this subsection, the appointment may be made by the administrator.

2. The care review committee shall periodically review the needs of each individual [patient or] resident of the facility, *and shall perform the functions delegated to it by section twenty-five (25) of this Act.* The responsibilities of the care review".

15. Page 25, line 27, by inserting after the word "department" the words "or care review committee of the facility".

16. Page 25, line 31, by inserting after the word "complaint" the words ", and a copy thereof shall be forwarded to the facility involved within twenty-four hours of receipt of the complaint by the department or the committee".

17. Page 25, by striking line 32 and inserting in lieu thereof the following:

"Sec. 25. *NEW SECTION.* INSPECTIONS UPON COMPLAINTS.

1. Upon".

18. Page 25, lines 34 and 35, by striking the words "shall assign a staff member to " and inserting in lieu thereof the words "or care review committee shall".

19. Page 26, line 1, by inserting after the word "department" the words "or committee".

20. Page 26, line 4, by striking the words "cause

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an on-site inspection to be made" and inserting in lieu thereof the words "make or cause to be made an on-site inspection".

21. Page 26, line 5, by inserting after the period the words "The department may refer to the care review committee of a facility any complaint received by the department regarding that facility, for initial evaluation and appropriate action by the committee."

22. Page 26, line 7, by inserting after the word "department" the words "or committee".

23. Page 26, by inserting after line 7 the

following:

"2. An inspection made pursuant to a complaint filed under section twenty-four (24) of this Act shall be limited to the matter or matters complained of, and shall not be a general inspection."

24. Page 26, line 12, by inserting after the word "department" the words "or committee".

25. Page 26, line 18, by inserting after the period the words "The dignity of the resident shall be given first priority by the inspector and others."

26. Page 26, by inserting after line 18 the following:

"3. If upon an inspection of a facility by its care review committee, pursuant to this section, the committee advises the department of any circumstance believed to constitute a violation of this chapter or of any rule adopted pursuant to it, the committee shall similarly advise the facility at the same time. If the facility's licensee or administrator disagrees with the conclusion of the committee regarding the supposed violation, an informal conference may be requested and if requested shall be arranged by the department as provided in section twenty-nine (29) of this Act before a citation is issued. If the department thereafter issues a citation pursuant to the committee's finding, the facility shall not be entitled to a second informal conference on the same violation and the citation shall be considered affirmed. The facility cited may proceed under section thirty (30) of this Act if it so desires."

27. Page 26, by striking all after the period in line 24 and all of lines 25 through 27 and inserting in lieu thereof the following: "The person in charge of the facility shall be informed of the substance of the complaint at the commencement of the on-site inspection."

28. Page 31, line 20 by striking the words "not more than".

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29. Page 31, line 21, by inserting after the word "date" the following: ", subject to such provisional certificates or other extensions as may be granted in accordance with this Act,".

SENATE CONCURRENT RESOLUTION 50

By Taylor

Whereas, our nation is extremely dependent upon Iowa's annual agricultural production of adequate grain, and;

Whereas, many areas of the state are dependent upon a complex system of drainage and levee districts to assure that this production is maintained, and;

Whereas, many drainage districts were designed, built and installed as many as fifty or more years ago and no

longer are of a capacity sufficient to adequately serve the enlarged drainage areas due to additional lands brought under cultivation, and;

Whereas, the costs of drainage have increased so drastically that funding of new mains or the replacing of older and inadequate mains will be difficult to find; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee as provided by law, composed of members of the Senate and the House of Representatives representing both political parties to conduct a study during the 1975 interim relating to updating and making needed corrections in our present law, and

Be It Further Resolved, That the study committee shall prepare a report of its findings and recommendations and submit it to the legislative council and the members of the Sixty-sixth General Assembly, 1976 Session, accompanied by legislative bill drafts designed to carry out the recommendations of the study committee.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 51

By Priebe

Whereas, it appears there is insufficient time remaining during the 1975 Session of the General Assembly to give careful and detailed consideration to the land use bill, House File 505; and

Whereas, because of limited time and physical facilities available for public hearings and complexity of subject matter all persons representing various viewpoints may not have had an adequate opportunity to study and present their viewpoints to the proposed land use law embodied in House File 505 during the 1975 Session of the General Assembly; and

Whereas, the protection and best use of the natural resources of the state of Iowa is an issue which must be resolved and the state should not be dependent upon federal legislation and existing state laws to provide such protection and use; and

Whereas, it is necessary to provide a proper forum for consideration of all land use considerations and it is not possible to provide such forum during the legislative session; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council appoint members of the general assembly for the purpose of planning a legislatively sponsored public forum for a comprehensive analysis of House File 505 and the issues involved in House File 505 and land use in general and pursuant to such appointment a limited number of hearings or forums with proper advance notice to persons having divergent viewpoints in regard to land use be held and be financed with funds available for legislative purposes; and

Be It Further Resolved, the members of the general assembly

who are appointed shall represent the various positions and

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viewpoints expressed in the general assembly in regard to House File 505, as well as both Houses and political party affiliations in the General Assembly; and

Be It Further Resolved, That information be prepared in regard to House File 505 which will provide a detailed and understandable explanation of House File 505 and the reasons why this legislation was prepared in its final and amended form and that this information be disseminated to persons and organizatioins having an interest in land use; and

Be It Further Resolved, That persons representing the executive and judicial branches of government, the federal, state and local government branches of government, public and private organizations, and interested citizens, be invited to participate in the public hearings or forums authorized by this resolution.

Read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 574, by committee on transportation, a bill for an act to impose a maximum fifty-five mile per hour speed limit on the public highways of this state, subject to penalties provided by law.

Read first time and **placed on calendar.**

Senate File 575, by committee on appropriations, a bill for an act making appropriations for increased employer contributions resulting because of changes in the employees' retirement systems and providing funds for school districts, area education agencies, and area schools, and the department of transportation; and providing supplemental authorization to expend funds from certain departmental revolving, trust or special funds.

Read first time and **placed on calendar.**

HOUSE MESSAGES CONSIDERED

House File 66, a bill for an act to impose a maximum fifty-five mile per hour speed limit on the public highways of this state, subject to penalties provided by law.

Read first time and **passed on file.**

House File 843, a bill for an act relating to the width of certain vehicles or loads on such vehicles.

Read first time and **passed on file.**

House File 907, a bill for an act relating to a fruit-tree and forest reservation which may qualify for a tax exemption.

Read first time and passed on file.

House File 908, a bill for an act to amend chapter three hundred ninety (390) of the Code relating to the authority of cities to participate in and finance jointly-owned facilities for the generation, acquisition, or transmission of electric energy, making its provisions retroactive and providing for the validity of contracts executed under said chapter.

Read first time and passed on file.

House File 910, a bill for an act making an appropriation to the department of transportation to be used to reimburse nonprofit civic leagues or organizations for towing expenses incurred in the collection of abandoned motor vehicles.

Read first time and passed on file.

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harriette Lindberg of Des Moines, Polk County, Iowa, for appointment to the Energy Policy Council under the provisions of Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

IRVIN L. BERGMAN, Chairman
LOUIS P. CULVER
FRED W. NOLTING
WILLIAM N. PLYMAT
JOAN ORR

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Dennis D. Killion of Red Oak, Montgomery County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial one-year term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
CALVIN O. HULTMAN
JOHN N. NYSTROM
NORMAN RODGERS
STEVE SOVERN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Angelo J. Palmer of Des Moines, Polk County, Iowa,

for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD R. RAMSEY, Chairman
WILLIAM E. GLUBA
EUGENE M. HILL
GEORGE R. KINLEY
WILLIAM P. WINKELMAN

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. R. 14 Rules and administration
S.C.R. 49 Rules and administration
S.C.R. 50 Rules and administration
S.C.R. 51 Rules and administration
H. F. 905 Ways and means
H. F. 907 Ways and means
H. F. 908 Ways and means

REPORTS OF COMMITTEES

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 892**, a bill for an act to appropriate from the road use tax fund, the primary road fund, the aeronautics fund, and the general fund of the state to the state department of transportation for administration and other purposes, clarifying administrative duties of the state department of transportation, and funding the state department of transportation's share for administration of the state merit system, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 896**, a bill for an act making an appropriation to the Iowa housing finance authority, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 897**, a bill for an act relating to the salaries of area school superintendents, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 901**, a bill for an act to make a supplemental appropriation from the general fund of the state to the municipal assistance fund and to appropriate from the general fund of the state to the county government assistance fund created by this Act, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 903**, a bill for an act to appropriate from the general fund of the state to the municipal assistance fund, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 904**, a bill for an act relating to the railroad grade crossings on public highways and increasing funds allocated for such purposes, 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:**

S—4146

1 Amend House File 904, as passed by the House,
2 page 1, line 25, by striking the words *"However, the"*
3 and inserting in lieu thereof the word *"The"*.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Heying submitted the following report:

MR. PRESIDENT: Your committee on natural resources to which was referred **House File 505**, a bill for an act to provide for a state land use policy, and to create a department of soil conservation and land use, a state land use policy commission, county land use policy commissions, and to specify the powers and duties of such agencies, begs leave to report it has had the same under consideration and recommends the same **be amended, and returns the bill without recommendation.**

S—4147

Amend House File 505 as amended, passed and reprinted by the House as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. *NEW SECTION.* STATEMENT OF LEGISLATIVE INTENT. It is the intent of the general assembly of the state of Iowa to provide for rational land use development that will result in the preservation of prime agricultural land as well as orderly and well-planned urban growth. It is further the intent of the general assembly to protect the natural resources, cultural and historical areas, and the environment of this state for the public health, safety, and general welfare and for the benefit of present and future generations.

Sec. 2. *NEW SECTION.* STATEMENT OF LEGISLATIVE POLICY. The control of land use decisions should rest primarily at the local governmental level. In order to assure this control, the general assembly intends to place emphasis on local citizen participation in the development of land use goals and objectives, local regulation and enforcement of land use decisions, and local development of comprehensive land use plans.

Sec. 3. *NEW SECTION.* DEFINITIONS. As used in this Act unless the context otherwise requires:

1. "Commission" means the state land preservation commission.

2. "Director" means the director of the state land preservation commission.

3. "Local government" means any county or municipality.

4. "Ordinance" means any legislative action of a local government which has the force of law.

5. "Local land use plan" means a statement of local land use plans and alternatives concerning expansion, restrictions and uses of land within its jurisdiction adopted as provided in this Act. A local land use plan shall consist of written statements but may be illustrated by maps, illustrations, or other media of communication.

6. "County land use plan" means a county statement of land use plans and alternatives concerning expansion, restrictions and uses of land within the county adopted as provided in this Act. A county land use plan shall consist of written statements, but may be illustrated by maps, illustrations, or other media of communication.

7. "Land" means the earth, including surface, subsurface, water bodies, air space and improvements

customarily regarded as real property.

8. "Land use" means the spatial distribution of

activity patterns, including residential, agricultural, industrial, commercial and recreational needs.

9. "Land preservation policy" means a definite course or method of action developed by the state land preservation commission, selected from among alternatives to guide the commission and local governments and determine present and future decisions for the commission and local governments relating to the wise and prudent use of land.

10. "Land use planning" means the process of deciding the location, intensity and amount of land development required for present and anticipated future activities.

11. "Land use goal or objective" means a broad statement of intended accomplishment covering horizon years far into the future and describing broad aims, desires and situations or ideals for achievement as related to land use.

12. "Aggrieved person" means any person whose property rights are adversely affected or who establishes that a substantial public interest is adversely affected by a policy.

13. "Master application form" means a form prepared cooperatively by the state land preservation commission and those agencies requiring the granting of a permit to develop.

14. "Critical area" means a geographic area designated by the state land preservation commission or local governing body where substantial evidence indicates that uncontrolled or incompatible development could result in damage to the environment and would conflict with land preservation policy. A critical area may be designated only for:

a. An area significantly affected by, or having a significant effect upon, an existing or proposed major public facility or other area of major public investment.

b. An area containing or having a significant impact upon historical, natural or environmental resources of regional importance.

c. Natural hazard lands where uncontrolled or incompatible development could endanger life and property including flood plains and areas frequently subject to weather disasters, and areas of unstable geological formations.

d. Renewable resource lands where uncontrolled or incompatible development could result in the loss or significant reduction of continued long-range

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productivity of future water, food, and fiber requirements of more than local concern.

15. "Development" means:

a. The carrying out of any building or mining operation or the making of any material change in the use or appearance of any structure or land and

the dividing of land into three or more parcels.

b. The following activities or uses shall be taken for the purpose of this Act to involve development as defined in this section:

(1) A reconstruction, alteration of the size, or material change in the external appearance, of a structure on land.

(2) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure on land.

(3) Commencement of mining.

(4) Clearing of land as an adjunct of construction.

(5) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

(6) The construction of public facilities which tend to induce development and urbanization such as major airports, major highway interchanges, major streets, or highways and major recreational land and facilities construction.

c. The following operations or uses shall not be taken for the purposes of this Act to involve development as defined in this section:

(1) Work by highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.

(2) Work by any utility and other persons engaged in the distribution of gas or water, for the purpose of inspecting, repairing, or renewing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, poles, tracks or the like.

(3) Work for the maintenance, renewal, improvement or alteration of any structure, if the work affects only the interior or the color of the structure, or the decoration of the exterior of the structure.

(4) The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to the enjoyment of the dwelling.

(5) A change in the ownership or form of ownership of any parcel or structure.

(6) The creation or termination of rights of access,

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riparian rights, easements, covenants concerning development of land, or other rights on land.

d. "Development" as designated in an ordinance, rule, comprehensive plan, or siting permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, development refers to the act of developing or to the result of development. Reference to any specific operation is not intended to

mean that the operation or activity when part of other operations or activities is not development.

16. "Special district" means a benefited water district, a rural water district, a benefited fire district, a benefited street lighting district, school district or a sanitary district.

Sec. 4. *NEW SECTION.* COMMISSION CREATED. There is created a state land preservation commission consisting of the chairman of the state soil conservation committee and six other voting members appointed by the governor with the consent of two-thirds of the senate. Not more than four of the seven members shall be affiliated with the same political party. Of the six appointive members, one shall have acquired experience and demonstrated competence in county government as a county supervisor or a land use planner, two shall be persons actively engaged in farming, one shall be a representative of a city of six thousand or less population, one shall be a representative of a city of greater than six thousand population, one shall be a representative of the public interest, and each shall be appointed from a different congressional district.

The term of each member appointed under this section shall be effective on the first day of July of the year of appointment. In the case of a vacancy, the unexpired term shall be filled by appointment of the governor with the consent of two-thirds of the senate and the member appointed for the unexpired term shall be subject to the same qualifications as his or her predecessor. No member shall be appointed to serve more than two complete terms excluding an unexpired term to which he or she may be appointed.

The commission shall organize annually by the election of a chairperson and a vice chairperson from its membership. Meetings may be called by the chairperson at any time and shall be called as soon as possible by the chairperson upon the written request of a majority of the members. The presence of four members of the commission shall constitute a quorum

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and the concurrence of a quorum shall be required to determine any matter relating to its official duties.

Each member of the state commission, not otherwise in the full-time employment of a public agency, is entitled to receive the sum of forty dollars for each day while engaged in the discharge of official duties. Each member is also entitled to receive reimbursement for travel and other necessary expenses incurred in the performance of official duties.

Sec. 5. *NEW SECTION.* DUTIES OF THE COMMISSION. The commission shall:

1. Develop comprehensive land preservation policy for the state based on the land use goals and objectives established by the citizens of this state as provided in section nine (9) of this Act.

2. Guided by the policy, goals and objectives, develop a comprehensive land use plan based upon the county land use plans not later than thirty-six months after the state land preservation policy is adopted. The commission shall update the land preservation policy and plan at least every three years following the procedures established in sections nine (9) and ten (10) of this Act, and the plan shall conform to the policy adopted by the commission.

3. Provide for the delineation of state critical areas and adopt regulations through which the commission could make such designations and issue planning and siting permits.

4. Provide for the preparation and revision of a state inventory of land, socio-economic, and natural resources such that environmental, social, and economic factors are effectively utilized in the formulation of the state land preservation policy and plan.

5. Provide that, prior to the adoption of the state land preservation policy and plan, the commission has:

a. Provided citizens with adequate information regarding the extent of land use planning and regulation currently exercised in this state, the land use problems endemic to this state, land use planning exercises in other states, any relevant federal laws and regulations, and any other information important to stimulate public awareness of and interest in land use planning and policy determination.

b. Hold public hearings to obtain the views of the citizens of the state on land use planning and policy determinations.

c. Provide citizens an adequate opportunity to

participate at all local levels in the development of land use goals and objectives and comprehensive plans.

6. Make a study of state and federal laws as they apply to land use decision-making and development in this state.

7. Provide for the classification and conservation of all known natural resources as well as future mining deposits.

8. Act as the final hearing board on siting permits for development in critical areas pursuant to sections twelve (12) and thirteen (13) of this Act.

9. Authorize the application for, receipt, and expenditure of any private or public funds for the purpose of carrying out the provisions of this Act.

The commission shall apportion a part of such funds to county land preservation commissions or local governments for the purpose of preparing local and county land use comprehensive plans and for the enforcing of ordinances and regulations as provided in this Act.

10. Make a concise annual report to the governor and the general assembly, which report shall contain information relating to the accomplishments and progress of the commission and department and include recommendations for future legislative action. The annual report shall conform to the provision of chapter seventeen (17) of the Code.

11. Approve a budget for the commission relating to its powers and duties under this Act.

12. Approve all contracts and agreements between the commission and other public or private persons or agencies relating to its powers and duties under this Act. In the event that outside consultation is deemed necessary, the commission may approve a contract for the services of and consultation with professional persons, not otherwise available through federal, state, and local government, as may be necessary to carry out the provisions of this Act.

13. Appoint a director with the concurrence of the senate. The director shall have extensive experience in land use planning as well as administrative ability. The salary of the director shall be established by the commission.

14. Obtain an adequate public employees fidelity bond to cover those employees of the commission accountable for property or funds of this state under this Act.

15. Adopt, amend, or repeal internal rules for the effective administration of this Act.

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16. Allocate state appropriated funds to the county land preservation commission.

17. Establish procedures by rule for the review and approval of the comprehensive plans and plan modifications of the following state agencies for their compliance with the state land preservation policy.

a. The department of agriculture.

b. The city development board.

c. The Iowa natural resources council.

d. The department of environmental quality.

e. The office of the state geologist.

f. The Iowa development commission.

g. The department of transportation.

h. The state conservation commission.

i. The department of soil conservation.

j. The office for planning and programming.

k. The Iowa state commerce commission.

The plans and plan modifications shall include the location of any public facility which is expected to result in development and urbanization exceeding local impact, including but not limited to major airports, major highway interchanges including interchanges with frontage roads, access streets and other limited access highways, major recreational land and facilities, and major facilities for the development, generation or transmission of energy.

Each agency listed in this subsection shall prepare and submit to the commission a summary of its laws, policies, plans and regulations relating to land use not later than one hundred eighty days after the effective date of this Act. The agencies shall also recommend to the commission policies, goals or objectives, and plans. Any agency not providing a summary of laws, policies, plans and regulations relating to land use requested by the commission shall be assessed and pay the costs incurred by the commission in collecting the information. The commission shall also incorporate the information received from the agencies into the comprehensive land use plan.

18. Upon request by a local government or county land preservation commission, the commission shall review the land use related laws, policies, plans and regulations current or proposed and make recommendations regarding their conformity to the state land preservation policy.

Sec. 6. *NEW SECTION.* PROCEEDINGS AND APPEALS. Appeals of any decisions or actions taken and the rules promulgated by the commission shall be undertaken pursuant to chapter seventeen A (17A) of the

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Code.

Sec. 7. *NEW SECTION.* POWERS AND DUTIES OF THE DIRECTOR. In addition to other powers and duties provided by law, the director shall:

1. Recommend to the commission the adoption of internal rules that are necessary for the effective administration of the commission under this Act.

2. Administer the land use programs and services of the commission in compliance with provisions of the Act and the rules adopted by the commission.

3. Establish or reorganize, with approval of the commission, the administrative structure.

4. Prepare, pursuant to chapter eight (8) of the Code, a budget for the commission relating to its duties under this Act.

5. Perform other duties assigned by the commission.

6. Appoint, with the approval of the commission, the technical, professional, secretarial, and clerical staff deemed necessary to accomplish the purposes of this Act, subject to the provisions of chapter

nineteen A (19A) of the Code.

The director may appoint a member of his staff to be acting director in his absence. Such acting director shall have the powers delegated to him by the director.

The director and other employees of the commission shall receive, in addition to a salary, their necessary traveling and related expenses when engaged in the performance of their official duties.

Sec. 8. *NEW SECTION.* TEMPORARY EMERGENCY POWERS. When prior to the adoption of the state land use policy, the state commission determines that there is in progress or proposed, a land use activity which constitutes a danger of irreparable injury, loss, or damage of serious and major proportions to the public health, welfare or safety and is not in compliance with the intent of this Act, the state commission shall immediately give written notice to the board of supervisors or the city council of each county and city involved, of the pertinent facts and dangers with respect to such activity. If the county board of supervisors or the city council does not remedy the situation within sixty days, the state commission may, upon one-week's written notice to the affected city council or board of supervisors, and the person involved in such land use activity, hold a public hearing on the matter. If, after the hearing, the state commission determines that the activity does constitute a danger, the state commission

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after approval of the executive council may issue a written cease and desist order to the person in control of the activity. If the activity is continued, the attorney general, at the request of the state commission, shall initiate civil proceedings in the name of the state to enjoin such person from the activity. Any such action shall be given precedence over all other matters pending in the district court. The court may, in this action as a matter of judicial review inconsistent with chapter seventeen A (17A) of the Code, uphold, modify, or overrule the order of the state commission.

Sec. 9. *NEW SECTION.* DEVELOPMENT OF STATE LAND PRESERVATION POLICY.

1. Within six months after the effective date of this Act, each county and every city having a population greater than ten thousand shall hold a public hearing after giving notice to invite the citizens of the county or city to assist in the formulation of land use goals and objectives. Each local government and special district shall also prepare a summary of its laws, policies, and plans relating to land use and shall recommend to the state commission policies and plans to be incorporated in the state land preservation policy and plan. The results

of the hearings, summaries, and recommendations shall be forwarded to the county commission.

2. The county commission shall consolidate, review and comment on the recommended goals and objectives and forward them with the summaries and recommendations to the state commission within one year of the effective date of this Act.

3. Within eighteen months after the effective date of this Act, the state commission shall by rule promulgate a comprehensive state land preservation policy. The state land preservation policy shall be based on the intent of this Act and the goals, objectives, and recommendations forwarded by the county commissions.

Sec. 10. *NEW SECTION.* DEVELOPMENT OF STATE LAND USE PLANS.

1. Within eighteen months after the adoption of the state land preservation policy, the local governments shall develop and adopt comprehensive local land use plans which are in compliance with the state land preservation policy. Prior to the adoption of the local land use plan, the local government shall hold a public hearing after publishing adequate notice of the hearing at least two weeks prior to the hearing. A city in lieu of preparing

and adopting its own local land use plan may agree to be included in the comprehensive land use plan of the county. The local governments shall forward their comprehensive land use plans to the county commission.

2. The county commission shall review the local land use plans, consolidate the city and county plans, comment on the compliance of the plans with the state land preservation policy and the compatibility of the plans, and forward the plans and comments to the state commission within twenty-four months of the adoption of the state land preservation policy.

3. Comprehensive plans and zoning, subdivision and other ordinances adopted prior or subsequent to the adoption of the state land preservation policy shall remain in effect until revised under this Act. Local governments may make the comprehensive land use plan adopted under this Act part of any existing comprehensive plan or maintain it as a separate document for independent enforcement.

4. Each local government shall, after adoption of the state land preservation policy and local land use plan, adopt and enforce local land use ordinances in accord with the local land use plan and in conformance with the state land preservation policy.

Sec. 11. *NEW SECTION.* COUNTY LAND PRESERVATION COMMISSION. There is established in each county of the state a county land preservation commission consisting of the following members:

1. One member appointed by and from the county board of supervisors.

2. A mayor appointed by the county conference board established by section four hundred forty-one point two (441.2) of the Code.

3. One member appointed by and from the district soil conservation commissioners.

4. Two members who are actively engaged in farming appointed by the county board of supervisors.

5. One member from a city and one member from an unincorporated area who are to be reflective of the county's population and interests appointed by the county board of supervisors. The members of the county commission shall be appointed to three-year terms except that of the initial members of the commission those appointed pursuant to subsections one (1) and two (2) shall serve one-year terms, those appointed pursuant to subsections three (3) and four (4) shall serve two-year terms, and those appointed pursuant to subsection five (5) shall serve three-year terms.

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The commission shall organize and elect a chairperson and vice chairperson annually. Meetings may be called by the chairperson at any time and shall be called within five days by the chairperson upon the written request of four members. Four members shall constitute a quorum and the concurrence of four members is required to determine any matter relating to its official duties.

Each member of the county commission, not otherwise in the full-time employment of a public agency, is entitled to receive the sum of forty dollars for each day while engaged in the discharge of official duties and reimbursement for travel and other necessary expenses incurred in the performance of official duties.

Sec. 12. *NEW SECTION.* DESIGNATION OF CRITICAL AREAS.

1. Upon the recommendation of the state commission, county commission or local government, the state commission may designate specific areas as critical areas. The recommendation shall specify the proposed boundaries of the area and state the reasons why the area is of critical concern and the dangers that would result from uncontrolled development in the area. Within forty-five days of receipt of the recommendation the commission shall either reject, modify, or adopt the recommendation and by rule designate the critical area.

2. A local government may by ordinance designate critical areas within its jurisdiction and establish procedures for granting planning and siting permits. If an area has been designated as a critical

area by a local government, the area may not be designated by the state commission without the consent of the local government.

3. The designation of critical areas and the granting or denial of planning and siting permits by local governments shall be in conformance with the state land preservation policy. The state commission may review the actions of local governments and may request the attorney general to seek an injunction against the local government if the commission finds that the local government's action is not in conformance with the state land preservation policy.

Sec. 13. *NEW SECTION.* PLANNING AND SITING PERMITS.

1. Planning and siting permits shall be required of any development in a critical area. Application for the permit shall be made to the state commission or local goverment designating the area. The applica-

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tion may be rejected, approved or approved subject to conditions. The state commission shall develop master application forms for those developments which require permits from other state agencies. Such applications shall be submitted first to the state commission or local government which shall upon approval transmit the application to the other state agency.

2. A local government may by resolution authorize the county commission to exercise the power and duties of granting planning and siting permits within that local government's jurisdiction.

3. The state commission and local government shall consider whether the proposed development is in accord with the state land preservation policy and the criteria listed in this subsection. Local governments shall also consider whether the proposed development is in accord with the local land use plan. The following shall be considered:

a. Development at the proposed location is or is not essential or especially appropriate in view of the available alternatives within or without the jurisdiction.

b. Development in the manner proposed will have a favorable or unfavorable impact on the environment in comparison to alternative methods.

c. The development will favorably or adversely affect other persons or property and, if so, whether because of circumstances peculiar to the location the effect is likely to be greater than is ordinarily associated with the development of the type proposed.

d. If development of the type proposed imposes immediate cost burdens on the local government, whether the amount of development of that type which has taken place in the area of the local government is more

or less than an equitable share of the development of that type needed in the general area.

e. The development will favorably or adversely affect the ability of people to find adequate housing reasonably accessible to their place of employment.

f. The development will favorably or adversely affect the provision of municipal services and the burden of taxpayers in making provision therefor.

g. The development will efficiently use or unduly burden public or public-aided transportation or other facilities which have been developed or are to be developed within the next five years.

h. The development will further, or will adversely affect, the objectives of development built or aided by governmental agencies within the past five years

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or to be developed in the next five years.

i. The development will aid or interfere with the ability of the local government to achieve the objectives of its local comprehensive land use plan.

4. All considerations on the permit application shall be in writing stating the conformance, conflict or findings in regard to the criteria listed in subsection three (3) of this section.

5. If any person initiates a project for the development or use of any critical area without obtaining a planning and siting permit as provided in this Act, the attorney general, at the request of the commission or local government, shall initiate civil proceedings in the name of the state of Iowa to enjoin such person from such development or use.

6. If a development requires a permit from two or more local governments, the decision of a local government may be appealed to the state commission on the grounds that the decision is contrary to the state land preservation policy, state plan, or local plan or is inconsistent with the decisions of other local governments regarding the development. The state commission shall reject or accept the permit application according to the criteria established for the state commission in subsection three (3) of this section.

In all other instances, an aggrieved person may appeal the granting or denial of a permit by a local government to the district court of the county on the grounds that the decision is not in accord with the state land preservation policy or local land use plan.

Sec. 14. *NEW SECTION.* JURISDICTION OF COUNTY COMMISSION—OVERLAPPING BOUNDARIES OF POLITICAL SUBDIVISIONS. A city or special district, the boundaries of which overlap two or more counties, shall be subject to the jurisdiction of the county commission

of the county in which the largest portion of the land area of such city or special district is located.

Sec. 15. *NEW SECTION.* JOINT EXERCISE OF POWERS AND DUTIES. A state agency, city, county, county commission, or special district may contract with any regional or metropolitan planning commission or any other private or public agency under chapters twenty-eight E (28E) or four hundred seventy-three A (473A) of the Code for any planning purposes authorized or required under this Act.

Sec. 16. *NEW SECTION.* PRIVATE PROPERTY RIGHTS. Nothing in this Act shall be construed to deprive a person of his property without just compensation

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and due process of law as guaranteed by the Fifth and Fourteenth Amendments of the Constitution of the United States and the Constitution of the State of Iowa.

Nothing in this Act shall apply to any project for which an order has been issued prior to the effective date of this Act by a state agency after a public hearing authorizing the exercise of the power of eminent domain.

2. Amend the title, by striking lines 1 through 5, and inserting in lieu thereof the words "An Act to provide for a state land preservation policy and create a state land preservation commission, county land use commission and to specify the powers and duties of such agencies."

HILARIUS L. HEYING, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **House File 814**, a bill for an act relating to the purchase and use of state motor vehicles and use of private motor vehicles for state business, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4129

Amend Senate File 321 as follows:

1. Page 3, line 19, by inserting after the period the words "This education shall be obtained through practice, formal or informal educational programs, self-study, research, participation in professional, technical, and occupational societies, or by other similar means."

2. Page 7, by inserting the following after line 18 and by renumbering the following paragraphs

accordingly:

"b. Give due attention to continuing active practice in the licensee's profession or occupation as continuing education."

LOWELL L. JUNKINS
CLIFF BURROUGHS

S—4133

Amend House File 614, as amended, passed and reprinted by the House, page 10, line 21, by inserting after the word "paternity" the words "in the event termination is ordered".

E. KEVIN KELLY

S—4128

Amend House File 802 as amended, passed and reprinted by the House, as follows:

1. Page 6, lines 5 and 6 by striking "the members of the board of supervisors,".

2. Page 6, line 10, by striking ", according to the following schedule" and inserting in lieu thereof the words "by a sum not to exceed one thousand five hundred dollars".

3. Page 6, line 12, by striking the words "The increase" and by striking all of lines 13 through 23.

JAMES W. GRIFFIN, SR.

S—4140

Amend House File 816 as amended and passed by the House as follows:

1. Page 1, by inserting after line 10 the following:

"Sec. ..... Section five hundred four point five (504.5), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. Directors, officers, members or other volunteers shall not be personally liable for any claim based upon an act or omission of such persons performed in the reasonable discharge of their lawful corporate duties."

2. Title page, line 3, by inserting after the word "corporations" the words "and corporations not for pecuniary profit".

3. By renumbering the sections to accord with this amendment.

PHILIP B. HILL
CHARLES P. MILLER

S—4142

Amend House File 898, as amended, passed and reprinted by the House, page 2, by inserting after line 13 the following:

"d. For architectural development of complete plans and specifications on the following capital projects:

(1) Lindquist Center - Phase II, construction at the State University of Iowa - $300,000.00.
(2) Old Veterinary Quadrangle remodeling at the Iowa State University of Science and Technology to house the College of Education and the Department of Psychology - $120,000.00.
(3) Music Building construction at the Iowa State University of Science and Technology - $194,100.00.
(4) Library addition and remodeling at the Iowa State University of Science and Technology - $330,000.00.
(5) Phase II construction of the Speech/Art Building at the University of Northern Iowa - $162,000.00.
(6) Horticulture Building addition and remodeling at the Iowa State University of Science and Technology - $122,400.00.

JOHN S. MURRAY

S—4136

Amend House File 898, as amended, passed, and reprinted by the House, as follows:
1. Page 4, line 19, by striking the words "Ansel Briggs".
2. Page 4, line 21, by inserting after the word "building" the words ", to be designated by a name selected by the capitol planning commission,".
3. Page 4, line 24, by striking the words "Ansel Briggs".
4. Page 4, line 30, by striking the words "Ansel Briggs".
5. Page 5, line 6, by striking the words "Ansel Briggs".

WILLIAM E. GLUBA

S—4137

Amend House File 898, as amended, passed, and reprinted by the House, as follows:
1. Page 4, line 19, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "the bicentennial building,".
2. Page 4, line 24, by striking the words "Ansel Briggs" and inserting in lieu thereof the word "bicentennial".
3. Page 4, line 30, by striking the words "Ansel Briggs" and inserting in lieu thereof the word "bicentennial".
4. Page 5, line 6, by striking the words "Ansel Briggs" and inserting in lieu thereof the word "bicentennial".

WILLIAM E. GLUBA

S—4148

Amend House File 898 as amended, passed and reprinted by the House, page 12, by inserting after line 19 the following new section:
"Sec. ..... Chapter two hundred sixty-two (262), Code

1975, is amended by adding the following new section:

NEW SECTION. LIMITS ON CONSTRUCTION AND ON MODIFICATION OF RIVERS. Buildings with permanent foundations shall not be constructed by the board of regents on the flood plain of a river, creek, dry creek or any area subject to flooding, unless the building is functionally related to water such as a boat house, water or sewage treatment facility, or hydrological research laboratory. The board shall not encroach upon the banks or channel of any river so as to increase the frequency and severity of flooding."

RICHARD J. NORPEL, SR.

S—4130

Amend House File 905 as amended and passed by the House, as follows:

1. Page 3, line 21, by striking the words "be paid the statutory".
2. Page 3, by striking lines 22, 23 and 24.
3. Page 3, line 25, by striking the words "the sale of such grain shall".

JAMES V. GALLAGHER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 9:05 p.m., until 8:00 a.m., Thursday, June 12, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JUNE 12, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Elles Ulland, pastor of the United Methodist Church, Lake Mills, Iowa.

The Journal of Wednesday, June 11, 1975, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wing-Tai Fung, Harlan, Iowa.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable James F. Schaben, former member of the Senate from Harrison County.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kelly from fifty-five residents of Woodbury County urging rescission of the Equal Rights Amendment.

By Senator Curtis from fifty-six residents of Palo Alto County urging rescission of the Equal Rights Amendment.

By Senator Bergman from one hundred sixteen residents of Clay and Palo Alto Counties urging rescission of the Equal Rights Amendment.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Bergman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harriette Lindberg of Des Moines, Polk County, Iowa, for appointment to the Energy Policy Council under the provisions of Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

IRVIN L. BERGMAN, Chairman
LOUIS P. CULVER
FRED W. NOLTING
WILLIAM N. PLYMAT
JOAN ORR

The motion prevailed and the report was adopted.

Senator Bergman moved the appointment of Harriette Lindberg as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 38:

Andersen	Hill of Jasper	Nolin	Redmond
Bergman	Hill of Polk	Nolting	Robinson
Briles	Hultman	Norpel	Rodgers
Burroughs	Kelly	Nystrom	Schwengels
Carr	Kinley	Orr	Scott
Coleman	Lamborn	Palmer	Shaw
Culver	Miller of	Plymat	Taylor
Curtis	Des Moines	Priebe	Tieden
Doderer	Miller of	Rabedeaux	Willits
Glenn	Marshall	Ramsey	Winkelman

Nays, 2:

Gluba	Griffin

Absent or not voting, 10:

DeKoster	Heying	Murray	Sovern
Gallagher	Junkins	Shaff	Van Gilst
Hansen	Merritt		

President Neu declared the appointment of Harriette Lindberg as a member of the Energy Policy Council confirmed for the regular one-year term ending June 30, 1976.

Senator Nolin called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of James P. Fuller, Muscatine, Muscatine County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975, and ending

June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
LOWELL L. JUNKINS
ELIZABETH R. MILLER
W. R. RABEDEAUX
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Nolin moved the appointment of James P. Fuller as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin	Nolin	Redmond
Briles	Hill of Polk	Nolting	Rodgers
Burroughs	Hultman	Norpel	Schwengels
Carr	Junkins	Nystrom	Scott
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of Des Moines	Rabedeaux	Winkelman
Glenn			

Nays, none.

Absent or not voting, 9:

DeKoster	Hill of Jasper	Robinson	Sovern
Hansen	Murray	Shaff	Van Gilst
Heying			

President Neu declared the appointment of James P. Fuller as a member of the Energy Policy Council confirmed for the regular one-year term ending June 30, 1976.

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Helen J. Gleeson, Sioux City, Woodbury County, Iowa, for appointment to the Air Quality Commission of the Department of Environmental Quality for the State of Iowa pursuant to Section 455B.4, 1975 Code of Iowa, for an unexpired term ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

C. JOSEPH COLEMAN, Chairman
E. KEVIN KELLY
CHARLES P. MILLER
JAMES M. REDMOND
ROGER J. SHAFF

The motion prevailed and the report was adopted.

Senator Coleman moved the appointment of Helen J. Gleeson as a member of the Air Quality Commission of the Department of Environmental Quality be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Andersen	Hill of Jasper	Nolin	Redmond
Bergman	Hill of Polk	Nolting	Rodgers
Briles	Hultman	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Scott
Carr	Kelly	Orr	Shaw
Coleman	Kinley	Palmer	Taylor
Culver	Merritt	Plymat	Tieden
Curtis	Miller of Des Moines	Priebe	Willits
Doderer	Miller of Marshall	Rabedeaux	Winkelman
Gallagher		Ramsey	
Glenn			

Nays, 2:

Gluba	Griffin

Voting present, 1:

Lamborn

Absent or not voting, 8:

DeKoster	Heying	Robinson	Sovern
Hansen	Murray	Shaff	Van Gilst

President Neu declared the appointment of Helen J. Gleeson as a member of the Air Quality Commission of the Department of Environmental Quality confirmed for the unexpired portion of the term ending June 30, 1978.

Senator Winkelman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Orren S. Olson, Humboldt, Humboldt County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM P. WINKELMAN, Chairman
C. JOSEPH COLEMAN
HILARIUS L. HEYING
JOHN S. MURRAY
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Winkelman moved the appointment of Orren S. Olson as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Heying	Miller of	Ramsey
Bergman	Hill of Jasper	Marshall	Redmond
Briles	Hill of Polk	Nolin	Rodgers
Burroughs	Hultman	Nolting	Schwengels
Carr	Junkins	Norpel	Scott
Coleman	Kelly	Nystrom	Shaw
Culver	Kinley	Orr	Taylor
Curtis	Lamborn	Palmer	Tieden
Doderer	Merritt	Plymat	Willits
Gallagher	Miller of	Priebe	Winkelman
Glenn	Des Moines	Rabedeaux	
Griffin			

Nays, 1:

Gluba

Absent or not voting, 7:

DeKoster	Murray	Shaff	Van Gilst
Hansen	Robinson	Sovern	

President Neu declared the appointment of Orren S. Olson as a member of the Energy Policy Council confirmed for the regular one-year term ending June 30, 1976.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 526.

Senate File 526

On motion of Senator Schwengels, Senate File 526, a bill for an act relating to city government by modifying provisions for officers' bonds, federal agreements, annexation and severance, forms of city government, compensation and removal of officers, passage of ordinances and amendments, the mayor's right to veto, adoption of codes by reference, city utility and city budgets, essential and general corporate purpose bonds, special assessments, revenue bonds and pledge orders, and providing for liens for service charges and restricted residence districts, was taken up for consideration.

Senator Schwengels asked and received unanimous consent that Jo Ann G. Brown, legal counsel for the Legislative Service Bureau, be permitted to remain in the Senate chamber as a consultant during consideration of the bill.

Senator Willits offered amendment S—4027 filed by him on June 3, 1975, and found on pages 1710-1712, inclusive, of the Senate Journal.

Senator Schwengels raised the point of order that amendment S—4027 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4027 out of order.

Senator Schwengels offered amendment S—4008 filed by him and moved its adoption:

S—4008

Amend Senate File 526 as follows:

1. Page 1, insert after line 25 the following:

"Sec. ..... Section three hundred sixty-two point two (362.2), Code 1975, is amended by adding the following subsection:

NEW SUBSECTION. 'Eligible elector' means the same as it is defined in section thirty-nine point three (39.3), subsection one (1), of the Code.

Sec. ..... Section three hundred sixty-two point four (362.4), Code 1975, is amended to read as follows:

362.4 PETITION OF VOTERS. If a petition of voters is authorized by the city code, the petition is valid if signed by [voters] *eligible electors* of the city equal in number to ten percent of the persons who voted at the last preceding regular city election, but not less than ten persons, unless otherwise provided by state law.

2. Page 3, insert after line 5 the following:

"Sec. ..... Section three hundred sixty-eight point fourteen (368.14), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

If a petition is not dismissed, the board shall direct the appointment of local representatives to serve with board members as a committee to consider the proposal. Each local representative is entitled to receive from the state his actual and necessary expenses spent in performance of committee duties. Two board members and one local representative, or if the number of local representatives exceeds one, two board members and at least one-half of the appointed local representatives, are required for a quorum of the committee. A local representative must be a qualified [voter] *elector* of the territory or city he represents, and must be selected as follows:

Sec. ..... Section three hundred seventy-two point two (372.2), subsection one (1), Code 1975, is amended to read as follows:

1. [Voters] *Eligible electors* of the city, equal in number to at least twenty-five percent of the persons who voted at the last regular city election,

may petition the mayor to adopt a different form of city government."

3. Page 4, insert after line 9 the following:

"Sec. ..... Section three hundred seventy-two point nine (372.9), subsection one (1), paragraph b, Code 1975, is amended to read as follows:

b. [Voters] *Eligible electors* of the city equal in number to at least twenty-five percent of the persons who voted at the last regular city election petitioning the council to appoint a charter commission

Page 2

to prepare a proposed charter. The council shall, within thirty days of the filing of a valid petition, appoint a charter commission composed of not less than five nor more than fifteen members. The charter commission shall, within six months of its appointment, prepare and file with the council a proposed charter."

4. Page 5, insert after line 26 the following:

"Sec. ..... Section three hundred seventy-six point four (376.4), unnumbered paragraphs one (1) and four (4), Code 1975, are amended to read as follows:

[A voter] *An eligible elector* of a city may become a candidate for an elective city office by filing with the city clerk a valid petition requesting that his name be placed on the ballot for that office. The petition must be filed not more than sixty-five days nor less than forty days before the date of the election, and must be signed by [voters] *eligible electors* equal in number to at least two percent of those who voted to fill the same office at the last regular city election, but not less than ten persons. Nomination petitions shall be filed not later than five o'clock p.m. on the last day for filing.

The petition must include the affidavit of at least one [voter] *eligible elector* other than the petitioners and the individual for whom the petition is being filed, stating the affiant's knowledge, information, and belief as to the residence of the petitioners."

5. Renumber sections and correct internal references in accordance with this amendment.

6. Amend the title, line 1, by inserting after the words "by" the words "correcting references to electors,".

Amendment S—4008 was adopted.

Senator Gallagher offered amendment S—3831 filed by him:

S—3831

Amend Senate File 526, page 3, by inserting after line 5 the following, and renumbering sections and correcting internal references in accordance with this amendment:

"Sec. ..... Section three hundred sixty-eight point nineteen (368.19), unnumbered paragraph one (1), Code

1975, is amended to read as follows:

The committee shall approve or disapprove the petition or plan as amended, within ninety days of the final hearing, and shall file its decision for record and promptly notify the parties to the proceeding of its decision. If a petition or plan is approved, the board shall set a date within ninety days for a special election on the proposal and the county commissioner of elections shall conduct the election. In a case of incorporation or discontinuance, qualified voters of the territory or city may vote, and the proposal is authorized if a majority of those voting approves it. In a case of annexation or severance, qualified voters [of the territory] *of any township in which a part of the territory is located,* and of the city may vote, and the proposal is authorized if a majority of the total number of persons voting approves it. In a case of consolidation, qualified voters of each city to be consolidated may vote, and the proposal is authorized only if it receives a favorable majority vote in each city. The county commissioner of elections shall publish notice of the election as provided in section 368.15, and shall conduct the election in the same manner as other special city elections."

Senator Briles raised the point of order that amendment S—3831 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3831 out of order.

Senator Junkins offered amendment S—3999 filed by him:

S—3999

Amend Senate File 526 as follows:

1. Page 4, line 16 insert after the second comma the word "six (6),".

2. Page 4, insert after line 23 the following:

"6. [Immediately] *Within fifteen days* following a regular or special meeting of the council, the clerk shall [prepare a condensed statement] *cause the minutes* of the proceedings of the council, including the total expenditure from each city fund, [and cause the statement] to be published in a newspaper of general circulation in the city. The [statement] *publication* shall include a list of all claims allowed and a summary of all receipts, and shall show the gross amount of the claim, *the name of the person receiving a warrant, and the reason for issuing the warrant. However, if a warrant is issued to a person regularly employed by the municipality, such name and reason shall be published once annually showing the gross amount of the warrants. Also, matters discussed in closed session pursuant to section twenty-eight A*

point three (28A.3) of the Code shall not be published until entered on the minutes. However, in cities having more than one hundred fifty thousand population the council shall each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the city, and [a summary of] its proceedings during the preceding month, and furnish copies to the city library, the daily newspapers of the city, and to persons who apply at the office of the city clerk, and the pamphlet shall constitute publication as required. Failure by the clerk to make publication is a misdemeanor. The provisions of this subsection are applicable in cities in which a newspaper is published, or in cities of two hundred population or over, but in all other cities, posting the statement in three public places in the city which have been permanently designated by ordinance is sufficient compliance with this subsection."

3. Page 7, line 14, strike the words "subsection two (2), Code 1975, is" and insert in lieu thereof the words "subsections two (2) and three (3), Code 1975, are".

4. Page 7, insert after line 25 the following:

"3. The council shall set a time and place for public hearing on the budget before the final certification date and shall publish notice before the hearing as provided in section 362.3. *A summary of the proposed budget shall be included in the notice.* Proof of publication must be filed with the county auditor."

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5. Amend the title, line 3, by inserting after the second comma the words "publication of council minutes,".

Senator Nystrom raised the point of order that amendment S—3999 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3999 out of order.

Senator Hill of Polk offered amendment S—3995 filed by him, moved its adoption and requested a record roll call:

S—3995

Amend Senate File 526, page 6, by striking lines 10 through 16.

On the question "Shall amendment S—3995 be adopted?" (S.F. 526) the vote was:

Ayes, 15:

Bergman	Miller of Marshall	Plymat	Shaw
Burroughs	Nolin	Rabedeaux	Taylor
Gluba	Nystrom	Ramsey	Tieden
Hill of Polk		Schwengels	Winkelman

Nays, 26:

Andersen	Glenn	Miller of	Priebe
Briles	Hill of Jasper	Des Moines	Redmond
Carr	Junkins	Murray	Robinson
Coleman	Kelly	Nolting	Rodgers
Culver	Kinley	Norpel	Scott
Curtis	Lamborn	Orr	Willits
Gallagher	Merritt	Palmer	

Absent or not voting, 9:

DeKoster	Hansen	Hultman	Sovern
Doderer	Heying	Shaff	Van Gilst
Griffin			

Amendment S—3995 lost.

Senator Taylor offered amendment S—4009 filed by him, moved its adoption and requested a non-record roll call:

S—4009

Amend Senate File 526 as follows:

1. Page 9, line 6 by striking the word "an" and inserting in lieu thereof the words "a cumulative".

2. Page 9, line 8 by striking the word "an" and inserting in lieu thereof the words "a cumulative".

3. Page 9, line 11 by striking the word "an" and inserting in lieu thereof the words "a cumulative".

The ayes were 10, nays 32.

Amendment S—4009 lost.

Senator Griffin offered amendment S—4001 filed by him:

S—4001

Amend Senate File 526, page 11, by inserting after line 1 the following:

"Sec. 28. Section three hundred eighty-four point ninety-five (384.95), subsection one (1), Code 1975, is amended to read as follows:

1. 'Public Improvement' means any building or construction work, either within or outside the corporate limits of a city, to be paid for in whole or in part by the use of funds of the city, regardless of sources, including a building or improvement constructed or operated jointly with any other public or private agency, but excluding urban renewal and low rent housing projects, industrial aid projects authorized under chapter 419, [emergency work], [or] work performed by employees of a city *where the estimated total cost of a public improvement including labor and materials does not exceed the sum of twenty-five thousand dollars, work performed pursuant to a federal*

job assistance program, or work connected with a city *electrical* utility."

Senator Schwengels raised the point of order that amendment S—4001 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4001 out of order.

Senator Shaw offered amendment S—4155 and moved its adoption:

S—4155

Amend Senate File 526 as follows:

1. Page 11, by inserting after line 1 the following:

"Sec. ..... Section three hundred ninety-two point one (392.1), Code 1975, is amended to read as follows:

392.1 ESTABLISHMENT BY ORDINANCE. If the council wishes to establish an administrative agency, it shall do so by an ordinance which indicates the title, powers, and duties of the agency, the method of appointment *or election*, qualifications, compensation, and term of members, and other appropriate matters relating to the agency. The title of an administrative agency must be appropriate to its function. The council may not delegate to an administrative agency any of the powers, authorities, and duties prescribed in division V of chapter 384 or in chapter 388, except that the council may delegate to an administrative agency power to establish and collect charges, and dispense the moneys received for the use of a city facility, including a city enterprise, as defined in section 384.24, so long as there are no revenue bonds or pledge orders outstanding which are payable from the revenues of the city enterprise. Except as otherwise provided in this chapter, the council may delegate rule-making authority to the agency for matters within the scope of the agency's powers and duties, and may prescribe penalties for violation of agency rules which have been adopted by ordinance. Rules governing the use by the public of any city facility must be made readily available to the public."

2. By renumbering the sections.

Amendment S—4155 was adopted.

Senator Junkins offered amendment S—4157 and moved its adoption:

S—4157

Amend Senate File 526, as follows:

Page 7, by inserting after line 25 the following:

1. Page 7, line 14, strike the words "subsection two (2), Code 1975, is" and insert in lieu thereof the words "subsections two (2) and three (3), Code 1975, are".

2. Page 7, insert after line 25 the following:

"3. The council shall set a time and place for public hearing on the budget before the hearing as provided in section 362.3. *A summary of the proposed budget shall be included in the notice.* Proof of publication must be filed with the county auditor."

Amendment S—4157 was adopted.

Senator Gallagher offered amendment S—4158, moved its adoption and requested a record roll call:

S—4158

Amend Senate File 526, page 2, line 10, by inserting after the period the following new sentence: "*A city following recommendation by the county planning and zoning commission and following board of supervisors approval that an annexation plan does not meet the planned land use and economic needs of the county shall refrain from annexing specifically described territory for a period determined by the board of supervisors of the county.*"

On the question "Shall amendment S—4158 be adopted?" (S.F. 526) the vote was:

Ayes, 20:

Bergman	Hansen	Miller of Marshall	Rodgers
Briles	Heying	Orr	Scott
Coleman	Hultman	Priebe	Shaw
Culver	Merritt	Rabedeaux	Taylor
Gallagher	Miller of Des Moines		Tieden
Gluba			

Nays, 25:

Andersen	Kelly	Nystrom	Schwengels
Burroughs	Kinley	Palmer	Shaff
Carr	Lamborn	Plymat	Sovern
Curtis	Nolin	Ramsey	Van Gilst
Glenn	Nolting	Redmond	Willits
Hill of Polk	Norpel	Robinson	Winkelman
Junkins			

Absent or not voting, 5:

DeKoster	Griffin	Hill of Jasper	Murray
Doderer			

Amendment S—4158 lost.

Senator Junkins moved to reconsider the vote by which amendment S—4157 was adopted by the Senate.

The motion prevailed and amendment S—4157 was taken up for reconsideration.

Senator Junkins withdrew amendment S—4157.

Senator Junkins offered amendment S—4161 and moved its adoption:

S—4161

Amend Senate File 526, as follows:

Page 7, by inserting after line 25 the following:

1. Page 7, line 14, strike the words "subsection two (2), Code 1975, is" and insert in lieu thereof the words "subsections two (2) and three (3), Code 1975, are".

2. Page 7, insert after line 25 the following:

"3. The council shall set a time and place for public hearing on the budget before the final certification date and shall publish notice before the hearing as provided in section 362.3. *A summary of the proposed budget shall be included in the notice.* Proof of publication must be filed with the county auditor."

Amendment S—4161 was adopted.

Senator Schwengels moved that the bill 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, 45:

Andersen	Hansen	Miller of Marshall	Ramsey
Bergman	Heying	Murray	Redmond
Briles	Hill of Jasper	Nolin	Robinson
Burroughs	Hultman	Nolting	Rodgers
Carr	Junkins	Norpel	Schwengels
Coleman	Kelly	Nystrom	Scott
Culver	Kinley	Orr	Shaw
Curtis	Lamborn	Palmer	Sovern
Doderer	Merritt	Plymat	Taylor
Gallagher	Miller of Des Moines	Priebe	Tieden
Glenn		Rabedeaux	Willits
Gluba			Winkelman

Nays, 1:

Hill of Polk

Absent or not voting, 4:

DeKoster	Griffin	Shaff	Van Gilst

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 515

On motion of Senator Hill of Polk, Senate File 515, a bill for an act relating to certain capital expenditures by counties of over two hundred fifty thousand population, was taken up for consideration.

Senator Hill of Polk moved that the bill 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. 515) the vote was:

Ayes, 41:

Andersen	Griffin	Murray	Redmond
Bergman	Hansen	Nolin	Robinson
Briles	Hill of Polk	Nolting	Rodgers
Burroughs	Hultman	Norpel	Schwengels
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
Doderer	Merritt	Rabedeaux	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			

Nays, 3:

Miller of Marshall	Priebe	Scott

Absent or not voting, 6:

DeKoster	Heying	Shaff	Van Gilst
Gallagher	Hill of Jasper		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 515** be **immediately messaged** to the House, which request was complied with.

UNFINISHED BUSINESS

House File 816

On motion of Senator Miller of Des Moines, House File 816, a bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations, was taken up for further consideration.

Senator Hill of Polk offered amendment S—4140 filed by Senators Hill of Polk and Miller of Des Moines and moved its adoption:

S—4140

Amend House File 816 as amended and passed by the House as follows:

1. Page 1, by inserting after line 10 the following:

"Sec. ..... Section five hundred four point five (504.5), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. Directors, officers, members or other volunteers shall not be personally liable for any claim based upon an act or omission of such persons performed in the reasonable discharge of their lawful corporate duties."

2. Title page, line 3, by inserting after the word "corporations" the words "and corporations not for pecuniary profit".

3. By renumbering the sections to accord with this amendment.

Amendment S—4140 was adopted.

Senator Miller of Des Moines withdrew amendment S—3987, offered and pending on June 10, 1975.

Senator Miller of Des Moines moved that the bill 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. 816) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher		Rabedeaux	Willits
Glenn	Miller of Marshall	Ramsey	Winkelman
Gluba		Redmond	
Griffin			

Nays, none.

Absent or not voting, 4:

DeKoster	Heying	Lamborn	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ADOPTION OF CONCURRENT RESOLUTION

House Concurrent Resolution 34

On motion of Senator Sovern, House Concurrent Resolution 34, a resolution creating an environmental education advisory council within the department of public instruction, found on pages 1039 and 1040 of the Senate Journal, with report of committee recom-

mending passage, was taken up, considered, and the report of the committee adopted.

Senator Sovern moved the adoption of House Concurrent Resolution 34.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

House File 12

On motion of Senator Merritt, House File 12, a bill for an act relating to the indemnification of county officers and employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Merritt moved that the bill 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, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Hill of Jasper	Nolin	Rodgers
Briles	Hill of Polk	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba	Miller of Marshall	Redmond	
Griffin			

Nays, none.

Absent or not voting, 3:

DeKoster	Heying	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 546

On motion of Senator Redmond, Senate File 546, a bill for an act to exempt certain publicly-owned motor vehicles used for venereal disease investigation from use of state sign or other labeling and of official registration plates, was taken up for consideration.

(Senate File 546 pending on adjournment.)

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 on June 11, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 456, a bill for an act relating to furnishing discharged inmates of the women's reformatory, men's reformatory, and state penitentiary with clothing, money and transportation.

Also: That the House has on June 11, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 489, a bill for an act relating to the width of commercial vehicles and movement of loads during special or emergency situations.

Also: That the House has on June 11, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 562, a bill for an act relating to the funding of certain employment positions.

Also: That the House has on June 9, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 894, a bill for an act relating to correcting erroneous, inconsistent and obsolete sections of the Code.

Also: That the House has on June 10, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 906, a bill for an act to provide for an annual special permit for operation of certain compacted-rubbish trucks.

Also: That the House has on June 11, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 911, a bill for an act appropriating funds for certain legal fees.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 489

S—4160

Amend Senate File 489 as follows:

1. Page 1, by inserting before line 1 the following new section:

"Section 1. Section three hundred twenty-one point four hundred fifty-seven (321.457), subsection six (6), Code 1975, is amended to read as follows:

6. No combination of three vehicles coupled together one of which is a motor vehicle, unladen or with load, shall have an overall length, inclusive of front and rear bumpers in excess of [sixty] *sixty-five* feet. *No single semitrailer or trailer, together with any hitching device and any*

load thereon, included in such combination, shall have an overall length, inclusive of rear bumper, in excess of thirty feet. A combination of three vehicles in excess of sixty feet but not in excess of sixty-five feet may be operated only as follows:

a. On four-lane highways or on highways other than four-lane highways when the point of origin and the destination is within 5 miles, on the most direct route, of a four-lane highway; or

b. On any other highway the surfaced portion of which is twenty-four feet or more in width, or on any other highways which are designated by the director of transportation when a special permit for such travel has been obtained.

c. A truck tractor or a road tractor operated in a combination of three vehicles in excess of sixty feet but not in excess of sixty-five feet in length shall obtain from the department an annual permit at a fee of two hundred and fifty dollars. This permit fee shall be in addition to all fees imposed by section three hundred twenty-one point one hundred twenty-three (321.123) of the Code, and shall not be subject to proration under chapter three hundred twenty-six (326) of the Code. Upon payment of the fee, the department shall issue a decal which shall be displayed in the lower right-corner of the windshield, or in such other location as may be designated by the department, on the vehicle for which the fee has been paid.

Sec. 2. Section three hundred twenty-one point four hundred fifty-seven (321.457), subsection five (5), Code 1975, is amended to read as follows:

5. No combination of vehicles coupled together which are used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, travel trailers, boats, farm and industrial tractors and self-propelled farm implements, *nonself-propelled*

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implements of husbandry, and self-propelled vehicles shall have an unladen length, inclusive of front and rear bumpers in excess of sixty feet, but the passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, or boats being transported may extend up to three feet beyond the front and rear bumpers of the transporting vehicles when the overall length of the vehicle with load does not exceed sixty-five feet."

2. Page 1, line 6, by inserting after "feet." the following: *"A tolerance of three inches above the maximum legal width may be allowed for tie-down ropes, belts, chains, and similar tie-down equipment."*

3. Page 1, by striking lines 17 through 19.
4. Title page, by striking the words "of commercial" in line 1 and inserting in lieu thereof the words "and length of certain".

INTRODUCTION OF BILL

Senate File 576, by Senator Gluba, a bill for an act to provide limited tax incentives for the improvement, repair, and maintenance of residential property by allowing a five-year tax moratorium for certain improvements to buildings and by requiring that real estate be assessed as if repairs and maintenance had been performed, with certain exceptions.

Read first time and **passed on file.**

HOUSE MESSAGES CONSIDERED

House File 894, a bill for an act relating to correcting erroneous, inconsistent and obsolete sections of the Code.

Read first time and **passed on file.**

House File 906, a bill for an act to provide for an annual special permit for operation of certain compacted-rubbish trucks, subject to penalties provided by law.

Read first time and **passed on file.**

House File 911, a bill for an act appropriating funds for certain legal fees.

Read first time and **passed on file.**

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Glenn presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Ramsey called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Angelo J. Palmer of Des Moines, Polk County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD R. RAMSEY, Chairman
WILLIAM E. GLUBA
EUGENE M. HILL
GEORGE R. KINLEY
WILLIAM P. WINKELMAN

The motion prevailed and the report was adopted.

Senator Ramsey moved the appointment of Angelo J. Palmer as a member of the State Board of Pharmacy Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 38:

Andersen	Griffin	Nolting	Schwengels
Briles	Hansen	Norpel	Scott
Burroughs	Hill of Jasper	Nystrom	Shaff
Carr	Hill of Polk	Palmer	Sovern
Coleman	Junkins	Plymat	Taylor
Culver	Kinley	Priebe	Tieden
Curtis	Merritt	Ramsey	Van Gilst
Doderer	Miller of	Redmond	Willits
Gallagher	Des Moines	Robinson	Winkelman
Glenn	Nolin	Rodgers	

Nays, none.

Absent or not voting, 12:

Bergman	Hultman	Miller of	Orr
DeKoster	Kelly	Marshall	Rabedeaux
Gluba	Lamborn	Murray	Shaw
Heying			

The Chair declared the appointment of Angelo J. Palmer as a member of the State Board of Pharmacy Examiners confirmed for an initial term ending June 30, 1977.

Senator Shaff called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Marian Pike of Whiting, Monona County, Iowa, for appointment as a member of the State Conservation Commission under the

provisions of Sections 107.1-4, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report it has made investigation and recommends that the appointment be confirmed.

ROGER J. SHAFF, Chairman
LEONARD C. ANDERSEN
LOUIS P. CULVER
GENE W. GLENN
EUGENE M. HILL

The motion prevailed and the report was adopted.

Senator Shaff moved the appointment of Marion Pike as a member of the State Conservation Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Andersen	Griffin	Miller of Des Moines	Robinson
Briles	Hansen	Nolin	Rodgers
Burroughs	Heying	Nolting	Schwengels
Carr	Hill of Jasper	Norpel	Scott
Coleman	Hill of Polk	Nystrom	Shaff
Culver	Junkins	Palmer	Sovern
Curtis	Kelly	Plymat	Tieden
Doderer	Kinley	Ramsey	Van Gilst
Gallagher	Lamborn	Redmond	Willits
Glenn	Merritt		Winkelman

Nays, none.

Absent or not voting, 11:

Bergman	Hultman	Murray	Rabedeaux
DeKoster	Miller of Marshall	Orr	Shaw
Gluba		Priebe	Taylor

The Chair declared the appointment of Marian Pike as a member of the State Conservation Commission confirmed for the regular six-year term ending June 30, 1981.

Senator Robinson called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mary F. Holstad of Des Moines, Polk County, Iowa, for appointment as a member of the Iowa State Commerce Commission under the provisions of Sections 474.1 and 474.2, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD E. ROBINSON, Chairman
LOWELL L. JUNKINS
GEORGE R. KINLEY
CALVIN O. HULTMAN
ELIZABETH SHAW

The motion prevailed and the report was adopted.

Senator Robinson moved the appointment of Mary F. Holstad as a member of the Iowa State Commerce Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Andersen	Griffin	Nolin	Robinson
Bergman	Heying	Nolting	Rodgers
Briles	Hill of Polk	Norpel	Schwengels
Burroughs	Hultman	Nystrom	Scott
Carr	Junkins	Orr	Shaff
Coleman	Kelly	Palmer	Shaw
Culver	Kinley	Plymat	Taylor
Curtis	Merritt	Priebe	Tieden
Doderer	Miller of	Rabedeaux	Van Gilst
Gallagher	Des Moines	Ramsey	Willits
Glenn	Murray	Redmond	Winkelman

Nays, none.

Absent or not voting, 7:

DeKoster	Hill of Jasper	Miller of	Sovern
Gluba	Lamborn	Marshall	
Hansen			

The Chair declared the appointment of Mary F. Holstad as a member of the Iowa State Commerce Commission confirmed for the regular six-year term ending June 30, 1981.

Senator Miller of Des Moines called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Dennis D. Killion of Red Oak, Montgomery County, Iowa, for appointment to the State Board of Pharmacy Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial one-year term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES P. MILLER, Chairman
CALVIN O. HULTMAN
JOHN N. NYSTROM
NORMAN RODGERS
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Miller of Des Moines moved the appointment of Dennis D. Killion as a member of the State Board of Pharmacy Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Andersen	Hansen	Nolin	Rodgers
Bergman	Heying	Nolting	Schwengels
Briles	Hill of Jasper	Norpel	Scott
Burroughs	Hill of Polk	Nystrom	Shaff
Carr	Hultman	Orr	Shaw
Coleman	Junkins	Palmer	Sovern
Culver	Kelly	Plymat	Taylor
Curtis	Kinley	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of	Ramsey	Willits
Glenn	Des Moines	Redmond	Winkelman
Griffin	Murray	Robinson	

Nays, none.

Absent or not voting, 4:

DeKoster	Gluba	Lamborn	Miller of Marshall

The Chair declared the appointment of Dennis D. Killion as a member of the State Board of Pharmacy Examiners confirmed for an initial one-year term ending June 30, 1976.

WITHDRAWN

Senator Andersen asked and received unanimous consent that **Senate File 36** be **withdrawn** from further consideration of the Senate.

President Neu took the chair at 1:45 p.m.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 481.

Senate File 481

On motion of Senator Briles, Senate File 481, a bill for an act to create a county compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers, was taken up for consideration.

Senator Briles asked unanimous consent that House File 802 be substituted for Senate File 481.

Objection was raised.

Senator Briles moved that **House File 802** be substituted for **Senate File 481**, which motion prevailed.

House File 802

On motion of Senator Briles, House File 802, a bill for an act to create a county compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers, was taken up for consideration.

Senator Griffin offered amendment S—4128 filed by him, moved its adoption, and requested a record roll call:

S—4128

Amend House File 802 as amended, passed and reprinted by the House, as follows:

1. Page 6, lines 5 and 6 by striking "the members of the board of supervisors,".

2. Page 6, line 10, by striking ", according to the following schedule" and inserting in lieu thereof the words "by a sum not to exceed one thousand five hundred dollars".

3. Page 6, line 12, by striking the words "The increase" and by striking all of lines 13 through 23.

On the question "Shall amendment S—4128 be adopted?" (H.F. 802) the vote was:

Rule 25 was invoked.

Ayes, 8:

Curtis	Griffin	Lamborn	Shaff
Doderer	Hill of Polk	Plymat	Shaw

Nays, 38:

Andersen	Gluba	Nolin	Robinson
Bergman	Hansen	Nolting	Rodgers
Briles	Heying	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Scott
Carr	Kelly	Orr	Sovern
Coleman	Kinley	Palmer	Tieden
Culver	Merritt	Priebe	Van Gilst
DeKoster	Miller of Des Moines	Rabedeaux	Willits
Gallagher	Murray	Ramsey	Winkelman
Glenn		Redmond	

Absent or not voting, 4:

Hill of Jasper	Hultman	Miller of Marshall	Taylor

Amendment S—4128 lost.

Senator Norpel offered amendment S—4172 and moved its adoption:

S—4172

Amend House File 802, page 6, line 15, by inserting after the word "thousand" the words "five hundred".

A record roll call was requested.

On the question "Shall amendment S—4172 be adopted?" (H.F. 802) the vote was:

Rule 25 was invoked.

Ayes, 12:

Coleman	Kinley	Norpel	Priebe
Culver	Miller of Des Moines	Orr	Scott
Gallagher		Palmer	Willits
Gluba			

Nays, 35:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Nolin	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Polk	Nystrom	Shaff
Carr	Hultman	Plymat	Shaw
Curtis	Junkins	Rabedeaux	Sovern
DeKoster	Kelly	Ramsey	Tieden
Doderer	Lamborn	Redmond	Van Gilst
Glenn	Merritt		Winkelman

Absent or not voting, 3:

Hill of Jasper	Murray	Taylor

Amendment S—4172 lost.

Senator Shaff offered amendment S—4174 by Senators Shaff and Winkelman and requested a non-record roll call:

S—4174

Amend House File 802 as amended, passed and reprinted by the House, page 4, line 17, by inserting after the period the following: "The compensation schedule as decided by the board of supervisors shall become effective only upon the affirmative public vote of a majority of the board of supervisors."

Rule 25 was invoked.

The ayes were 23, nays 25.

Amendment S—4174 lost.

Senator Gallagher offered amendment S—4171:

S—4171

Amend House File 802, as amended and passed and reprinted by the House as follows:

1. Page 6, by striking lines 17 thru 20.

Senator Gallagher withdrew amendment S—4171.

Senator Ramsey offered amendment S—4176, moved its adoption and requested a record roll call:

S—4176

Amend House File 802 as follows:

1. Page 3, line 34, by striking the first word "shall" and inserting in lieu thereof the word "may".

2. Page 4, by inserting after line 22 the following new paragraph:

"Neither the salary recommended by the county compensation board nor that adopted by the board of supervisors shall be below the salary paid to the elective county officers on the date they were last elected. Such a salary decrease may be effective after the next regular election for the office effected."

On the question "Shall amendment S—4176 be adopted?" (H.F. 802) the vote was:

Ayes, 21:

Bergman	Griffin	Orr	Schwengels
Burroughs	Hill of Polk	Plymat	Shaff
Coleman	Lamborn	Priebe	Shaw
Curtis	Miller of Marshall	Ramsey	Tieden
DeKoster	Nolin	Redmond	Winkelman
Doderer			

Nays, 28:

Andersen	Heying	Miller of Des Moines	Rabedeaux
Briles	Hill of Jasper	Murray	Robinson
Carr	Hultman	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Gallagher	Kelly	Nystrom	Sovern
Glenn	Kinley	Palmer	Taylor
Gluba	Merritt		Van Gilst
Hansen			

Absent or not voting, 1:

Willits

Amendment S—4176 lost.

Action on House File 802 was temporarily deferred for the preparation of an amendment.

Senate File 575

On motion of Senator Van Gilst, Senate File 575, a bill for an act making appropriations for increased employer contributions resulting because of changes in the employees' retirement systems and providing funds for school districts, area education agencies, and area schools, and the department of transportation; and providing supplemental authorization to expend funds from certain departmental revolving, trust or special funds, was taken up for consideration.

Senator Hultman offered amendment S—4154 by Senators Hultman, et al., moved its adoption and requested a record roll call:

S—4154
1 Amend Senate File 575 as follows:
2 1. Page 1, by striking all of lines 13
3 through 21.
4 2. Renumber the remaining sections.

On the question "Shall amendment S—4154 be adopted?" (S.F. 575) the vote was:

Ayes, 27:

Andersen	Gallagher	Miller of Marshall	Schwengels
Bergman	Griffin	Nolin	Scott
Burroughs	Hansen	Norpel	Shaff
Coleman	Heying	Priebe	Shaw
Culver	Hultman	Rabedeaux	Taylor
Curtis	Kelly	Ramsey	Tieden
DeKoster	Lamborn		Winkelman

Nays, 18:

Carr	Kinley	Nystrom	Robinson
Doderer	Merritt	Orr	Sovern
Glenn	Miller of Des Moines	Palmer	Van Gilst
Hill of Jasper	Murray	Plymat	Willits
Junkins		Redmond	

Absent or not voting, 5:

Briles	Hill of Polk	Nolting	Rodgers
Gluba			

Amendment S—4154 was 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?" (S.F. 575) the vote was:

Ayes, 49:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hill of Polk	Norpel	Shaff
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kelly	Palmer	Taylor
DeKoster	Kinley	Plymat	Tieden
Doderer	Lamborn	Priebe	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Miller of Des Moines	Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 1:

Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 892

On motion of Senator Norpel, House File 892, a bill for an act to appropriate from the road use tax fund, the primary road fund, the aeronautics fund, and the general fund of the state to the state department of transportation for administration and other purposes, clarifying administrative duties of the state department of transportation's share for administration of the state merit system, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tieden offered amendment S—4179:

S—4179

Amend House File 892, as passed by the House, page 5, by inserting after line 25, the following new section:

"Sec. ..... Section three hundred twelve point one (312.1), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the provisions of subsection two (2) of section four hundred twenty-two point sixty-nine (422.69) of the Code, during the last quarter of each fiscal year commencing with the fiscal year ending June 30, 1976, an amount equal to ten percent of the net receipts from two-thirds of the sales tax collected under division four (IV) of chapter four hundred twenty-two (422) of the Code, less any amount which may be transferred by law during such fiscal year for motor vehicle registration plates, shall be transferred to the road use tax fund only if the unencumbered balance in the general fund of the state at the end of each fiscal year, commencing with the fiscal year ending June 30, 1976, computed on a basis consistent with prior years, as certified by the state comptroller to the governor, totals fifty-five million (55,000,000) dollars or more. If the unencumbered balance in the general fund of the state at the end of any fiscal year does not total fifty-five million (55,000,000) dollars or more, funds which would otherwise be deposited in the road use tax fund during the last quarter of each fiscal year pursuant to this subsection shall be deposited in the general fund of the state."

Senator Palmer raised the point of order that amendment S—4179 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4179 out of order.

Senator Tieden moved that the rules governing germaneness under Sec. 402, Mason's Manual of Legislative Procedure, be suspended for the purpose of continuing consideration of amendment S—4179.

On the question "Shall the motion to suspend Sec. 402, Mason's Manual of Legislative Procedure, be adopted?" (S.F. 892) the vote was:

Rule 25 was invoked.

Ayes, 18:

Andersen	Griffin	Miller of	Schwengels
Bergman	Hansen	Marshall	Shaff
Briles	Hultman	Nystrom	Taylor
Burroughs	Lamborn	Rabedeaux	Tieden
Curtis		Ramsey	Winkelman

Nays, 28:

Carr	Hill of Jasper	Murray	Priebe
Culver	Hill of Polk	Nolin	Redmond
DeKoster	Junkins	Nolting	Robinson
Doderer	Kinley	Norpel	Rodgers
Gallagher	Merritt	Orr	Scott
Glenn	Miller of	Palmer	Sovern
Gluba	Des Moines	Plymat	Van Gilst
Heying			

Absent or not voting, 4:

Coleman	Kelly	Shaw	Willits

The motion lost.

Senator Norpel offered amendment S—4182:

S—4182

Amend House File 892, as passed by the House, page 5, by adding after line 35 the following new sections:

"Sec. ..... Section three hundred twelve point three (312.3), subsection one (1), Code 1975, is amended to read as follows:

1. Apportion among the counties in the ratio that the needs of the secondary roads of each county bear to the total needs of the secondary roads of the state [for the twenty year improvement program developed by the automotive safety foundation and filed with the Iowa highway study committee created by chapter 426, Acts of the Fifty-eighth General Assembly] *as shown in the latest biennial update of the twenty-year highway need study report developed by the state department of transportation,* and which is on record at the department, sixty percent of the allocation from road use tax funds which he has credited to the secondary road fund of the counties, and apportion among the counties in the ratio that the area of such county bears to the total area of the state, forty

percent of the allocation from road use tax funds which he has credited to the secondary road fund of the counties.

Sec. ..... Section three hundred twelve point five (312.5), unnumbered paragraph three (3), Code 1975, is amended to read as follows:

Need allotment farm-to-market road funds shall be allotted among the counties in the ratio that the needs of the farm-to-market roads in each county bear to the total needs of the farm-to-market roads in the state [for the twenty year program developed by the automotive safety foundation and filed with the Iowa highway study committee created by chapter 426, Acts of the Fifty-eighth General Assembly] *as shown in the latest biennial update of the twenty-year highway need study report developed by the state department of transportation*, and which is on record at the department."

Senator Norpel withdrew amendment S—4182.

Senator Norpel moved that the bill 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. 892) the vote was:

Ayes, 49:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hill of Polk	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Glenn	Miller of Des Moines	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Griffin			Winkelman

Nays, none.

Absent or not voting, 1:

Gallagher

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 896

On motion of Senator Murray, House File 896, a bill for an act making an appropriation to the Iowa housing finance authority, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Plymat took the chair at 4:50 p.m.

Senator Murray moved that the bill 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. 896) the vote was:

Ayes, 40:

Andersen	Glenn	Merritt	Priebe
Bergman	Gluba	Miller of Marshall	Rabedeaux
Briles	Griffin	Murray	Redmond
Burroughs	Hansen	Nolin	Robinson
Carr	Hill of Jasper	Nolting	Rodgers
Coleman	Hill of Polk	Norpel	Schwengels
Culver	Junkins	Orr	Scott
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Van Gilst
Doderer	Lamborn		Willits
Gallagher			

Nays, 8:

Hultman	Nystrom	Shaw	Tieden
Miller of Des Moines	Ramsey	Taylor	Winkelman

Absent or not voting, 2:

Heying	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 897

On motion of Senator Van Gilst, House File 897, a bill for an act relating to the salaries of area school superintendents, was taken up for consideration.

Senator Doderer offered amendment S—4180 by Senators Doderer and Hansen, moved its adoption and requested a non-record roll call:

S—4180

Amend House File 897, as passed by the House, as follows:

1. Page 1, by inserting after line 8 the following new section:

"Sec. 2. Section two hundred sixty point nine (260.9), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The board of educational examiners shall establish a certificate for area school superintendents. The area school superintendent's certificate shall be issued to an applicant who fulfills two of the following three requirements:

a. Completion of at least three (3) years of full-time employment as an administrator at any level of post-secondary education.

b. Completion of at least three (3) years as a

teacher at any level of post-secondary education.
c. Possession of an earned doctoral degree in the academic discipline of educational administration, higher education, business administration or public administration.
The provisions of this subsection shall not apply to persons employed as area school superintendents during the current academic year beginning July 1, 1974 and ending July 1, 1975.
No uncertificated person shall be employed as a superintendent of an area school."
2. By amending the title, line 1, by inserting after the word "salaries" the words "and qualifications".

The ayes were 27, nays 14.

Amendment S—4180 was adopted.

Senator Orr offered amendment S—4173:

S—4173
Amend House File 897, as passed by the House, page 1, line 8, by inserting after the period the following:
"The salary of persons employed as area school superintendents shall not exceed twenty-seven thousand five hundred dollars until the superintendent's area school has submitted an affirmative action plan to the department of public instruction, and the department certifies to the general assembly that the plan:
a. Meets the affirmative action requirements of all federal and state laws, including rules promulgated under them.
b. Provides for affirmative action in hiring for administrative positions.
c. Has a reasonable expectation of effective and speedy implementation."

Senator Ramsey raised the point of order that amendment S—4173 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4173 in order.

Senator Orr moved the adoption of amendment S—4173.

A record roll call was requested.

On the question "Shall amendment S—4173 be adopted?" (H.F. 897) the vote was:

Rule 25 was invoked.

Ayes, 14:

Doderer	Lamborn	Norpel	Redmond
Gallagher	Miller of	Orr	Sovern
Gluba	Des Moines	Plymat	Willits
Hill of Polk	Murray	Priebe	

Nays, 36:

Andersen	Griffin	Miller of	Rodgers
Bergman	Hansen	Marshall	Schwengels
Briles	Heying	Nolin	Scott
Burroughs	Hill of Jasper	Nolting	Shaff
Carr	Hultman	Nystrom	Shaw
Coleman	Junkins	Palmer	Taylor
Culver	Kelly	Rabedeaux	Tieden
Curtis	Kinley	Ramsey	Van Gilst
DeKoster	Merritt	Robinson	Winkelman
Glenn			

Amendment S—4173 lost.

Senator Coleman moved to reconsider the vote by which amendment S—4180 was adopted by the Senate.

President Neu took the chair at 6:43 p.m.

A record roll call was requested.

On the question "Shall the motion to reconsider amendment S—4180 be adopted?" (H.F. 897) the vote was:

Ayes, 31:

Andersen	Hill of Jasper	Miller of	Scott
Briles	Hill of Polk	Marshall	Shaff
Burroughs	Junkins	Nolin	Shaw
Carr	Kinley	Palmer	Sovern
Coleman	Lamborn	Ramsey	Taylor
Culver	Merritt	Robinson	Van Gilst
DeKoster	Miller of	Rodgers	Willits
Gallagher	Des Moines	Schwengels	Winkelman
Glenn			

Nays, 18:

Bergman	Hansen	Norpel	Priebe
Curtis	Heying	Nystrom	Rabedeaux
Doderer	Kelly	Orr	Redmond
Gluba	Murray	Plymat	Tieden
Griffin	Nolting		

Absent or not voting, 1:

Hultman

The motion prevailed and amendment S—4180 was taken up for reconsideration.

Senator Coleman raised the point of order that amendment S—4180 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4180 in order.

Action on House File 897 was temporarily deferred.

On motion of Senator Kinley, the Senate recessed until 6:30 p.m.

EVENING SESSION

The Senate reconvened, President Neu presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONSIDERATION OF BILLS

House File 802

The Senate resumed consideration of House File 802.

Senator Nolin offered amendment S—4177 by Senators Nolin, et al.:

S—4177

Amend House File 802 as amended, passed and reprinted:

1. Page 1, by striking lines 1 through 29 and inserting in lieu thereof the following:

"be elected as provided in this section.

Five members of the county compensation board shall be elected at each regular election at which the governor is elected and shall serve for a term of four years. The election shall be conducted by the county auditor or county commissioner of election in accordance with the provisions of the Code except for those matters specifically provided for in this Act. The board members shall be elected without reference to affiliation with a political party. Only persons who are qualified electors of the county shall be eligible to serve on the county compensation board."

2. Page 1, by striking lines 30 through 35.

3. Page 2, by striking lines 1 through 10.

4. Page 2, by striking lines 23 through 35 and page 3 by striking lines 1 through 10 and inserting in lieu thereof the following:

"Sec. ..... *NEW SECTION.* INITIAL ELECTION AND VACANCIES.

Within sixty days of the effective date of this Act, the county board of supervisors shall call an election

in the county for the purpose of electing the initial county compensation board. The election shall be set within thirty days of the date the election is called. The election shall be conducted in accordance with the provisions of this Act and of the Code. Those persons elected shall serve until the next regular election and to when their successors qualify.

When a position on the county compensation board shall become vacant because of the death or resignation of a member or other reason, the county board of supervisors shall call an election within sixty days to fill the vacancy. The person elected shall serve until the next regular election when the successor qualifies."

5. By changing the section numbers and correcting internal references in accordance with this amendment.

Senator Redmond offered amendment S—4178 to amendment S—4177 and moved its adoption:

S—4178

Amend the Nolin, et al., amendment S—4177 to House File 802 as amended and passed by the House, on line 2 by striking "lines 1" and inserting in lieu thereof "lines 5".

Amendment S—4178 to amendment S—4177 was adopted.

Senator Nolin moved the adoption of amendment S—4177 as amended and requested a record roll call.

On the question "Shall amendment S—4177 as amended be adopted?" (H.F. 802) the vote was:

Ayes, 14:

Curtis	Lamborn	Priebe	Shaw
Griffin	Nolin	Redmond	Tieden
Hill of Jasper	Orr	Shaff	Winkelman
Hill of Polk	Plymat		

Nays, 33:

Andersen	Glenn	Miller of Des Moines	Ramsey
Briles	Gluba	Murray	Robinson
Burroughs	Hansen	Nolting	Rodgers
Carr	Heying	Norpel	Schwengels
Coleman	Hultman	Nystrom	Scott
Culver	Junkins	Palmer	Sovern
DeKoster	Kelly	Rabedeaux	Van Gilst
Doderer	Kinley		Willits
Gallagher	Merritt		

Absent or not voting, 3:

Bergman	Miller of Marshall	Taylor

Amendment S—4177 as amended 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. 802) the vote was:

Ayes, 42:

Andersen	Gluba	Nolin	Rodgers
Briles	Hansen	Nolting	Schwengels
Burroughs	Heying	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Rabedeaux	Willits
Gallagher	Murray	Ramsey	Winkelman
Glenn		Redmond	

Nays, 4:

Griffin	Hill of Jasper	Hill of Polk	Lamborn

Absent or not voting, 4:

Bergman	Miller of Marshall	Robinson	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 481** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 901

On motion of Senator Junkins, House File 901, a bill for an act to make a supplemental appropriation from the general fund of the state to the municipal assistance fund and to appropriate from the general fund of the state to the county government assistance fund created by this Act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Junkins moved that the bill 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. 901) the vote was:

Ayes, 47:

Andersen	Carr	Curtis	Gallagher
Briles	Coleman	DeKoster	Glenn
Burroughs	Culver	Doderer	Gluba

Griffin	Lamborn	Orr	Schwengels
Hansen	Merritt	Palmer	Scott
Heying	Miller of Des Moines	Plymat	Shaff
Hill of Jasper	Murray	Priebe	Shaw
Hill of Polk	Nolin	Rabedeaux	Sovern
Hultman	Nolting	Ramsey	Tieden
Junkins	Norpel	Redmond	Van Gilst
Kelly	Nystrom	Robinson	Willits
Kinley		Rodgers	Winkelman

Nays, none.

Absent or not voting, 3:

Bergman	Miller of Marshall	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 903

On motion of Senator Junkins, House File 903, a bill for an act to appropriate from the general fund of the state to the municipal assistance fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Junkins moved that the bill 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. 903) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Robinson
Burroughs	Heying	Nolin	Rodgers
Carr	Hill of Jasper	Nolting	Schwengels
Coleman	Hill of Polk	Norpel	Scott
Culver	Hultman	Nystrom	Shaff
Curtis	Junkins	Orr	Shaw
DeKoster	Kelly	Palmer	Sovern
Doderer	Kinley	Plymat	Tieden
Gallagher	Lamborn	Priebe	Van Gilst
Glenn	Merritt	Rabedeaux	Willits
Gluba	Miller of Des Moines	Ramsey	Winkelman
Griffin		Redmond	

Nays, none.

Absent or not voting, 4:

Bergman	Briles	Miller of Marshall	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Junkins asked and received unanimous consent that

Senate File 569 be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER LOST

Senate File 526

Senator Hultman called up the following motion to reconsider filed by him:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 526 passed the Senate on June 12, 1975.

Senator Hill of Polk moved the adoption of the motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 526) the vote was:

Ayes, 22:

Briles	Hill of Polk	Nystrom	Schwengels
Burroughs	Hultman	Plymat	Shaff
DeKoster	Kelly	Rabedeaux	Shaw
Gallagher	Lamborn	Ramsey	Tieden
Griffin	Merritt	Redmond	Winkelman
Hansen	Murray		

Nays, 25:

Andersen	Gluba	Nolin	Robinson
Carr	Heying	Nolting	Rodgers
Coleman	Hill of Jasper	Norpel	Scott
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Van Gilst
Doderer	Miller of Des Moines	Priebe	Willits
Glenn			

Absent or not voting, 3:

Bergman	Miller of Marshall	Taylor

The motion lost.

MOTION TO RECONSIDER

OUT OF ORDER

The following motion to reconsider was ruled out of order:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 526 passed the Senate on June 12, 1975.

FORREST V. SCHWENGELS

CONSIDERATION OF BILLS

House File 904

On motion of Senator Norpel, House File 904, a bill for an act relating to the railroad grade crossings on public highways and

increasing funds allocated for such purposes, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel offered amendment S—4146 by the committee on appropriations and moved its adoption:

S—4146
1 **Amend House File 904, as passed by the House,**
2 **page 1, line 25, by striking the words *"However, the"***
3 **and inserting in lieu thereof the word *"The"*.**

A non-record roll call was requested.

The ayes were 36, nays 9.

Amendment S—4146 was adopted.

Senator Norpel moved that the bill 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. 904) the vote was:

Ayes, 45:

Andersen	Griffin	Murray	Robinson
Briles	Hansen	Nolting	Rodgers
Burroughs	Heying	Norpel	Schwengels
Carr	Hill of Jasper	Nystrom	Scott
Coleman	Hill of Polk	Orr	Shaff
Culver	Junkins	Palmer	Shaw
Curtis	Kelly	Plymat	Sovern
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Rabedeaux	Van Gilst
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 5:

Bergman	Miller of Marshall	Nolin	Taylor
Hultman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 897

The Senate resumed consideration of House File 897 and amendment S—4180.

Senator Doderer asked and received unanimous consent to withdraw amendment S—4180.

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. 897) the vote was:

Ayes, 39:

Andersen	Glenn	Lamborn	Priebe
Briles	Gluba	Merritt	Redmond
Burroughs	Griffin	Miller of Des Moines	Robinson
Carr	Hansen	Murray	Rodgers
Coleman	Heying	Nolting	Schwengels
Culver	Hill of Polk	Norpel	Scott
Curtis	Hultman	Orr	Shaw
DeKoster	Junkins	Palmer	Sovern
Doderer	Kelly	Plymat	Van Gilst
Gallagher	Kinley		Willits

Nays, 6:

Hill of Jasper	Rabedeaux	Tieden	Winkelman
Nystrom	Ramsey		

Absent or not voting, 5:

Bergman	Miller of Marshall	Nolin	Taylor
		Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gluba asked and received unanimous consent that **Senate File 556** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER WITHDRAWN

Senator Rodgers withdrew the motion to reconsider the vote by which **Senate File 545** passed the Senate filed by him on June 11, 1975.

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 on June 12, 1975, adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 13 to provide for an interim study of the structure and performance of the department of social services.

Also: That the House has on June 2, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 154, a bill for an act relating to the employment and duties of public school principals.

Also: That the House has on June 12, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 536, a bill for an act relating to the use of electronic facilities and electronic transfers of funds by banks, credit unions and savings and loan associations.

Also: That the House has on June 12, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 565, a bill for an act relating to administration of chapter three hundred twenty-four (324) of the Code and the motor vehicle use tax program and appropriating funds from the motor vehicle fuel tax fund to the department of revenue.

Also: That the House has on June 12, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 567, a bill for an act making an appropriation to the Iowa American revolution bicentennial commission to finance the participation of Iowa musical groups in honor of Iowa statehood at the Kennedy Center for the Performing Arts in Washington, D. C.

Also: That the House has on June 12, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 572, a bill for an act making an appropriation for and relating to social service programs including aging, drug abuse, and alcoholism programs.

Also: That the House has on June 12, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the was asked:

House File 77, a bill for an act relating to the installation of automatic fire extinguishing systems in high-rise buildings.

Also: That the House has on June 12, 1975, adopted the conference committee report on and passed the following bill in which the concurrence of the Senate is asked:

House File 185, a bill for an act relating to the transporting of livestock, and providing penalties.

Also: That the House has on June 12, 1975, concurred in Senate amendment to, and passed the following bill in which the concurrence of the House was asked:

House File 825, a bill for an act relating to the regulation of securities and providing for the registration of securities and broker-dealers.

Also: That the House has on June 12, 1975, concurred in Senate amendment to, and passed the following bill in which the concurrence of the House was asked:

House File 848, a bill for an act making appropriations to the Iowa crime commission and the department of public safety.

Also: That the House has on June 10, 1975, concurred in Senate amendment to, and passed the following bill in which the concurrence of the House was asked:

House File 880, a bill for an act appropriating funds to the Iowa state historical department, the Iowa library department, the Iowa state arts council and the academy of science.

Also: That the House has on June 12, 1975, concurred in Senate amendment to, and passed the following bill in which the concurrence of the House was asked:

House File 883, a bill for an act relating to and appropriating funds

to judicial courts and agencies and appropriating funds to the attorney general.

Also: That the House has on June 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 912, a bill for an act relating to the duty of computing the Iowa consumer price index and making an appropriation.

Also: That the House has on June 12, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 913, a bill for an act creating an employment opportunity board authorized to grant funds for the creation of employment and making an appropriation.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 536

S—4184

Amend Senate File 536 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by inserting after line 17 the following new sections:

"Sec. ..... *NEW SECTION.*

1. Except as provided in subsection two (2) of this section, public funds which are required by section four hundred fifty-three point one (453.1) of the Code to be deposited in banks shall not be deposited with any state or federal bank which utilizes a satellite facility as defined in section four (4) of this Act if that satellite facility is located at a place other than either the principal place of business or a lawful business office of that bank. Upon a determination by the treasurer of state that any state or federal depository bank is in violation of this subsection, the treasurer of state shall notify the affected governing bodies specified in section four hundred fifty-three point one (453.1) of the Code, and each governing body shall forthwith approve and order the transfer of public funds to another bank.

2. The prohibition contained in subsection one (1) of this section shall not apply to any bank participating in an experimental plan approved by the superintendent of banking. The superintendent of banking or the supervisor of state chartered savings and loan associations may approve a limited number of experimental plans submitted by one or more banks, savings and loan associations or credit unions, or any combination thereof, for the experimental operation on a limited scope of satellite facilities as defined in section four (4) of this Act which are located at places other than the principal places of business and business offices of such financial institutions. A plan may

not be approved by the superintendent of banking to permit the operation of such satellite facilities after the first day of January, 1976. Each bank wishing to participate in such a plan shall agree as a condition of that participation to disclose to the superintendent of banking upon request any information obtained by that bank as a result of that participation which the superintendent of banking deems useful to a determination of the feasibility of authorizing the use of satellite facilities in this state on a general basis.

3. The superintendent of banking shall submit to the general assembly not later than the first day of February, 1976, a report of the operation of any

Page 2

experimental satellite facilities pursuant to subsection two (2) of this section, which report shall include findings and recommendations of the superintendent with respect to the potential uses of satellite facilities in this state.

4. This section is repealed effective the first day of July, 1976.

Sec. ..... *NEW SECTION.* PROHIBITED ACTIVITIES. It shall be unlawful for any person other than a bank, savings and loan association or credit union incorporated or chartered under the laws of this state or of the United States to possess, maintain or permit on premises occupied by that person any terminal or installation of a satellite facility as defined in section four (4) of this Act if by means of that facility customers of that person or of a bank, savings and loan association or credit union utilizing that satellite facility are enabled to engage in transactions constituting or incidental to the conduct of the business of a bank, savings and loan association or credit union. This section shall not apply to any person who has received express approval from the superintendent of banking to possess, maintain, use or permit the use of a satellite facility pursuant to an experimental plan of operation approved by the superintendent. The superintendent of banking or the supervisor of state chartered savings and loan associations may approve a limited number of experimental plans submitted by one or more banks, savings and loan associations or credit unions, or any combination thereof, for the experimental operation on a limited scope of satellite facilities as defined in section four (4) of this Act which are located at places other than the principal places of business and business offices of such financial institutions. A plan may not be approved by the superintendent of banking to permit the operation of such satellite facilities after the first day of January, 1976. This section

is repealed effective the first day of July, 1976."

2. Page 1, by inserting after line 35 the following new sentence:

"No terminal or other facility utilized pursuant to this section shall be designed in such a manner as to be capable of providing a user thereof, other than a bank, with information concerning the account of any person with the bank, unless such information is essential to complete or prevent the completion of the transaction then being engaged in through the use of that terminal or facility."

Page 3

3. Page 2, line 3, by inserting after the word "law" the words ", nor shall anything in this section be deemed to repeal, replace or in any other way affect any applicable law or rule regarding the maintenance of or access to financial information maintained by any bank".

4. Page 3, by striking line 28 and inserting in lieu thereof the following:

"of a bank, may not be utilized within this state by a bank other than an Iowa".

5. Page 5, by striking lines 22 through 28, and inserting in lieu thereof the following:

"In adopting, amending and repealing rules the superintendent shall maintain uniformity of Iowa rules with federal statutes or rules maintained by federal agencies with respect to the operation of satellite facilities by national banks.

It is the intent of this Act that satellite facilities be operated by banks, savings and loan associations and credit unions incorporated in this state only to the extent necessary to enable such institutions to compete with federal institutions to the same degree as existed prior to the promulgation by federal agencies of authority for federally chartered institutions to operate satellite facilities. Notwithstanding the provisions of this Act, if federal legislation is enacted limiting the establishment by national banks of satellite facilities to the extent of authority given by state law or rules as they existed as of a date prior to the effective date of this Act, the authority granted by this Act shall be ineffective, and the superintendent shall repeal any rule authorizing the operation by state banks of satellite facilities, and further shall prohibit by rule such satellite facilities. In addition, if such federal legislation or rules provide for similar limitations on the establishment of satellite facilities by federal savings and loan associations or federal credit unions or both, then the authority granted by this Act to state incorporated savings and loan associations and credit unions similarly shall be ineffective with respect to state savings

and loan associations, state credit unions, or both."

6. Page 6, line 3, by inserting after the word "superintendent" the following: ", provided that, unless the superintendent is entitled by a rule or law other than this section to obtain a written record of a transaction, he or she shall not be provided with such a written record without the written consent of a customer who is a party to the transaction".

Page 4

7. Page 6, line 25, by striking the word "shall" and inserting in lieu thereof the word "may".

8. Page 6, line 26, by striking the words "of customers" and inserting in lieu thereof the words "to customers".

9. Page 7, by inserting after line 7 the following new section:

"Sec. ..... Chapter five hundred twenty-four (524), Code 1975, is amended by adding to division twelve (XII) the following new section:

NEW SECTION. A bank shall be liable to each of its customers for all losses incurred by such customer as a result of the transmission or recording of electronic impulses as a part of a transaction not authorized by such customer or to which the customer was not a party, provided, however, that liability pursuant to this section shall be limited to losses in excess of fifty dollars in the event the bank has provided the customer with a physical object or other method of engaging in a transaction utilizing electronic impulses which is unique to the customer, and the physical object or other method of engagement has been lost, stolen or otherwise compromised without the customer having notified the bank of such loss, theft or compromise prior to the time of the transaction causing the loss to the customer."

10. Page 8, line 2, by inserting after the period the following new sentence:

"No terminal or other facility utilized pursuant to this subsection shall be designed in such a manner as to be capable of providing a user thereof, other than a savings and loan association, with information concerning the account of any person with the savings and loan association, unless such information is essential to complete or prevent the completion of the transaction then being engaged in through the use of that terminal or facility."

11. Page 8, line 4, by inserting after the word "law" the words ", nor shall anything in this subsection be deemed to repeal, replace or in any other way affect any applicable law or rule regarding the maintenance of or access to financial information maintained by any savings and loan association.

12. Page 8, by inserting after line 4 the following:

"*NEW SUBSECTION.* A savings and loan association

shall be liable to each of its customers for all losses incurred by such customer as a result of the transmission or recording of electronic impulses as a part of a transaction not authorized by such customer or to which the customer was not a party, provided,

Page 5

however, that liability pursuant to this subsection shall be limited to losses in excess of fifty dollars in the event the savings and loan association has provided the customer with a physical object or other method of engaging in a transaction utilizing electronic impulses which is unique to the customer and the physical object or other method of engagement has been lost, stolen or otherwise compromised without the customer having notified the savings and loan association of such loss, theft or compromise prior to the time of the transaction causing the loss to the customer."

13. Page 8, line 19, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

14. Page 9, line 1, by inserting after the period the following sentence:

"No terminal or other facility utilized pursuant to this subsection shall be designed in such a manner as to be capable of providing a user thereof, other than a credit union, with information concerning the account of any person with the credit union, unless such information is essential to complete or prevent the completion of the transaction then being engaged in through the use of that terminal or facility."

15. Page 9, line 4, by inserting after the word "law" the words ", nor shall anything in this subsection be deemed to repeal, replace or in any other way affect any applicable law or rule regarding the maintenance of or access to financial information maintained by any credit union".

16. Page 9, by inserting after line 4 the following:

"*NEW SUBSECTION.* A credit union shall be liable to each of its customers for all losses incurred by such customer as a result of the transmission or recording of electronic impulses as a part of a transaction not authorized by such customer or to which the customer was not a party, provided, however, that liability pursuant to this subsection shall be limited to losses in excess of fifty dollars in the event the credit union has provided the customer with a physical object or other method of engaging in a transaction utilizing electronic impulses which is unique to the customer and the physical object or other method of engagement has been lost, stolen or otherwise compromised without the customer having notified the credit union of such loss, theft or compromise prior to the time of the transaction causing the loss to the customer."

HOUSE AMENDMENT TO SENATE FILE 565

S—4189

Amend Senate File 565, as passed by the Senate as follows:

1. Page 1, by striking from lines 15B and 15C the following: "subsections four (4) and (5)" and inserting in lieu thereof the following: "subsection four (4)".

2. Page 1, by inserting after line 15C the following new section:

"Sec. ..... Section three hundred twenty-four point thirty-six (324.36), Code 1975, subsection five (5), is amended to read as follows:

5. ISSUANCE. Upon receipt of the application [and bond in proper form], the department of revenue shall issue to the applicant a license to act as a special fuel dealer or a special fuel user; provided, however, the department of revenue may refuse to issue a special fuel dealer's license or a special fuel user's license to any person: (a) Who formerly held either type of license and which has been revoked for cause; or (b) who is a subterfuge for the real party in interest whose license has been revoked for cause; or (c) upon other sufficient cause being shown. Before refusal, the department of revenue shall grant the applicant a hearing and give him at least fifteen days' written notice of the time and place thereof."

INTRODUCTION OF BILLS

Senate File 577, by committee on ways and means, a bill for an act relating to the Iowa beer barrel tax rebate.

Read first time and **placed on calendar.**

Senate File 578, by committee on state government, a bill for an act creating a department of corrections, prescribing the powers and duties thereof and providing penalties.

Read first time and **placed on calendar.**

Senate File 579, by committee on appropriations, a bill for an act making an appropriation for the state's contribution for the support of the Missouri River riverfront project.

Read first time and **placed on calendar.**

Senate File 580, by committee on appropriations, a bill for an act to make appropriations from the general fund and reimbursement fund of the state to certain persons in settlement of claims made against the state of Iowa.

Read first time and **placed on calendar.**

Senate File 581, by committee on appropriations, a bill for an act making an appropriation to provide funds to certain state agencies for increased employer contributions resulting because of changes in the Iowa public employees' retirement system.

Read first time and **placed on calendar.**

Senate File 582, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state to Iowa state university of science and technology for research on dust explosions related to grain elevators.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 52
By Committee on County Government

Whereas, the county is a viable, useful and important political subdivision of the state which provides needed services to the public; and

Whereas, the needs of county residents and services provided by counties have changed during the twentieth century because of shifting population and technological advances; and

Whereas, there is a need to review state statutes which relate to the institutions, powers and duties of county government for the purpose of recommending appropriate revisions to implement home rule for counties and facilitate the solution of local problems by local initiative; *Now Therefore,*

Be It Resolved by the Senate, the House of Representatives Concurring, That the legislative council is requested to establish a study committee as provided by law, which committee shall be composed of members of both houses of the general assembly, to study county home rule and the delivery of needed county governmental services; and

Be It Further Resolved, That the study committee may include nonlegislative members having special knowledge of the operation of county government; 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-sixth General Assembly, 1976 Session, and shall be accompanied by legislative bill drafts designed to carry out the recommendations of the study committee.

Read first time and **placed on calendar.**

HOUSE MESSAGES CONSIDERED

House File 912, a bill for an act relating to the duty of computing the Iowa consumer price index and making an appropriation.

Read first time and **passed on file.**

House File 913, a bill for an act creating an employment opportunity board authorized to grant funds for the creation of employment and making an appropriation.

Read first time and **passed on file.**

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 185

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House of Representatives on House File 185, a bill for an Act relating to the transporting of cattle, and providing penalties, respectfully make the following recommendations:

1. That the House recede from House amendment H—3861 to Senate amendment H—3847 to House File 185 as amended and passed by the House.

2. That the House concur in the Senate amendment H—3847, to House File 185 as amended and passed by the House.

3. That House File 185 as amended be amended further as follows:

1. Page 4, by striking line 31 and inserting in lieu thereof the following:

"detained: However, nothing in this Act shall be construed to authorize any law enforcement officer to open or require the opening of the cargo compartment of any vehicle manufactured for use in carrying refrigerated cargo when both the cargo is actually under refrigeration at the time the vehicle is detained by the law enforcement officer, and the person operating the vehicle has in possession when stopped a valid transportation certificate or approved shipping document which was executed by the shipper and which identifies the cargo as processed livestock and otherwise complies with subsection two (2) of section three (3) of this Act."

On the Part of the Senate:	On the Part of the House:
KENNETH D. SCOTT, Chairman	ALVIN MILLER, Chairman
MILO MERRITT	HERBERT C. HINKHOUSE
JAMES M. REDMOND	FRANK CRABB
CLIFF BURROUGHS	RICHARD F. DRAKE
ROGER J. SHAFF	

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S. F. 576 Ways and means

H. F. 843 Agriculture

H. F. 894 Judiciary

H. F. 906 Ways and means
H. F. 910 Appropriations
H. F. 911 Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert D. Porter, Sioux City, Woodbury County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
LEONARD C. ANDERSEN
JOHN N. NYSTROM
JAMES M. REDMOND
CLOYD E. ROBINSON

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harold J. Stewart of Davenport, Scott County, Iowa, for appointment as a member of the State Board of Architectural Examiners under the provisions of Section 118.1, Code 1975, for the regular three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD E. ROBINSON, Chairman
LOUIS P. CULVER
WILLARD R. HANSEN
CHARLES P. MILLER
ELIZABETH SHAW

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Kenneth R. Carrell, D.O., Columbus Junction, Louisa County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM D. PALMER, Chairman
IRVIN L. BERGMAN
CHARLES P. MILLER
RICHARD J. NORPEL, SR.
W. R. RABEDEAUX

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sheila Sidles of Centerville, Appanoose County, Iowa,

for appointment to the State Board of Medical Examiners as a representative of the general public pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ROBERT M. CARR, Chairman
CLIFF BURROUGHS
RICHARD R. RAMSEY
NORMAN RODGERS
STEVE SOVERN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Max W. Eggleston of Waverly, Bremer County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, Code 1975, for the initial one-year term beginning July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES E. BRILES, Chairman
CLIFF BURROUGHS
GENE W. GLENN
HILARIUS L. HEYING
JAMES M. REDMOND

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Vennetta M. Fiedler of Spencer, Clay County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, 1975 Code of Iowa, for a regular term beginning July 1, 1975 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
IRVIN L. BERGMAN
LOUIS P. CULVER
FRED W. NOLTING
KENNETH D. SCOTT

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character qualifications of Susan C. Lutz of Altoona, Polk County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, Code 1975, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH SHAW, Chairman
ROBERT M. CARR
WILLIAM D. PALMER
RAY TAYLOR
EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert J. Osterhaus of Maquoketa, Jackson County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, 1975 Code of Iowa, for an initial term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
C. JOSEPH COLEMAN
JAMES V. GALLAGHER
CLIFTON C. LAMBORN
FORREST V. SCHWENGELS

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills and resolution have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of June, 1975: Senate Joint Resolution 12 and Senate Files 499, 505, 521, 523, 548, 549 and 559.

CLARK R. RASMUSSEN
Secretary of the Senate

EXPLANATIONS OF VOTES

MR. PRESIDENT: At the time the vote was taken on amendment S—4154 to Senate File 575, I was out of the Senate chamber attending a meeting of the conference committee on House File 764. Had I been present in the Senate chamber, I would have voted "no" on the amendment.

PHILIP B. HILL

MR. PRESIDENT: I was out of the Senate chamber on June 12, 1975, serving on the Corporation Farm Conference Committee when the vote was taken on several bills.

HILARIUS L. HEYING

REPORTS OF COMMITTEES

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 870,** a bill for an act relating to the eradication of bovine brucellosis and making an appropriation, 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:**

S—4201
1 Amend House File 870, as passed by the House
2 as follows:
3 1. Page 2, by striking lines 17 through 26.

2. By renumbering the sections and correcting internal references in accordance with this amendment.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 898,** a bill for an act making appropriations to various state agencies for the purposes of providing for capital improvements, clarifying responsibility for determining compliance with the state building code of state owned capital improvements, buildings, and structures, providing for reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase of certain equipment, providing funds for sewage works purposes, creating a hospital schools revolving fund and providing for expenditures from such fund, providing for land acquisition, providing a memorial for medal of honor recipients, and providing for the reversion of funds, 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:**

S—4198

Amend House File 898 as amended, passed, and reprinted by the House, as follows:

1. Page 1, by striking lines 20 through 26 and inserting in lieu thereof the words "under its jurisdiction.....$3,117,000"

2. Page 8, after line 16 add the following:

"14. DEPARTMENT OF PUBLIC INSTRUCTION

For replacement of films, film strips, books, and other educational media material destroyed in the Ankeny, Iowa, fire $1,000,000

Unobligated or unencumbered funds remaining on June 30, 1976 from funds appropriated by this subsection shall revert to the general fund on September 30, 1976."

3. Page 12, after line 19, insert the following:

Sec. ..... If federal action eliminates or delays into future fiscal year periods certain federal funds previously anticipated as a part of various departmental receipts, there is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975, and ending June 30, 1976, to the state comptroller the sum of one million eight hundred thousand (1,800,000) dollars to be allocated to the departments to supplement existing appropriations for losses of such federal funds during the fiscal period. No funds shall be allocated under this section without the approval of the governor and the state comptroller.

It is intended that any funds allocated to the

state board of regents in this Act to supplement existing appropriations for loss of federal funds during the fiscal year shall be for federal funds lost which were related to educational and capitation grants to the institutions. It is not intended to supplement federal funds relating solely to sponsored research grants to the institutions.

4. Renumber sections as required by this amendment.

S—4195

Amend House File 898 as amended, passed and reprinted as follows:

1. Page 2, line 21, by striking the words "of which is" and inserting the words ", including the funds appropriated by this subsection, shall".

2. Page 2, line 22, by striking the word "to".

3. Page 3, lines 23, 24, and 25, by striking the words "automatic and new elevator cars for the capitol buildings;".

4. Page 4, line 1, by striking the figure "730,000" and inserting the figure "700,000".

5. Page 4, line 19, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "the Carolyn Pendray building,".

6. Page 4, line 24, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "Carolyn Pendray".

7. Page 4, line 30, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "Carolyn Pendray".

8. Page 5, line 6, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "Carolyn Pendray".

9. Page 11, by striking lines 29 through 35.

10. Page 12, by striking lines 1 through 19.

11. By renumbering sections and internal references as required by this amendment.

12. Amend the title by striking lines 3 through 5.

S—4199

Amend House File 898 as amended, passed and reprinted by the House as follows:

1. Page 3, line 5, by striking "$3,700,000" and inserting in lieu thereof "$4,800,000".

S—4197

Amend House File 898 as amended, passed, and reprinted by the House as follows:

1. Page 7, after line 26, by adding the following:

"b. For repair, replacement, alteration, equipment and rehabilitation of national guard armory facilities throughout the state, including the maintenance and repair of equipment required for use of such facilities $130,000

c. For the repair, replacement,

alteration, equipment and rehabilitation of buildings, grounds, roads and facilities located within the Camp Dodge military reservation .....$130,000"

2. Page 7, line 27, by striking the letter "b" and inserting the letter "d".

S—4196

Amend House File 898 as amended, passed, and reprinted by the House as follows:

1. Page 7, after line 26, by inserting the following:

"b. For restoring the flags exhibited on the first floor of the state capitol .....$50,000"

2. By lettering the remaining paragraph in subsection twelve (12) of section one (1) of House File 898.

3. Title page, line 15, after the comma insert the words "restoring flags exhibited in the state capitol,".

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 910**, a bill for an act making an appropriation to the department of transportation to be used to reimburse nonprofit civic leagues or organizations for towing expenses incurred in the collection of abandoned motor vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 911**, a bill for an act appropriating funds for certain legal fees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Senator Orr submitted the following report:

MR. PRESIDENT: Your committee on education to which was referred **House File 795**, a bill for an act relating to tuition paid by school districts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOAN ORR, Chairman

Ordered passed on file.

Senator Glenn submitted the following report:

MR. PRESIDENT: Your committee on judiciary to which was referred **House File 894**, a bill for an act relating to correcting erroneous, inconsistent and obsolete sections of the Code, begs leave to report it has had the same under consideration and recommends the same **do pass.**

GENE W. GLENN, Chairman

Ordered passed on file.

Senator Hill of Jasper submitted the following report:

MR. PRESIDENT: Your committee on state government to which was referred **House File 799**, a bill for an act relating to liability protection for state employees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EUGENE M. HILL, Chairman

Ordered passed on file.

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **House File 502**, a bill for an act relating to vehicle inspection and issuing inspection orders by authorized employees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

Senator Rodgers submitted the following reports:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 356**, a bill for an act authorizing the establishment and funding of self-supported municipal improvement districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 516**, a bill for an act relating to the establishment and operation of sanitary disposal projects, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 38**, a bill for an act exempting the sale of medically

prescribed oxygen from the sales and use tax, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 723,** a bill for an act correcting and clarifying provisions in the city code of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 725,** a bill for an act relating to the issuance of permits for the sale of cigarettes, 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:**

S—4192

Amend House File 725 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Sec. 1. Section ninety-eight point one (98.1), subsections four (4) and seventeen (17), Code 1975, are amended to read as follows:

4. 'Place of business' is construed to mean and include any place where cigarettes are sold or where cigarettes are stored *within or without the State of Iowa by the holder of an Iowa permit* or kept for the purpose of sale or consumption; or if sold from any vehicle or train, the vehicle or train on which or from which such cigarettes are sold shall constitute a place of business.

17. 'State permit' shall mean and include permits issued by the department to distributors, wholesalers, and retailers [within the state].

Sec. 2. Section ninety-eight point ten (98.10), Code 1975, is amended to read as follows:

98.10 AFFIXING OF STAMPS BY DISTRIBUTORS.

Except as provided in Section 98.17, every distributor [in this state] *holding an Iowa permit* shall cause to be affixed, *within or without the State of Iowa,* upon every individual package of cigarettes received by him *in this state or for distribution in this state,* upon which no sufficient tax stamp is already affixed, a stamp or stamps of an amount equal to the tax due thereon. Such stamps shall be affixed within forty-eight hours, exclusive of Sundays and legal holidays,

from the hour the cigarettes were received, and shall be affixed before such distributor sells, offers for sale, consumes, or otherwise distributes or transports the same. It shall be unlawful for any person, other than a distributing agent or distributor, bonded pursuant to section 98.14, or common carrier to receive or accept delivery of any cigarettes without stamps affixed to evidence the payment of the tax, or without having in his possession the requisite amount or number of stamps necessary to stamp such cigarettes, and the possession of any unstamped cigarettes, without the possession of the requisite amount or number of stamps, shall be prima-facie evidence of the violation of this provision.

Sec. 3. Section ninety-eight point thirteen (98.13), subsection one (1), Code 1975, is amended to read as follows:

1. Permits required. Every distributor, wholesaler, cigarette vendor, and retailer [in this state], now engaged or who desires to become engaged in the sale or use of cigarettes, upon which a tax is

Page 2

required to be paid, shall obtain a state or retail cigarette permit as a distributor, wholesaler, cigarette vendor, or retailer, as the case may be.

Sec. 4. Section ninety-eight point thirteen (98.13), subsection five (5), paragraph b, Code 1975, is amended to read as follows:

b. The principal office, residence, and place of business [in Iowa], for which the permit is to apply.

Sec. 5. Section ninety-eight point nineteen (98.19), subsection one (1), Code 1975, is amended to read as follows:

1. For the purpose of enabling the department to determine the tax liability of permit holders or any other person dealing in cigarettes or to determine whether a tax liability has been incurred, the department shall have the right to inspect any premises *of the holder of an Iowa permit located within or without the State of Iowa* where cigarettes are manufactured, produced, made, stored, transported, sold, or offered for sale or exchange, and to examine all of the records required to be kept or any other records that may be kept incident to the conduct of the cigarette business of said permit holder or any other person dealing in cigarettes.

Sec. 6. Section ninety-eight point nineteen (98.19), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. In the case of any departmental inspection conducted under this section requiring department personnel to travel outside the state of Iowa, any additional costs incurred by the department for out of state travel expenses shall be borne by

the permittee. These additional costs shall be those costs in excess of the costs of a similar inspection conducted at the geographical point located within the state of Iowa nearest to the out-of-state inspection point. In lieu of conducting an on premises out-of-state inspection, the department shall have the authority to direct the permittee to assemble and transport all records described in subsection one (1), of this section to the nearest practical and convenient geographical location in Iowa for inspection by the department."

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 844**, a bill for an act relating to the filing of consolidated returns for corporation income tax purposes and making the Act retroactive, begs leave to report it has had the same under consideration and recommends the same **do pass**.

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 907**, a bill for an act relating to a fruit-tree and forest reservation which may qualify for a tax exemption, begs leave to report it has had the same under consideration and recommends the same **do pass**.

NORMAN RODGERS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 908**, a bill for an act to amend chapter three hundred ninety (390) of the Code relating to the authority of cities to participate in and finance jointly-owned facilities for the generation, acquisition, or transmission of electric energy, making its provisions retroactive and providing for the validity of contracts executed under said chapter, begs leave to report it has had the same under consideration and recommends the same **do pass**.

NORMAN RODGERS, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4159

Amend Senate File 258 as follows:

1. Page 26, by inserting after line 28, the following new section:

"Sec. ..... Section two hundred forty-six point forty-six (246.46), Code 1975, is amended to read as follows:

246.46 WHO MAY VISIT. The following persons are authorized to visit said institutions at pleasure: The governor, secretary of state, auditor of state, treasurer of state, secretary of agriculture, members of the general assembly, judges of the supreme *court, court of appeals* and district courts, including district associate judges and judicial magistrates, county attorneys, and all regular officiating ministers of the gospel. No other person shall be granted admission except by permission of the warden."

JAMES M. REDMOND

S—4191

Amend amendment S—4144, House amendment to Senate File 496, as follows:

1. Page 1, by striking lines 3 through 16 and inserting in lieu thereof the following:

1. Page 7, line 16, by striking the words "one hundred" and inserting in lieu thereof the word "fifty".

2. Page 7, line 19, by striking the word "two" and inserting in lieu thereof the word "one".

3. Page 7, line 21, by striking the words "five hundred" and inserting in lieu thereof the words "two hundred and fifty".

2. Page 1, line 23, by inserting after the numerals "31" the following: "and inserting in lieu thereof the following: 'k. No person under eighteen years of age is allowed to gamble on the premises, except persons under eighteen years of age may gamble pursuant to sections five (5), six (6), seven (7), and nine (9) of this Act'."

3. Page 1, by striking lines 24 through 48 and inserting in lieu thereof the following: "Page 9, line 2, by inserting after the period the following: 'The holder of a license issued pursuant to this section which has its license revoked shall not be issued another license within six months of the date of revocation.' "

4. Page 2, by striking lines 11 through 20.

5. Page 2, by striking lines 24 through 50.

6. Page 3, by striking lines 1 through 24.

7. By renumbering remaining sections of the amendment in conformity with this amendment.

EARL M. WILLITS

S—4194

Amend S—4191, the Willits amendment to the House amendment to Senate File 496 as amended, passed and reprinted by the Senate, by striking lines 15 through 19 and inserting in lieu thereof the following:

"the following: 'k. No person under the age of eighteen

years may participate in the gambling except pursuant to sections five (5), six (6), seven (7), and nine (9) of this Act. Any person knowingly permitting a person under the age of eighteen years to participate in the gambling prohibited by this paragraph shall be guilty of a misdemeanor and, upon conviction, shall be fined not exceeding three hundred dollars for each offense.' ".

WILLIAM N. PLYMAT
RICHARD R. RAMSEY
FORREST V. SCHWENGELS
WARREN E. CURTIS

S—4166

Amend the House amendment S—4144 to Senate File 496, page 1, by striking line 23.

WILLIAM N. PLYMAT
RICHARD R. RAMSEY

S—4168

Amend Senate File 529, page 1, lines 19 and 20 by striking the words, "sells purchased grain only in a registered feed" and inserting in lieu thereof the words "manages a farm for another"

KARL NOLIN

S—4188

Amend S—4184, the House amendment to Senate File 536 as amended, passed and reprinted by the Senate, on page 3, by inserting after line 6 the following:

"..... Page 3, by striking lines 12 through 24 and inserting in lieu thereof the following:

'Sec. ..... *NEW SECTION.* LOCATION OF SATELLITE FACILITIES. Any state bank may utilize a satellite facility at any location in this state permitted by applicable law. A satellite facility authorized by sections six (6) through ten (10) of this Act shall be subject to the approval of the superintendent of banking.

Any transaction engaged in through the use of a satellite facility shall be deemed to take place at the principal place of business of a bank whose accounts and records are affected by the transaction.'."

JAMES V. GALLAGHER

S—4167

Amend Senate File 546, page 1, line 15, by inserting after the period the following new sentence: *"State owned vehicles used by the department of health for venereal disease investigation shall be equipped with a flashing stroboscopic light which shall be operated at all times when the vehicles are operated."*

RICHARD J. NORPEL, SR.

S—4185

Amend Senate File 574, page 4, by inserting after line 1 the following:

"Sec. ..... Chapter three hundred twenty-one (321), Code 1975, is amended by adding the following new section:

NEW SECTION. The provisions of sections two (2) through five (5) of this Act, shall be effective until federal laws no longer require a maximum fifty-five miles per hour speed limit to be eligible for approval by the secretary of transportation of the state highway construction projects at which time the speed laws shall be those laws in effect prior to June 1, 1975."

RICHARD J. NORPEL, SR.

S—4169

Amend House File 450 as amended, passed and reprinted by the House, page 12, by inserting after line 6 the following new section:

"Sec. ..... Section three hundred twenty-one point thirty-four (321.34), Code 1975, as amended by Senate File 13 of the Sixty-sixth General Assembly, is amended by adding the following new paragraph:

NEW PARAGRAPH. Upon the transfer of ownership of a vehicle with registration plates which do not bear the designation of the county of the purchaser's or transferee's residence, the purchaser or transferee may, upon application to the county treasurer in accordance with section three hundred twenty-one point forty-six (321.46) of the Code, also apply for new registration plates for the vehicle, and upon surrender of the plates for such vehicle and payment of an additional registration fee of five dollars, the county treasurer shall issue new registration plates for such vehicle bearing the designation of that county."

KARL NOLIN
LOWELL L. JUNKINS
C. JOSEPH COLEMAN
CLIFTON C. LAMBORN

S—4181

Amend the committee on human resources amendment (S—3991) to House File 614, as amended and passed by the House and reprinted, as follows:

Page 1, by striking everything in line 14 and inserting in lieu thereof the words "day on which the release was signed and accepted, the juvenile"

RICHARD R. RAMSEY
WILLIAM E. GLUBA

S—4156

Amend House File 617, page 1, line 15, by inserting after the word "days" the words "except a construction

site when the mobile home is used by a commercial contractor as a construction office or storage room".

JAMES W. GRIFFIN, SR.
C. JOSEPH COLEMAN

S—4187

Amend S—3845, the House amendment to the Senate amendment to House File 723 as amended and passed by the House, by inserting after line 8 the following:

2. By inserting after line 9 the following:

"3. Page 5, line 1, by inserting after the word 'motions' the words ', *and in a special charter city operating with ten councilmen under this section, the mayor may vote to break a tie vote on all measures*'.

4. Page 7, insert after line 7 the following:

'Sec. ..... Section three hundred eighty point four (380.4), Code 1975, is amended to read as follows:

380.4 MAJORITY REQUIREMENT. Passage of an ordinance, amendment, or resolution requires an affirmative vote of not less than a majority of the council members *except when the mayor may vote to break a tie vote in a city with an even number of councilmen, as provided in section three hundred seventy-two point four (372.4) of the Code.* A motion to spend public funds in excess of ten thousand dollars on any one project, or a motion to accept public improvements and facilities upon their completion, also requires an affirmative vote of not less than a majority of the council members. Each councilman's vote on an ordinance, amendment, or resolution must be recorded.'

5. Renumber sections and correct internal references in accordance with this amendment.

6. Amend the title, line 1, by inserting after the word 'correcting' the words ', amending'.".

WILLIAM E. GLUBA

S—4162

Amend House File 776, as amended and passed by the House, as follows:

1. Page 1, by striking lines 1 through 10 and inserting in lieu thereof the following:

"Section 1. Chapter two hundred seventeen (217), Code 1975, is amended by adding the following new section:

NEW SECTION. **COMMISSIONER'S AUTHORITY TO GRANT EASEMENTS.** The commissioner may, with the approval of the executive council, grant easement rights to municipal corporations or public utilities for the purpose of installing, repairing, maintaining or improving sanitary sewer service, water systems, drainage service, telephone lines, gas lines, or electrical lines to land under the jurisdiction of

the department of social services. If the commissioner refuses to grant such easements the municipal or public utilities may condemn such easement rights pursuant to chapter four hundred seventy-two (472) of the Code."

2. Title page, by striking lines 1 through 3 and inserting in lieu thereof "An Act relating to the authority of the commissioner of social services to grant easement rights to municipal corporations and public utilities to land under the jurisdiction of the department of social services."

RAY TAYLOR

S—4190

Amend House File 894 as amended and passed by the House, page 9, line 19, by striking the words "*area education agency* board" and inserting in lieu thereof the words "[board] *commissioner of elections*".

JOAN ORR

S—4165

Amend House File 894 as amended and passed by the House, page 23, by inserting after line 6 the following new section:

"Sec. ..... Senate File two hundred ninety-six (296) of the Sixty-sixth General Assembly, 1975 Session, is amended by striking sections thirteen (13) and thirty (30)."

C. JOSEPH COLEMAN

S—4163

Amend House File 898 as amended, passed and reprinted by the House, page 3, line 10, by striking the figure "2,500,000" and inserting in lieu thereof the figure "3,000,000".

JAMES V. GALLAGHER
LOUIS P. CULVER
NORMAN RODGERS
CLIFTON C. LAMBORN
CALVIN O. HULTMAN
DALE L. TIEDEN
WARREN E. CURTIS
WILLIAM P. WINKELMAN
LUCAS J. DeKOSTER
JOHN N. NYSTROM
JAMES E. BRILES
CLIFF BURROUGHS
MILO MERRITT
ELIZABETH R. MILLER
RAY TAYLOR
MINNETTE DODERER
LEONARD C. ANDERSEN
JOHN S. MURRAY
CHARLES P. MILLER
C. JOSEPH COLEMAN
KENNETH D. SCOTT

JOAN ORR
STEVE SOVERN
IRVIN L. BERGMAN
FORREST SCHWENGELS
RICHARD J. NORPEL, SR.
WILLIAM N. PLYMAT
JAMES M. REDMOND
ROGER J. SHAFF
JAMES W. GRIFFIN, SR.

S—4186

Amend House File 898 as amended, passed, and reprinted by the House as follows:

1. Page 4, line 19, by striking the words "Ansel Briggs" and inserting the words "the Pendray-Briggs building,".

2. Page 4, line 24, by striking the words "Ansel Briggs" and inserting the words "Pendray-Briggs".

3. Page 4, line 30, by striking the words "Ansel Briggs" and inserting the words "Pendray-Briggs".

4. Page 5, line 6, by striking the words "Ansel Briggs" and inserting the words "Pendray-Briggs".

WILLIAM E. GLUBA

S—4200

Amend the appropriations committee amendment S—4195 to House File 898, as follows:

1. Line 14, by striking the words "Carolyn Pendray building" and inserting in lieu thereof "Pendray-Briggs Building".

2. Line 17, by striking the words "Carolyn Pendray" and inserting in lieu thereof "Pendray-Briggs".

3. Line 20, by striking the words "Carolyn Pendray" and inserting in lieu thereof "Pendray-Briggs".

4. Line 23, by striking the words "Carolyn Pendray" and inserting in lieu thereof "Pendray-Briggs".

WILLIAM E. GLUBA

S—4193

Amend House File 906 as amended and passed by the House, as follows:

1. Page 1, line 8, by striking the words "compacted-rubbish" and inserting in lieu thereof the words "compactor-rubbish".

2. In the title, line 2, by striking the words "compacted-rubbish" and inserting in lieu thereof the words "compactor-rubbish".

MINNETTE DODERER

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 10:20 p.m., until 8:30 a.m., Friday, June 13, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, JUNE 13, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Robert E. Langholz, pastor of the Our Savior's Lutheran Church, Waterloo, Iowa.

The Journal of Thursday, June 12, 1975, was approved.

President pro tempore Doderer took the chair at 9:00 a.m.

SPECIAL GUESTS

Senator Winkelman appeared on the rostrum and presented to the Senate the Lake View-Auburn girls basketball team, 1975 State Champions, accompanied by their coach, Bud McCrae.

Jolene Blass invited the Senate to attend the Legislative Jamboree at Lake View, Iowa, August 10, 1975.

PETITION

The following petition was presented and placed on file:

By Senator Robinson from two hundred thirty residents of Linn County opposing pari-mutuel betting.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Robinson called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harold J. Stewart of Davenport, Scott County, Iowa, for appointment as a member of the State Board of Architectural Examiners under the provisions of Section 118.1, Code 1975, for the regular three-year term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD E. ROBINSON, Chairman
LOUIS P. CULVER
WILLARD R. HANSEN
CHARLES P. MILLER
ELIZABETH SHAW

The motion prevailed and the report was adopted.

Senator Robinson moved the appointment of Harold J. Stewart as a member of the State Board of Architectural Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Glenn	Miller of Des Moines	Ramsey
Bergman	Griffin	Miller of Marshall	Redmond
Briles	Hill of Jasper	Nolin	Robinson
Burroughs	Hill of Polk	Norpel	Rodgers
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
DeKoster	Lamborn	Priebe	Willits
Doderer	Merritt		Winkelman
Gallagher			

Nays, 1:

Gluba

Absent or not voting, 9:

Hansen	Nolting	Schwengels	Sovern
Heying	Rabedeaux	Shaff	Van Gilst
Murray			

President pro tempore Doderer declared the appointment of Harold J. Stewart as a member of the State Board of Architectural Examiners confirmed for the regular three-year term ending June 30, 1978.

Senator Hill of Polk called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Vennetta M. Fiedler of Spencer, Clay County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, 1975 Code of Iowa, for a regular term beginning July 1, 1975 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

PHILIP B. HILL, Chairman
IRVIN L. BERGMAN
LOUIS P. CULVER
FRED W. NOLTING
KENNETH D. SCOTT

The motion prevailed and the report was adopted.

Senator Hill of Polk moved the appointment of Vennetta M. Fiedler as a member of the State Board of Pharmacy Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Gluba	Miller of Des Moines	Redmond
Bergman	Griffin	Miller of Marshall	Robinson
Burroughs	Hill of Jasper	Norpel	Rodgers
Carr	Hill of Polk	Nystrom	Schwengels
Coleman	Hultman	Orr	Scott
Culver	Junkins	Palmer	Shaw
Curtis	Kelly	Plymat	Taylor
DeKoster	Kinley	Priebe	Tieden
Doderer	Lamborn	Ramsey	Willits
Gallagher	Merritt		Winkelman
Glenn			

Nays, none.

Absent or not voting, 10:

Briles	Murray	Rabedeaux	Sovern
Hansen	Nolin	Shaff	Van Gilst
Heying	Nolting		

President pro tempore Doderer declared the appointment of Vennetta M. Fiedler as a member of the State Board of Pharmacy Examiners confirmed for a regular two-year term ending June 30, 1977.

Senator Priebe called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert J. Osterhaus of Maquoketa, Jackson County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, 1975 Code of Iowa, for an initial term beginning July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

BERL E. PRIEBE, Chairman
C. JOSEPH COLEMAN
JAMES V. GALLAGHER
CLIFTON C. LAMBORN
FORREST V. SCHWENGELS

The motion prevailed and the report was adopted.

Senator Priebe moved the appointment of Robert J. Osterhaus as a member of the State Board of Pharmacy Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Andersen	Gluba	Miller of Des Moines	Ramsey
Bergman	Griffin	Miller of Marshall	Redmond
Burroughs	Hill of Jasper	Norpel	Robinson
Carr	Hill of Polk	Nystrom	Rodgers
Coleman	Hultman	Orr	Schwengels
Culver	Junkins	Palmer	Scott
Curtis	Kelly	Plymat	Shaw
DeKoster	Kinley	Priebe	Sovern
Doderer	Lamborn	Rabedeaux	Taylor
Gallagher	Merritt		Tieden
Glenn			Winkelman

Nays, none.

Absent or not voting, 9:

Briles	Murray	Nolting	Van Gilst
Hansen	Nolin	Shaff	Willits
Heying			

President pro tempore Doderer declared the appointment of Robert J. Osterhaus as a member of the State Board of Pharmacy Examiners confirmed for an initial term ending June 30, 1978.

Senator Hill of Jasper called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert D. Porter, Sioux City, Woodbury County, Iowa, for reappointment to the Energy Policy Council pursuant to Section 93.2, 1975 Code of Iowa, for a one-year term commencing July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
LEONARD C. ANDERSEN
JOHN N. NYSTROM
JAMES M. REDMOND
CLOYD E. ROBINSON

The motion prevailed and the report was adopted.

Senator Hill of Jasper moved the appointment of Robert D. Porter as a member of the Energy Policy Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Andersen	Glenn	Miller of Des Moines	Ramsey
Bergman	Griffin	Miller of Marshall	Redmond
Briles	Hill of Jasper	Norpel	Robinson
Burroughs	Hill of Polk	Nystrom	Rodgers
Carr	Hultman	Orr	Schwengels
Coleman	Junkins	Palmer	Scott
Culver	Kelly	Plymat	Shaw
Curtis	Kinley	Priebe	Sovern
DeKoster	Lamborn	Rabedeaux	Taylor
Doderer	Merritt		Tieden
Gallagher			Winkelman

Nays, 1:

Gluba

Absent or not voting, 8:

Hansen	Murray	Nolting	Van Gilst
Heying	Nolin	Shaff	Willits

President pro tempore Doderer declared the appointment of Robert D. Porter as a member of the Energy Policy Council confirmed for a one-year term ending June 30, 1976.

Senator Palmer called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Kenneth R. Carrell, D.O., Columbus Junction, Louisa County, Iowa, for appointment to the State Board of Medical Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILLIAM D. PALMER, Chairman
IRVIN L. BERGMAN
CHARLES P. MILLER
RICHARD J. NORPEL, SR.
W. R. RABEDEAUX

The motion prevailed and the report was adopted.

Senator Palmer moved the appointment of Kenneth R. Carrell as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Carr	DeKoster	Griffin
Bergman	Coleman	Doderer	Hill of Jasper
Briles	Culver	Gallagher	Hultman
Burroughs	Curtis	Glenn	Junkins

Kelly	Norpel	Ramsey	Shaw
Kinley	Nystrom	Redmond	Sovern
Lamborn	Orr	Robinson	Taylor
Merritt	Palmer	Rodgers	Tieden
Miller of Des Moines	Priebe	Schwengels	Willits
Miller of Marshall	Rabedeaux	Scott	Winkelman

Nays, none.

Absent or not voting, 10:

Gluba	Hill of Polk	Nolting	Shaff
Hansen	Murray	Plymat	Van Gilst
Heying	Nolin		

President pro tempore Doderer declared the appointment of Kenneth R. Carrell as a member of the State Board of Medical Examiners confirmed for an initial term ending June 30, 1976.

WITHDRAWN

Senator Norpel asked and received unanimous consent that **Senate File 11** be **withdrawn** from further consideration of the Senate.

INTRODUCTION OF BILL

Senate File 583, by committee on judiciary, a bill for an act to amend the rules of civil procedure proposed by the supreme court.

Read first time and **placed on calendar.**

HOUSE AMENDMENTS CONSIDERED

Senate File 491

Senator Sovern called up for consideration Senate File 491, a bill for an act relating to the licensing and registration of child day care facilities and providing a penalty, amended by the House, and moved that the Senate concur in the following amendment:

S—4149

Amend Senate File 491, as amended, passed and reprinted by the Senate as follows:

1. Page 4, line 34, by striking line 34 and inserting in lieu thereof the following:

"237A.4 [EXAMINATIONS] *INSPECTION AND EVALUATION.*

[The] *The local boards of health shall make periodic inspections of licensed centers to insure compliance with licensing requirements provided in this chapter. In those instances where no local board of health*

10 *exists then the*".
11 2. Page 7, by inserting after line 35 the
12 following: "building shall take into consideration
13 that children are".
14 3. Page 9, line 13, by inserting after the word
15 "be" the words "a member of".

The motion prevailed and the Senate concurred in House amendment S—4149.

Senator Sovern 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. 491) the vote was:

Ayes, 38:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin	Nolin	Redmond
Burroughs	Hill of Polk	Norpel	Robinson
Carr	Junkins	Nystrom	Rodgers
Coleman	Kelly	Orr	Schwengels
Culver	Kinley	Palmer	Scott
Curtis	Lamborn	Plymat	Shaw
DeKoster	Merritt	Priebe	Sovern
Doderer	Miller of Des Moines	Rabedeaux	Willits
Gallagher			
Glenn			

Nays, 5:

Briles	Taylor	Tieden	Winkelman
Hultman			

Absent or not voting, 7:

Hansen	Hill of Jasper	Nolting	Van Gilst
Heying	Murray	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 525

Senator Gluba called up for consideration Senate File 525, a bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties for violations, amended by the House, and moved that the Senate concur in House amendment S—4145 found on pages 1928-1932, inclusive, of the Senate Journal.

The motion prevailed and the Senate concurred in House amendment S—4145.

Senator Gluba 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. 525) the vote was:

Ayes, 38:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Griffin	Murray	Rodgers
Burroughs	Heying	Nolin	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Miller of Des Moines	Redmond	Van Gilst
Glenn			Willits

Nays, 6:

Briles	Merritt	Ramsey	Winkelman
Hultman	Nystrom		

Absent or not voting, 6:

Gallagher	Hill of Jasper	Rabedeaux	Shaff
Hansen	Nolting		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 579.

Senate File 579

On motion of Senator Junkins, Senate File 579, a bill for an act making an appropriation for the state's contribution for the support of the Missouri River riverfront project, was taken up for consideration.

Senator Junkins moved that the bill 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, 43:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Heying	Murray	Redmond
Burroughs	Hill of Polk	Nolin	Robinson
Carr	Hultman	Nolting	Rodgers
Coleman	Junkins	Norpel	Schwengels
Culver	Kelly	Nystrom	Shaff
Curtis	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn			Winkelman
Gluba			

Nays, none.

Absent or not voting, 7:

Briles	Hill of Jasper	Scott	Van Gilst
Hansen	Plymat	Shaw	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 579** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 581.

Senate File 581

On motion of Senator Willits, Senate File 581, a bill for an act making an appropriation to provide funds to certain state agencies for increased employer contributions resulting because of changes in the Iowa public employees' retirement system, was taken up for consideration.

Senator Willits moved that the bill 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:

Ayes, 45:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Heying	Murray	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hill of Polk	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Rabedeaux	Tieden
Gallagher	Merritt	Ramsey	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			

Nays, none.

Absent or not voting, 5:

Briles	Nolin	Priebe	Van Gilst
Hansen			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 581** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 580.

Senate File 580

On motion of Senator Hill of Jasper, Senate File 580, a bill for an act to make appropriations from the general fund and reimbursement fund of the state to certain persons in settlement of claims made against the state of Iowa, was taken up for consideration.

Senator Hill of Jasper moved that the bill 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, 47:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Gluba		Robinson	
Griffin			

Nays, none.

Absent or not voting, 3:

Briles	Hansen	Rabedeaux

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 580** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 582.

Senate File 582

On motion of Senator Nolin, Senate File 582, a bill for an act making an appropriation from the general fund of the state to Iowa state university of science and technology for research on dust explosions related to grain elevators, was taken up for consideration.

Senator Nolin moved that the bill 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, 45:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Griffin	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Polk	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Rabedeaux	Tieden
Doderer	Miller of Des Moines	Ramsey	Van Gilst
Gallagher		Redmond	Willits
Glenn			Winkelman

Nays, none.

Absent or not voting, 5:

Hansen	Lamborn	Plymat	Priebe
Hill of Jasper			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File** 582 be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 870.

House File 870

On motion of Senator Hultman, House File 870, a bill for an act relating to the eradication of bovine brucellosis and making an appropriation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Hultman offered amendment S—4201 by the committee on appropriations and moved its adoption:

S—4201

Amend House File 870, as passed by the House as follows:

1. Page 2, by striking lines 17 through 26.

2. By renumbering the sections and correcting internal references in accordance with this amendment.

Amendment S—4201 was adopted.

Senator Hultman moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

Senator Willits raised the point of order that Senate Rule 45 should be invoked.

The Chair ruled the point well taken and Senate Rule 45 was invoked.

On the question "Shall the bill pass?" (H.F. 870) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hill of Polk	Norpel	Shaff
Carr	Hultman	Nystrom	Shaw
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of	Rabedeaux	Willits
Glenn	Des Moines	Ramsey	Winkelman
Gluba	Miller of	Redmond	
Griffin	Marshall		

Nays, none.

Absent or not voting, 3:

DeKoster	Lamborn	Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 870** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 910.

House File 910

On motion of Senator Norpel, House File 910, a bill for an act making an appropriation to the department of transportation to be used to reimburse nonprofit civic leagues or organizations for towing expenses incurred in the collection of abandoned motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel moved that the bill 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. 910) the vote was:

Ayes, 45:

Andersen	Curtis	Heying	Kinley
Bergman	Doderer	Hill of Jasper	Lamborn
Briles	Glenn	Hill of Polk	Merritt
Burroughs	Gluba	Hultman	Miller of
Carr	Griffin	Junkins	Des Moines
Culver	Hansen	Kelly	

Miller of Marshall	Nystrom	Redmond	Shaw
Murray	Orr	Robinson	Sovern
Nolin	Palmer	Rodgers	Taylor
Nolting	Plymat	Schwengels	Van Gilst
Norpel	Priebe	Scott	Willits
	Ramsey	Shaff	Winkelman

Nays, none.

Absent or not voting, 5:

Coleman	Gallagher	Rabedeaux	Tieden
DeKoster			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 911.

House File 911

On motion of Senator Willits, House File 911, a bill for an act appropriating funds for certain legal fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 911) the vote was:

Ayes, 42:

Bergman	Hansen	Murray	Redmond
Briles	Heying	Nolin	Robinson
Burroughs	Hill of Jasper	Nolting	Rodgers
Carr	Hultman	Norpel	Schwengels
Culver	Junkins	Nystrom	Scott
Curtis	Kelly	Orr	Shaff
Doderer	Kinley	Palmer	Shaw
Gallagher	Lamborn	Plymat	Sovern
Glenn	Merritt	Priebe	Van Gilst
Gluba	Miller of Marshall	Rabedeaux	Willits
Griffin		Ramsey	

Nays, none.

Voting present, 5:

Andersen	Miller of Des Moines	Taylor	Winkelman
		Tieden	

Absent or not voting, 3:

Coleman	DeKoster	Hill of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 564.

Senate File 564

On motion of Senator Willits, Senate File 564, a bill for an act establishing salary rates for members of the judicial branch of government and the members of the public employment relations board, was taken up for further consideration.

Senator Briles moved to reconsider the vote by which division S—4033A of the DeKoster, et al., amendment failed to be adopted by the Senate on June 4, 1975.

Senator Sovern took the chair at 11:20 a.m.

A record roll call was requested.

On the question "Shall the motion to reconsider division S—4033A of the DeKoster, et al., amendment be adopted?" (S.F. 564) the vote was:

Ayes, 26:

Bergman	Griffin	Merritt	Nystrom
Briles	Hansen	Miller of	Plymat
Burroughs	Hill of Polk	Des Moines	Rabedeaux
Carr	Hultman	Miller of	Ramsey
Coleman	Junkins	Marshall	Redmond
Curtis	Kelly	Murray	Shaff
DeKoster	Lamborn	Norpel	Shaw

Nays, 23:

Andersen	Hill of Jasper	Priebe	Taylor
Culver	Kinley	Robinson	Tieden
Gallagher	Nolin	Rodgers	Van Gilst
Glenn	Nolting	Schwengels	Willits
Gluba	Orr	Scott	Winkelman
Heying	Palmer	Sovern	

Absent or not voting, 1:

Doderer

The motion prevailed and division S—4033A of the amendment was taken up for reconsideration.

Division S—4033A

1. Line 23, by striking the figure "36,380" and inserting in lieu thereof the figure "37,400".
2. Line 24, by striking the figure "35,310" and inserting in lieu thereof the figure "36,300".
3. Line 25, by striking the figure "31,565" and inserting in lieu thereof the figure "32,450".
4. Line 27, by striking the figure "31,030" and inserting in lieu thereof the figure "31,900".

5. Line 28, by striking the figure "22,470"
and inserting in lieu thereof the figure "25,000".
6. Line 29, by striking the figure "22,470"
and inserting in lieu thereof the figure "25,000".

Senator DeKoster moved the adoption of division S—4033A of the amendment and requested a record roll call.

On the question "Shall division S—4033A of the amendment be adopted?" (S.F. 564) the vote was:

Ayes, 23:

Bergman	Hill of Polk	Miller of Des Moines	Nystrom
Briles	Hultman	Miller of Marshall	Plymat
Burroughs	Junkins	Murray	Ramsey
Coleman	Kelly	Nolin	Redmond
DeKoster	Lamborn		Shaff
Griffin	Merritt		Shaw
Hansen			

Nays, 26:

Andersen	Heying	Priebe	Sovern
Carr	Hill of Jasper	Rabedeaux	Taylor
Culver	Kinley	Robinson	Tieden
Curtis	Nolting	Rodgers	Van Gilst
Gallagher	Norpel	Schwengels	Willits
Glenn	Orr	Scott	Winkelman
Gluba	Palmer		

Absent or not voting, 1:
Doderer

Division S—4033A of the amendment lost.

Senator Priebe offered amendment S—4077 filed by Senators Priebe and Kelly and moved its adoption:

S—4077
Amend Senate File 564, page 1, line 31, by striking
the figure "18,190" and insert in lieu thereof the
figure "21,000".

A non-record roll call was requested.

The ayes were 19, nays 27.

Amendment S—4077 lost.

Action on Senate File 564 was temporarily deferred.

President pro tempore Doderer took the chair at 11:50 a.m.

HOUSE AMENDMENT CONSIDERED

Senate File 536

Senator Curtis called up for consideration Senate File 536, a bill for an act relating to the use of electronic facilities and elec-

tronic transfers of funds by banks, credit unions and savings and loan associations, amended by House amendment S—4184 found on pages 1995-1999, inclusive, of the Senate Journal.

Senator Gallagher offered amendment S—4205 to House amendment S—4184:

S—4205

Amend S—4184, the House amendment to Senate File 536 as amended, passed and reprinted by the Senate, page 2, lines 39 and 40, by striking the sentence "This section is repealed effective the first day of July, 1976.".

Senator Hill of Polk raised the point of order that amendment S—4205 to House amendment S—4184 was out of order under Chapter 72, Mason's Manual of Legislative Procedure.

The Chair ruled the point not well taken and amendment S—4205 to House amendment S—4194 in order.

Senator Gallagher moved the adoption of amendment S—4205 to House amendment S—4184 and requested a non-record roll call.

The ayes were 11, nays 35.

Amendment S—4205 to House amendment S—4184 lost.

Senator Gallagher offered amendment S—4188 to House amendment S—4184 filed by him:

S—4188

Amend S—4184, the House amendment to Senate File 536 as amended, passed and reprinted by the Senate, on page 3, by inserting after line 6 the following:

"..... Page 3, by striking lines 12 through 24 and inserting in lieu thereof the following:

'Sec. ..... *NEW SECTION.* LOCATION OF SATELLITE FACILITIES. Any state bank may utilize a satellite facility at any location in this state permitted by applicable law. A satellite facility authorized by sections six (6) through ten (10) of this Act shall be subject to the approval of the superintendent of banking.

Any transaction engaged in through the use of a satellite facility shall be deemed to take place at the principal place of business of a bank whose accounts and records are affected by the transaction.'."

Senator Gallagher withdrew amendment S—4188 to House amendment S—4184.

Senator Murray withdrew amendment S—4211 to House amendment S—4184:

S—4211

Amend the House amendment (S—4184) to Senate File 536 as amended, passed, and reprinted by the Senate as follows:

1. Page 3, line 25, by inserting quotation marks after the period.

2. Page 3, by striking lines 26 through 43.

Senator Curtis called for a division of House amendment S—4184, lines 11 through 43 on page 3 to be considered as division S—4184B and the remainder of the amendment to be considered as division S—4184A.

Senator Curtis moved that the Senate concur in division S—4184A of the House amendment.

The motion prevailed and the Senate concurred in division S—4184A of the House amendment.

Senator Curtis moved that the Senate refuse to concur in division S—4184B of the House amendment.

The motion prevailed and the Senate refused to concur in division S—4184B of the House amendment.

Senator Curtis moved that the bill as amended by the House, divided and concurred in in part 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. 536) the vote was:

Ayes, 38:

Andersen	Heying	Miller of Marshall	Rabedeaux
Burroughs	Hill of Jasper	Murray	Ramsey
Coleman	Hill of Polk	Nolin	Schwengels
Culver	Hultman	Norpel	Scott
Curtis	Junkins	Nystrom	Shaff
Doderer	Kelly	Orr	Shaw
Gallagher	Kinley	Palmer	Taylor
Glenn	Lamborn	Plymat	Tieden
Griffin	Miller of Des Moines	Priebe	Van Gilst
Hansen			Willits

Nays, 7:

Carr	Nolting	Robinson	Winkelman
Merritt	Redmond	Sovern	

Absent or not voting, 5:

Bergman	DeKoster	Gluba	Rodgers
Briles			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kinley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Briles called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Max W. Eggleston of Waverly, Bremer County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, Code 1975, for the initial one-year term beginning July 1, 1975 and ending June 30, 1976, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES E. BRILES, Chairman
CLIFF BURROUGHS
GENE W. GLENN
HILARIUS L. HEYING
JAMES M. REDMOND

The motion prevailed and the report was adopted.

President pro tempore Doderer took the chair at 1:45 p.m.

Senator Briles moved the appointment of Max W. Eggleston as a member of the State Board of Pharmacy Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	DeKoster	Junkins	Miller of Marshall
Bergman	Doderer	Kelly	Murray
Briles	Gallagher	Kinley	Nolin
Burroughs	Glenn	Lamborn	Nolting
Carr	Griffin	Merritt	Norpel
Culver	Hill of Jasper	Miller of Des Moines	Nystrom
Curtis	Hultman		

Orr	Rabedeaux	Rodgers	Taylor
Palmer	Ramsey	Schwengels	Tieden
Plymat	Redmond	Scott	Willits
Priebe	Robinson	Shaw	Winkelman

Nays, 1:

Gluba

Absent or not voting, 7:

Coleman	Heying	Shaff	Van Gilst
Hansen	Hill of Polk	Sovern	

President pro tempore Doderer declared the appointment of Max W. Eggleston as a member of the State Board of Pharmacy Examiners confirmed for an initial one-year term ending June 30, 1976.

Senator Carr called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sheila Sidles of Centerville, Appanoose County, Iowa, for appointment to the State Board of Medical Examiners as a representative of the general public pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ROBERT M. CARR, Chairman
CLIFF BURROUGHS
RICHARD R. RAMSEY
NORMAN RODGERS
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Carr moved the appointment of Sheila Sidles as a member of the State Board of Medical Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 37:

Andersen	Glenn	Miller of Marshall	Ramsey
Bergman	Griffin	Nolin	Redmond
Briles	Hultman	Norpel	Robinson
Burroughs	Junkins	Nystrom	Schwengels
Carr	Kelly	Orr	Scott
Culver	Kinley	Palmer	Shaw
Curtis	Merritt	Plymat	Taylor
DeKoster	Miller of Des Moines	Priebe	Tieden
Doderer		Rabedeaux	Willits
Gallagher			Winkelman

Nays, none.

Absent or not voting, 13:

Coleman	Hill of Jasper	Murray	Shaff
Gluba	Hill of Polk	Nolting	Sovern
Hansen	Lamborn	Rodgers	Van Gilst
Heying			

President pro tempore Doderer declared the appointment of Sheila Sidles as a member of the State Board of Medical Examiners confirmed for an initial three-year term ending June 30, 1978.

Senator Shaw called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Susan C. Lutz of Altoona, Polk County, Iowa, for appointment as a member of the State Board of Pharmacy Examiners under the provisions of Section 147.12, Code 1975, for an initial term commencing July 1, 1975 and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ELIZABETH SHAW, Chairman
ROBERT M. CARR
WILLIAM D. PALMER
RAY TAYLOR
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Shaw moved the appointment of Susan C. Lutz as a member of the State Board of Pharmacy Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Andersen	Griffin	Miller of	Ramsey
Bergman	Hill of Jasper	Marshall	Redmond
Briles	Hultman	Nolin	Robinson
Burroughs	Junkins	Nolting	Schwengels
Carr	Kelly	Norpel	Scott
Culver	Kinley	Nystrom	Shaw
Curtis	Lamborn	Orr	Taylor
DeKoster	Merritt	Palmer	Tieden
Doderer	Miller of	Plymat	Willits
Gallagher	Des Moines	Priebe	Winkelman
Glenn		Rabedeaux	

Nays, none.

Absent or not voting, 10:

Coleman	Heying	Rodgers	Sovern
Gluba	Hill of Polk	Shaff	Van Gilst
Hansen	Murray		

President pro tempore Doderer declared the appointment of Susan C. Lutz as a member of the State Board of Pharmacy Examiners confirmed for an initial term ending June 30, 1978.

HOUSE AMENDMENT CONSIDERED

Senate File 565

Senator Willits called up for consideration Senate File 565, a bill for an act relating to administration of chapter three hundred twenty-four (324) of the Code and the motor vehicle use tax program and appropriating funds from the motor vehicle fuel tax fund to the department of revenue for such purposes, amended by the House, and moved that the Senate concur in the following amendment:

S—4189

Amend Senate File 565, as passed by the Senate as follows:

1. Page 1, by striking from lines 15B and 15C the following: "subsections four (4) and (5)" and inserting in lieu thereof the following: "subsection four (4)".

2. Page 1, by inserting after line 15C the following new section:

"Sec. ..... Section three hundred twenty-four point thirty-six (324.36), Code 1975, subsection five (5), is amended to read as follows:

5. ISSUANCE. Upon receipt of the application [and bond in proper form], the department of revenue shall issue to the applicant a license to act as a special fuel dealer or a special fuel user; provided, however, the department of revenue may refuse to issue a special fuel dealer's license or a special fuel user's license to any person: (a) Who formerly held either type of license and which has been revoked for cause; or (b) who is a subterfuge for the real party interest whose license has been revoked for cause; or (c) upon other sufficient cause being shown. Before refusal, the department of revenue shall grant the applicant a hearing and give him at least fifteen days' written notice of the time and place thereof."

The motion prevailed and the Senate concurred in the House amendment S—4189.

Senator Willits 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. 565) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of	Rabedeaux	Willits
Glenn	Des Moines	Ramsey	Winkelman
Gluba	Miller of	Redmond	
Griffin	Marshall		

Nays, none.

Absent or not voting, 3:

Coleman	Hill of Polk	Shaw

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

UNFINISHED BUSINESS

House File 90

Senator Gallagher called up for further consideration House File 90, a bill for an act relating to emergency vehicles, amended by the Senate and further amended by the House.

Senator Hultman offered amendment S—3990 to House amendment S—3843 to Senate amendment H—3620, and moved its adoption:

S—3990

Amend the House amendment S—3843 to Senate amendment H—3620 to House File 90, as amended and passed by the House, as follows:

1. Line 6, by inserting after the word "felony" the words "or in response to an incident dangerous to the public".

2. By striking lines 7 through 16, inclusive, and inserting in lieu thereof the following:

"2. Page 1, by striking lines 38 through 42, inclusive, and inserting in lieu thereof the words 'device shall not be required when the vehicle is operated by a peace officer'.

3. Page 1, by striking line 47."

Amendment S—3990 to House amendment S—3843 to Senate amendment H—3620 was adopted.

Senator Gallagher moved that the Senate concur in House amendment S—3843 to Senate amendment H—3620 as amended.

The motion prevailed and the Senate concurred in House amendment S—3843 to Senate amendment H—3620 as amended.

Senator Gallagher moved that the bill as amended by the Senate, further amended by the House, still 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?" (H.F. 90) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Orr	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 4:

Coleman	Hill of Polk	Palmer	Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 38.

House File 38

On motion of Senator Nolting, House File 38, a bill for an act exempting the sale of medically prescribed oxygen from the sales and use tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolting moved that the bill 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. 38) the vote was:

Ayes, 45:

Andersen	Griffin	Nolting	Rodgers
Bergman	Hansen	Norpel	Schwengels
Briles	Heying	Nystrom	Scott
Burroughs	Hill of Jasper	Orr	Shaff
Carr	Junkins	Palmer	Shaw
Culver	Kelly	Plymat	Sovern
Curtis	Kinley	Priebe	Taylor
DeKoster	Merritt	Rabedeaux	Tieden
Doderer	Miller of Marshall	Ramsey	Van Gilst
Gallagher	Murray	Redmond	Willits
Glenn	Nolin	Robinson	Winkelman
Gluba			

Nays, none.

Absent or not voting, 5:

Coleman	Hultman	Lamborn	Miller of Des Moines
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 38 be immediately messaged** to the House, which request was complied with.

UNFINISHED BUSINESS

Senate File 564

The Senate resumed consideration of Senate File 564.

Senator Coleman offered amendment S—4214:

S—4214

Amend Senate File 564, page 1, as follows:
1. Line 23, by striking the figure "36,380"
and inserting in lieu thereof the figure "37,000".
2. Line 24, by striking the figure "25,310"
and inserting in lieu thereof the figure "36,000".
3. Line 25, by striking the figure "31,565"
and inserting in lieu thereof the figure "32,000".
4. Line 27, by striking the figure "31,030"
and inserting in lieu thereof the figure "31,500".
5. Line 28, by striking the figure "22,470"
and inserting in lieu thereof the figure "23,500".
6. Line 29, by striking the figure "22,470"
and inserting in lieu thereof the figure "23,500".

Senator DeKoster offered amendment S—4216 to amendment S—4214 and moved its adoption:

S—4216

Amend the Coleman amendment S—4214 to Senate File 564, line 4, by striking the figure "25,310"
and inserting in lieu thereof "35,310".

Amendment S—4216 to amendment S—4214 was adopted.

Senator DeKoster moved the adoption of amendment S—4214 as amended.

A record roll call was requested.

On the question "Shall amendment S—4214 as amended be adopted?" (S.F. 564) the vote was:

Ayes, 21:

Bergman	Hultman	Miller of Marshall	Ramsey
Briles	Junkins	Murray	Redmond
Burroughs	Kelly	Nystrom	Robinson
DeKoster	Lamborn	Plymat	Shaff
Griffin	Merritt	Rabedeaux	Shaw
Hansen			

Nays, 26:

Carr	Heying	Norpel	Sovern
Culver	Hill of Jasper	Orr	Taylor
Curtis	Kinley	Palmer	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher	Nolin	Rodgers	Willits
Glenn	Nolting	Schwengels	Winkelman
Gluba		Scott	

Absent or not voting, 3:

Andersen	Coleman	Hill of Polk

Amendment S—4214 as amended lost.

Senator Willits moved that the bill 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, 46:

Bergman	Heying	Murray	Robinson
Briles	Hill of Jasper	Nolin	Rodgers
Burroughs	Hultman	Nolting	Schwengels
Carr	Junkins	Norpel	Scott
Culver	Kelly	Nystrom	Shaff
Curtis	Kinley	Orr	Shaw
DeKoster	Lamborn	Palmer	Sovern
Doderer	Merritt	Plymat	Taylor
Gallagher	Miller of Des Moines	Priebe	Tieden
Glenn	Miller of Marshall	Rabedeaux	Van Gilst
Gluba		Ramsey	Willits
Hansen		Redmond	Winkelman

Nays, none.

Absent or not voting, 4:

Andersen	Coleman	Griffin	Hill of Polk

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 723

Senator Redmond called up for consideration House File 723, a bill for an act correcting and clarifying provisions in the city code, amended by the Senate, and further amended by the House, considered and referred to the committee on ways and means on May 27, 1975.

The report of the committee recommending passage was adopted.

Senator Gluba offered amendment S—4187 to House amendment S—3845 to the Senate amendment and moved its adoption:

S—4187

Amend S—3845, the House amendment to the Senate amendment to House File 723 as amended and passed by the House, by inserting after line 8 the following

2. By inserting after line 9 the following:

"3. Page 5, line 1, by inserting after the word 'motions' the words ', *and in a special charter city operating with ten councilmen under this section, the mayor may vote to break a tie vote on all measures*'.

4. Page 7, insert after line 7 the following:

'Sec. ..... Section three hundred eighty point four (380.4), Code 1975, is amended to read as follows:

380.4 MAJORITY REQUIREMENT. Passage of an ordinance, amendment, or resolution requires an affirmative vote of not less than a majority of the council members *except when the mayor may vote to break a tie vote in a city with an even number of councilmen, as provided in section three hundred seventy-two point four (372.4) of the Code.* A motion to spend public funds in excess of ten thousand dollars on any one project, or a motion to accept public improvements and facilities upon their completion, also requires an affirmative vote of not less than a majority of the council members. Each councilman's vote on an ordinance, amendment, or resolution must be recorded.'

5. Renumber sections and correct internal references in accordance with this amendment.

6. Amend the title, line 1, by inserting after the word 'correcting' the words ', amending'.".

Amendment S—4187 to House amendment S—3845 to the Senate amendment was adopted.

Senator Redmond moved that the Senate concur in House amendment S—3845 to the Senate amendment as amended, which motion prevailed.

Senator Redmond moved that the bill as amended by the Senate, further amended by the House, still 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?" (H.F. 723) the vote was:

Ayes, 39:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Junkins	Norpel	Shaff
Carr	Kelly	Nystrom	Shaw
Culver	Kinley	Orr	Sovern
Curtis	Miller of Des Moines	Palmer	Taylor
DeKoster		Plymat	Tieden
Doderer	Miller of Marshall	Rabedeaux	Van Gilst
Glenn		Redmond	Willits
Gluba			

Nays, 9:

Gallagher	Lamborn	Priebe	Scott
Griffin	Merritt	Ramsey	Winkelman
Hultman			

Absent or not voting, 2:

Coleman	Hill of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 723** be **immediately messaged** to the House, which request was complied with.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 725.

House File 725

On motion of Senator Lamborn, House File 725, a bill for an act relating to the issuance of permits for the sale of cigarettes, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Lamborn offered amendment S—4192 by the committee on ways and means found on pages 2010-2012, inclusive, of the Senate Journal.

Amendment S—4192 was adopted.

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 bill pass?" (H.F. 725) the vote was:

Ayes, 44:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Nolting	Schwengels
Briles	Hultman	Norpel	Scott
Burroughs	Junkins	Nystrom	Shaff
Carr	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Taylor
Doderer	Merritt	Priebe	Tieden
Gallagher	Miller of Des Moines	Rabedeaux	Van Gilst
Glenn	Miller of Marshall	Ramsey	Willits
Griffin		Redmond	Winkelman
Hansen			

Nays, 1:

Nolin

Absent or not voting, 5:

Coleman	Gluba	Hill of Polk	Robinson
Curtis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 725** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 844.

House File 844

On motion of Senator Hill of Jasper, House File 844, a bill for an act relating to the filing of consolidated returns for corporation income tax purposes and making the Act retroactive, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Jasper moved that the bill 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. 844) the vote was:

Ayes, 46:

Andersen	Carr	Doderer	Griffin
Bergman	Culver	Gallagher	Hansen
Briles	Curtis	Glenn	Heying
Burroughs	DeKoster	Gluba	Hill of Jasper

Hultman	Miller of	Priebe	Shaff
Junkins	Marshall	Rabedeaux	Shaw
Kelly	Nolin	Ramsey	Sovern
Kinley	Nolting	Redmond	Taylor
Lamborn	Norpel	Robinson	Tieden
Merritt	Nystrom	Rodgers	Van Gilst
Miller of	Palmer	Schwengels	Willits
Des Moines	Plymat	Scott	Winkelman

Nays, none.

Absent or not voting, 4:

Coleman	Hill of Polk	Murray	Orr

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 844** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 907.

House File 907

On motion of Senator Curtis, House File 907, a bill for an act relating to a fruit-tree and forest reservation which may qualify for a tax exemption, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curtis moved that the bill 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. 907) the vote was:

Ayes, 45:

Andersen	Griffin	Miller of	Rodgers
Bergman	Hansen	Marshall	Schwengels
Briles	Heying	Murray	Scott
Burroughs	Hill of Jasper	Nolin	Shaff
Carr	Hultman	Nolting	Shaw
Culver	Junkins	Norpel	Sovern
Curtis	Kelly	Nystrom	Taylor
DeKoster	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of	Ramsey	Winkelman
Gluba	Des Moines	Redmond	

Nays, none.

Absent or not voting, 5:

Coleman	Orr	Rabedeaux	Robinson
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 907** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 908.

House File 908

On motion of Senator Shaff, House File 908, a bill for an act to amend chapter three hundred ninety (390) of the Code relating to the authority of cities to participate in and finance jointly-owned facilities for the generation, acquisition, or transmission of electric energy, making its provisions retroactive and providing for the validity of contracts executed under said chapter, 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. 908) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 4:

Coleman	Hill of Polk	Orr	Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 908** be **immediately messaged** to the House, which request was complied with.

MOTION TO RECONSIDER ADOPTED

Senate File 551

Senator Gallagher called up the following motion to reconsider filed by him on May 29, 1975, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 551 passed the Senate on May 28, 1975.

On the question "Shall the motion to reconsider be adopted?" (S.F. 551) the vote was:

Ayes, 41:

Andersen	Griffin	Miller of Marshall	Rodgers
Bergman	Hansen	Murray	Schwengels
Burroughs	Heying	Nolin	Scott
Carr	Hultman	Nolting	Shaw
Culver	Junkins	Norpel	Sovern
Curtis	Kelly	Nystrom	Taylor
DeKoster	Kinley	Palmer	Tieden
Doderer	Lamborn	Plymat	Van Gilst
Gallagher	Merritt	Priebe	Willits
Glenn	Miller of Des Moines	Redmond	Winkelman
Gluba			

Nays, 2:

Hill of Jasper	Ramsey

Absent or not voting, 7:

Briles	Hill of Polk	Rabedeaux	Shaff
Coleman	Orr	Robinson	

The motion prevailed.

Senator Gallagher moved to reconsider the vote by which Senate File 551 went to its last reading, which motion prevailed.

On motion of Senator Gallagher, Senate File 551, a bill for an act to allow counties to levy a tax for historical purposes, was taken up for reconsideration.

Senator Priebe moved to reconsider the vote by which amendment S—3964 was adopted by the Senate on May 28, 1975.

The motion prevailed and amendment S—3964 was taken up for reconsideration.

Senator Priebe withdrew amendment S—3964.

Senator Norpel offered amendment S—4030 filed by him and moved its adoption:

S—4030

Amend Senate File 551, page 1, line 12, by inserting after the word "area," the words *"acquiring historical places and structures, maintaining historical places and structures which are owned by the state or a political subdivision of the state,"*.

Amendment S—4030 was adopted.

Senator Norpel moved that the bill 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:

Ayes, 37:

Andersen	Glenn	Miller of Des Moines	Rodgers
Bergman	Gluba	Murray	Schwengels
Briles	Griffin	Nolin	Shaff
Burroughs	Hansen	Nolting	Sovern
Carr	Heying	Norpel	Taylor
Culver	Junkins	Nystrom	Tieden
Curtis	Kelly	Palmer	Van Gilst
DeKoster	Kinley	Plymat	Willits
Doderer	Lamborn		Winkelman
Gallagher	Merritt		

Nays, 8:

Hill of Jasper	Miller of Marshall	Ramsey	Scott
Hultman	Priebe	Redmond	Shaw

Absent or not voting, 5:

Coleman	Orr	Rabedeaux	Robinson
Hill of Polk			

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 Norpel withdrew the motion to reconsider Senate File 551 filed by him on May 29, 1975.

UNFINISHED BUSINESS

House File 811

On motion of Senator Lamborn, House File 811, a bill for an act relating to the military service tax exemption and making the Act retroactive, was taken up for further consideration.

Senator Lamborn offered amendment S—4125 filed by Senators Lamborn and Priebe and moved its adoption:

S—4125

Amend House File 811 as amended and passed by the House, as follows:

1. Page 1, line 8 by striking "September 2," and by striking line 8a and insert in lieu thereof "December 31, 1946".

2. Page 1, line 17, by striking the number "27" and insert in lieu thereof the number "25".

Amendment S—4125 was adopted.

The Senate resumed consideration of amendment S—3881 by Senator Heying, offered and pending on May 28, 1975.

S—3881

Amend House File 811 as amended and passed by the House, page 1, line 18, by striking "1955" and inserting in lieu thereof "1965".

Senator Heying moved the adoption of amendment S—3881.

A record roll call was requested.

On the question "Shall amendment S—3881 be adopted?" (H.F. 811) the vote was:

Ayes, 11:

Carr	Merritt	Nystrom	Scott
Heying	Miller of Des Moines	Priebe	Tieden
Junkins		Schwengels	
Kelly			

Nays, 33:

Andersen	Griffin	Nolin	Rodgers
Bergman	Hansen	Nolting	Shaff
Briles	Hill of Jasper	Norpel	Shaw
Burroughs	Hultman	Palmer	Sovern
Culver	Kinley	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Miller of Marshall	Ramsey	Willits
Glenn	Murray	Redmond	Winkelman
Gluba			

Absent or not voting, 6:

Coleman	Gallagher	Orr	Robinson
Doderer	Hill of Polk		

Amendment S—3881 lost.

Senator Shaw offered amendment S—3775 filed by her and moved its adoption:

S—3775

Amend House File 811 as amended by the House as follows:

1. Lines 18 and 19 by striking the words "on active duty".

2. Lines 20 and 21 by striking the words ", and as defined in section thirty-five C point two (35C.2) of the Code".

3. By adding after line 21 the words "National Guardsmen and Reservists who served under either section 672 (d) title 10, U. S. Code, or section 502 through 505, title 32, U. S. Code, during any of the above enumerated dates shall be entitled to the provisions of this subsection."

A record roll call was requested.

On the question "Shall amendment S—3775 be adopted?" (H.F. 811) the vote was:

Ayes, 17:

Bergman	Heying	Miller of Des Moines	Plymat
Burroughs	Junkins	Miller of Marshall	Priebe
Curtis	Kelly	Nystrom	Schwengels
Doderer	Merritt		Shaw
Hansen			Tieden

Nays, 30:

Andersen	Griffin	Norpel	Scott
Briles	Hill of Jasper	Palmer	Shaff
Carr	Hultman	Rabedeaux	Sovern
Culver	Kinley	Ramsey	Taylor
DeKoster	Lamborn	Redmond	Van Gilst
Gallagher	Murray	Robinson	Willits
Glenn	Nolin	Rodgers	Winkelman
Gluba	Nolting		

Absent or not voting, 3:

Coleman	Hill of Polk	Orr

Amendment S—3775 lost.

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 bill pass?" (H.F. 811) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Culver	Junkins	Nystrom	Shaff
Curtis	Kelly	Palmer	Shaw
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba			Winkelman

Nays none.

Absent or not voting, 4:

Coleman	Hill of Polk	Orr	Sovern

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Neu took the chair at 3:30 p.m.

Senator Kinley asked and received unanimous consent that House File 811 be immediately messaged to the House, which request was complied with.

MOTION TO RECONSIDER

MR. PRESIDENT: We move to reconsider the vote by which Senate File 525 passed the Senate.

WILLIAM E. GLUBA
E. KEVIN KELLY

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 891.

House File 891

On motion of Senator Rodgers, House File 891, a bill for an act relating to fees collected by sheriffs and certain other police authorities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rodgers moved that the bill 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. 891) the vote was:

Ayes, 44:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolting	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Culver	Junkins	Palmer	Shaw
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn		Redmond	Winkelman
Gluba			

Nays, 1:

Kelly

Absent or not voting, 5:

Coleman	Nolin	Orr	Sovern
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that House File 891 be immediately messaged to the House, which request was complied with.

COMMUNICATION FROM THE OFFICE OF THE GOVERNOR

The following communication from the office of the Governor was presented:

June 11, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Lieutenant Governor Neu:

Carol Johnson of Ottumwa, who was appointed by the Governor to the State Judicial Nominating Commission, has written to our office as follows:

> "It is with deep regret that I resign my recent appointment to the Judicial Nominating Commission. My husband has been transferred and we will be unable to stay in Iowa. I am sorry I was not able to serve, but I do thank you all for the honor of the appointment."

In accordance with Mrs. Johnson's request, I would appreciate it if you would withdraw her name from among those now pending for Senate confirmation.

John Pelton of Clinton has also requested that his name be withdrawn from consideration as a member of the Natural Resources Council. Therefore, I would appreciate your withdrawing his name from active consideration for Senate confirmation.

Thank you for your attention to these matters.

Very truly yours,
WYTHE WILLEY
Executive Assistant

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends they be placed on the steering calendar:

S. F. 574	H. F. 814	H. F. 450
S. F. 583	H. F. 352	H. F. 743
S. F. 288	H. F. 801	H. F. 820
H. F. 776	H. F. 502	H. F. 799
H. F. 766	H. F. 894	

C. JOSEPH COLEMAN, Chairman

CONSIDERATION OF BILLS

Senate File 574

On motion of Senator Norpel, Senate File 574, a bill for an act to impose a maximum fifty-five mile per hour speed limit on the public highways of this state, subject to penalties provided by law, was taken up for consideration.

Senator Norpel asked and received unanimous consent that **House File 66** be **substituted** for **Senate File 574.**

House File 66

On motion of Senator Norpel, House File 66, a bill for an act to impose a maximum fifty-five mile per hour speed limit on the

public highways of this state, subject to penalties provided by law, was taken up for consideration.

Senator Norpel offered amendment S—4219 by Senators Norpel and Coleman and called for a division of the amendment, as follows:

S—4219

Amend House File 66 as amended and passed by the House as follows:

Division S—4219A

1. Page 1, by inserting before line 1 the following:

"Sec..... Section three hundred twenty-one point two hundred ten (321.210), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. A person's operator's or chauffeur's license shall not be suspended under the point system promulgated by the department for violations of the speed restrictions of this chapter where the person has not exceeded the posted speed limit by twenty miles per hour. Violations of the speed restrictions of this chapter by a speed of up to twenty miles per hour over the posted speed limit do not constitute a violation of subsections one (1) through seven (7) of this section and such violations shall not be grounds for suspension or revocation of an operator's or chauffeur's license."

Division S—4219B

2. Page 3, by inserting after line 10 the following:

"Sec. ..... Chapter three hundred twenty-one (321), Code 1975, is amended by adding the following new section:

NEW SECTION. VIOLATIONS OF SPEED RESTRICTIONS. Upon conviction of a violation of the speed restrictions of this chapter of up to ten miles per hour over the posted speed limit, a person may be punished only by a fine which shall not exceed ten dollars. Court costs shall not be imposed for a violation punished under this section.

Sec. ..... Chapter three hundred twenty-one (321), Code 1975, is amended by adding the following new section:

NEW SECTION. The provisions of sections one (1) through four (4) of this Act, shall be effective until federal laws no longer require a maximum fifty-five miles per hour speed limit to be eligible for approval by the secretary of transportation of the state highway construction projects, but not later than July 30, 1977, at which time the speed laws shall be those laws in effect prior to June 1, 1975.

Sec. ..... Section seven hundred fifty-three point

fifteen (753.15), subsection six (6), Code 1975, is amended to read as follows:

6. Excess speed up to ten miles per hour over the legal limit, [twenty] *ten* dollars."

3. Renumber the sections and correct internal references in conformance with this amendment.

Senator Lamborn raised the point of order that amendment S—4219 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4219 out of order.

Senator Gallagher offered amendment S—4222 by Senators Gallagher and Priebe:

S—4222

Amend House File 66, as amended and passed by the House, page 3, by inserting after line 10, the following new section:

"Sec. ..... Chapter three hundred twenty-one (321), Code 1975, is amended by adding the following new section:

NEW SECTION. Notwithstanding the provisions of section seven hundred fifty-three point fifteen (753.15), subsection six (6), of the Code, upon the conviction of any person for exceeding the speed limits on any public highway on which the posted maximum speed limit is fifty-five miles per hour, a person shall be subject to a fine of one dollar for each mile per hour by which the person exceeded the posted speed limit, plus court costs. Upon the conviction of any person for exceeding the speed limits by more than ten miles per hour on any public highway on which the posted maximum speed limit is fifty-five miles per hour, a person shall be subject to a minimum fine of twenty dollars, plus court costs."

Senator Hill of Jasper raised the point of order that amendment S—4222 was not germane to the bill.

The Chair ruled the point well taken and S—4222 out of order.

Senator Norpel moved that the bill 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, 35:

Andersen	DeKoster	Hill of Jasper	Miller of Marshall
Bergman	Doderer	Hultman	Nolting
Burroughs	Gallagher	Junkins	Nystrom
Carr	Glenn	Kinley	Orr
Culver	Gluba	Lamborn	
Curtis	Heying		

Palmer	Redmond	Shaw	Van Gilst
Plymat	Rodgers	Sovern	Willits
Priebe	Schwengels	Taylor	Winkelman
Rabedeaux	Shaff		

Nays, 12:

Briles	Merritt	Nolin	Robinson
Griffin	Miller of	Norpel	Scott
Hansen	Des Moines	Ramsey	Tieden
Kelly			

Absent or not voting, 3:

Coleman	Hill of Polk	Murray

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 66** be **immediately messaged** to the House, which request was complied with.

WITHDRAWN

Senator Norpel asked and received unanimous consent that **Senate File 574** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for immediate consideration Senate File 583.

Senate File 583

On motion of Senator Shaw, Senate File 583, a bill for an act to amend the rules of civil procedure proposed by the supreme court, was taken up for consideration.

Senator Shaw moved that the bill 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, 41:

Andersen	Griffin	Murray	Schwengels
Bergman	Hansen	Nolting	Scott
Briles	Heying	Norpel	Shaff
Burroughs	Hill of Jasper	Nystrom	Shaw
Carr	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Priebe	Tieden
DeKoster	Lamborn	Ramsey	Van Gilst
Gallagher	Merritt	Redmond	Willits
Glenn	Miller of	Rodgers	Winkelman
Gluba	Marshall		

Nays, none.

Absent or not voting, 9:

Coleman	Hultman	Nolin	Rabedeaux
Doderer	Miller of	Plymat	Robinson
Hill of Polk	Des Moines		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 776

On motion of Senator DeKoster, House File 776, a bill for an act permitting the commissioner of social services to grant an easement for sewage lines across certain land belonging to the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn took the chair at 4:40 p.m.

Senator Taylor withdrew amendment S—4162 filed by him on June 12, 1975, and found on pages 2016 and 2017 of the Senate Journal.

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. 776) the vote was:

Ayes, 44:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Jasper	Nolting	Schwengels
Briles	Junkins	Norpel	Scott
Burroughs	Kelly	Nystrom	Shaff
Carr	Kinley	Orr	Shaw
Culver	Lamborn	Palmer	Sovern
Curtis	Merritt	Priebe	Taylor
DeKoster	Miller of	Rabedeaux	Tieden
Doderer	Des Moines	Ramsey	Van Gilst
Glenn	Miller of	Redmond	Willits
Gluba	Marshall	Robinson	Winkelman
Griffin	Murray		

Nays, none.

Absent or not voting, 6:

Coleman	Hansen	Hultman	Plymat
Gallagher	Hill of Polk		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 776** 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 on June 6, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 431, a bill for an act making an appropriation to the campaign finance disclosure commission . . . and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate and those subjects regulated by the secretary of state.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 431, a bill for an act making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state.

Read first time and **passed on file.**

CONSIDERATION OF BILLS

House File 766

On motion of Senator Doderer, House File 766, a bill for an act to establish an office of prosecuting attorneys training coordinator and to prescribe the functions and duties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill of Jasper raised the point of order that House File 766 should be referred to the committee on state government under Senate Rule 38.

The Chair ruled the point well taken.

Senator Doderer moved that Senate Rule 38 be suspended for the purpose of continuing consideration of House File 766.

On the question "Shall the motion to suspend Senate Rule 38 be adopted?" (H.F. 766) the vote was:

Ayes, 40:

Andersen	DeKoster	Heying	Miller of Des Moines
Bergman	Doderer	Hultman	Murray
Briles	Gallagher	Junkins	Nolin
Burroughs	Glenn	Kelly	Nolting
Carr	Gluba	Kinley	Norpel
Culver	Griffin	Lamborn	
Curtis	Hansen	Merritt	

Nystrom	Ramsey	Schwengels	Sovern
Orr	Redmond	Scott	Van Gilst
Palmer	Robinson	Shaw	Willits
Priebe	Rodgers		

Nays, 5:

Hill of Jasper	Miller of Marshall	Taylor	Winkelman
		Tieden	

Absent or not voting, 5:

Coleman	Plymat	Rabedeaux	Shaff
Hill of Polk			

The motion prevailed and the Senate continued consideration of House File 766.

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?" (H.F. 766) the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin		Redmond
Briles	Hansen	Murray	Robinson
Burroughs	Heying	Nolin	Rodgers
Carr	Junkins	Nolting	Schwengels
Culver	Kelly	Norpel	Scott
Curtis	Kinley	Nystrom	Shaw
DeKoster	Lamborn	Orr	Sovern
Doderer	Merritt	Palmer	Taylor
Gallagher	Miller of Des Moines	Plymat	Van Gilst
Glenn		Priebe	Willits

Nays, 4:

Hill of Jasper	Rabedeaux	Tieden	Winkelman

Absent or not voting, 4:

Coleman	Hill of Polk	Hultman	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that House File 766 be immediately messaged to the House, which request was complied with.

House File 814

On motion of Senator Hill of Jasper, House File 814, a bill for an act relating to the purchase and use of state motor vehicles and use of private motor vehicles for state business, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Norpel offered amendment S—4103 filed by him and moved its adoption:

S—4103

Amend House File 814, as amended and passed by the House, page 1, line 12, by inserting after the word "designated" the following:

"at a purchase price approved by the executive council".

Amendment S—4103 was adopted.

Senator Hill of Jasper moved that the bill 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. 814) the vote was:

Ayes, 45:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Gallagher	Miller of Des Moines	Priebe	Van Gilst
Glenn		Rabedeaux	Willits
Gluba	Miller of Marshall	Ramsey	Winkelman
Griffin		Redmond	

Nays, none.

Absent or not voting, 5:

Coleman	Hill of Polk	Lamborn	Shaff
Doderer			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 814 be immediately messaged to the House,** which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 898.

House File 898

On motion of Senator Palmer, House File 898, a bill for an act making appropriations to various state agencies for the purpose of providing for capital improvements, clarifying responsibility for determining compliance with the state building code of state owned capital improvements, buildings, and structures, providing for reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase

of certain equipment, providing funds for sewage works purposes, creating a hospital schools revolving fund and providing for expenditures from such fund, providing for land acquisition, providing a memorial for medal of honor recipients, and providing for the reversion of funds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

President Neu took the chair at 5:15 p.m.

Senator Van Gilst offered amendment S—4198 by the committtee on appropriations:

S—4198

Amend House File 898 as amended, passed and reprinted by the House, as follows:

Division S—4198A

1. Page 1, by striking lines 20 through 26 and inserting in lieu thereof the words "under its jurisdiction .....$3,117,000"

Division S—4198B

2. Page 8, after line 16 add the following:

"14. DEPARTMENT OF PUBLIC INSTRUCTION

For replacement of films, film strips, books, and other educational media material destroyed in the Ankeny, Iowa, fire $1,000,000

Unobligated or unencumbered funds remaining on June 30, 1976 from funds appropriated by this subsection shall revert to the general fund on September 30, 1976."

3. Page 12, after line 19, insert the following:

Sec. ..... If federal action eliminates or delays into future fiscal year periods certain federal funds previously anticipated as a part of various departmental receipts, there is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975, and ending June 30, 1976, to the state comptroller the sum of one million eight hundred thousand (1,800,000) dollars to be allocated to the departments to supplement existing appropriations for losses of such federal funds during the fiscal period. No funds shall be allocated under this section without the approval of the governor and the state comptroller.

It is intended that any funds allocated to the state board of regents in this Act to supplement existing appropriations for loss of federal funds during the fiscal year shall be for federal funds lost which were related to educational and capitation grants to the institutions. It is not intended to supplement federal funds relating solely to sponsored research grants to the institutions.

4. Renumber sections as required by this amendment.

Senator Griffin called for a division of the amendment, section 1 to be considered as division S—4198A, and sections 2 and 3 to be considered as division S—4198B.

Senator Murray offered amendment S—4210 to division S—4198A:

S—4210
Amend the committee on appropriations amendment S—4198 to House File 898 as amended, passed and reprinted by the House, by striking lines 3, 4 and 5 and inserting in lieu thereof the following:
1. Page 1, by striking in line 26 the figure *"$8,700,000"* and inserting in lieu thereof the figure "$4,520,000".

QUORUM CALL

Senator Griffin requested a record roll call to determine that a quorum was present.

Present, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba	Miller of Marshall	Redmond	
Griffin			

Absent, 3:

Coleman	Hill of Polk	Shaff

Roll call revealed a quorum present.

Senator Murray moved the adoption of amendment S—4210 to division S—4198A.

A record roll call was requested.

On the question "Shall amendment S—4210 to division S—4198A be adopted?" (H.F. 898) the vote was:

Rule 25 was invoked.

Ayes, 24:

Andersen	Curtis	Hansen	Miller of Marshall
Bergman	DeKoster	Hultman	
Briles	Gallagher	Kelly	Murray
Burroughs	Griffin	Lamborn	Nystrom

Plymat	Redmond	Shaff	Taylor
Rabedeaux	Schwengels	Shaw	Winkelman
Ramsey			

Nays, 24:

Carr	Junkins	Nolting	Rodgers
Culver	Kinley	Norpel	Scott
Doderer	Merritt	Orr	Sovern
Glenn	Miller of	Palmer	Tieden
Gluba	Des Moines	Priebe	Van Gilst
Heying	Nolin	Robinson	Willits
Hill of Jasper			

Absent or not voting, 2:

Coleman	Hill of Polk

The Chair cast an "aye" vote to break the tie and declared amendment S—4210 to division S—4198A adopted.

Senator Murray withdrew amendment S—4209 to amendment S—4198:

S—4209

Amend the committee on appropriations amendment S—4198 to House File 898 as amended, passed, and reprinted by the House, by striking line 5 and inserting in lieu thereof "under its jurisdiction .....$3,700,000".

On motion of Senator Van Gilst, division S—4198A of the amendment as amended was adopted.

On motion of Senator Van Gilst, division S—4198B of the amendment was adopted.

Senator Willits offered amendment S—4195 by the committee on appropriations and called for a division of the amendment as follows:

S—4195

Amend House File 898 as amended, passed and reprinted as follows:

Division S—4195A

1. Page 2, line 21, by striking the words "of which is" and inserting the words ", including the funds appropriated by this subsection, shall".

2. Page 2, line 22, by striking the word "to".

3. Page 3, lines 23, 24, and 25, by striking the words "automatic and new elevator cars for the capitol buildings;".

4. Page 4, line 1, by striking the figure "730,000" and inserting the figure "700,000".

Division S—4195B

5. Page 4, line 19, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "the

Carolyn Pendray building,".

6. Page 4, line 24, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "Carolyn Pendray".

7. Page 4, line 30, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "Carolyn Pendray".

8. Page 5, line 6, by striking the words "Ansel Briggs" and inserting in lieu thereof the words "Carolyn Pendray".

Division S—4195A (cont'd)

9. Page 11, by striking lines 29 through 35.

10. Page 12, by striking lines 1 through 19.

11. By renumbering sections and internal references as required by this amendment.

12. Amend the title by striking lines 3 through 5.

On motion of Senator Willits, division S—4195A of the amendment was adopted.

Senator Gluba offered amendment S—4200 to division S—4195B filed by him, moved its adoption, and requested a non-record roll call:

S—4200

Amend the appropriations committee amendment S—4195 to House File 898, as follows:

1. Line 14, by striking the word "Carolyn Pendray building" and inserting in lieu thereof "Pendray-Briggs Building".

2. Line 17, by striking the words "Carolyn Pendray" and inserting in lieu thereof "Pendray-Briggs".

3. Line 20, by striking the words "Carolyn Pendray" and inserting in lieu thereof "Pendray-Briggs".

4. Line 23, by striking the words "Carolyn Pendray" and inserting in lieu thereof "Pendray-Briggs".

The ayes were 13, nays 33.

Amendment S—4200 to division S—4195B of the amendment lost.

Senator Willits moved the adoption of division S—4195B of the amendment.

A record roll call was requested.

On the question "Shall division S—4195B of the amendment be adopted?" (H.F. 898) the vote was:

Ayes, 29:

Andersen	DeKoster	Griffin	Kelly
Bergman	Doderer	Hansen	Lamborn
Burroughs	Gallagher	Heying	Merritt
Curtis	Gluba	Hultman	

Miller of Marshall	Orr	Schwengels	Taylor
Murray	Plymat	Shaff	Willits
Nystrom	Rabedeaux	Shaw	Winkelman
	Redmond	Sovern	

Nays, 19:

Carr	Junkins	Nolting	Robinson
Coleman	Kinley	Norpel	Rodgers
Culver	Miller of Des Moines	Palmer	Scott
Glenn	Nolin	Priebe	Tieden
Hill of Jasper		Ramsey	Van Gilst

Absent or not voting, 2:

Briles	Hill of Polk

Division S—4195B of the amendment was adopted.

Senator Junkins offered amendment S—4199 by the committee on appropriations and moved its adoption:

S—4199

Amend House File 898 as amended, passed and reprinted by the House as follows:

1. Page 3, line 5, by striking "$3,700,000" and inserting in lieu thereof "$4,800,000".

A record roll call was requested.

On the question "Shall amendment S—4199 be adopted?" (H.F. 898) the vote was:

Rule 25 was invoked.

Ayes, 39:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Schwengels
Briles	Junkins	Nolting	Scott
Burroughs	Kelly	Norpel	Shaff
Carr	Kinley	Nystrom	Shaw
Coleman	Lamborn	Palmer	Taylor
Culver	Merritt	Plymat	Tieden
Curtis	Miller of Des Moines	Priebe	Van Gilst
Gallagher	Miller of Marshall	Rabedeaux	Winkelman
Gluba		Ramsey	
Griffin			

Nays, 10:

DeKoster	Hill of Jasper	Redmond	Sovern
Doderer	Hultman	Rodgers	Willits
Glenn	Orr		

Absent or not voting, 1:

Hill of Polk

Amendment S—4199 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hill of Polk for the remainder of the day on request of Senator Hansen.

Senator Norpel offered amendment S—4197 by the committee on appropriations and moved its adoption:

S—4197

Amend House File 898 as amended, passed, and reprinted by the House as follows:

1. Page 7, after line 26, by adding the following:

"b. For repair, replacement, alteration, equipment and rehabilitation of national guard armory facilities throughout the state, including the maintenance and repair of equipment required for use of such facilities $130,000

c. For the repair, replacement, alteration, equipment and rehabilitation of buildings, grounds, roads and facilities located within the Camp Dodge military reservation ..... $130,000"

2. Page 7, line 27, by striking the letter "b" and inserting the letter "d".

Amendment S—4197 was adopted.

Senator Norpel offered amendment S—4196 by the committee on appropriations and moved its adoption:

S—4196

Amend House File 898 as amended, passed, and reprinted by the House as follows:

1. Page 7, after line 26, by inserting the following:

"b. For restoring the flags exhibited on the first floor of the state capitol ..... $50,000"

2. By lettering the remaining paragraph in subsection twelve (12) of section one (1) of House File 898.

3. Title page, line 15, after the comma insert the words "restoring flags exhibited in the state capitol,".

Amendment S—4196 was adopted.

Senator Coleman offered amendment S—4225 by Senator Taylor, moved its adoption, and requested a record roll call:

S—4225

Amend House File 898, as amended, passed and reprinted by the House, page 1, by striking lines 27 through 34 and insert in lieu thereof the following:

"b. For detailed architectural plans for and construction of a

seeds laboratory facility at Iowa state university there is appropriated $1,200,000

In addition to funds appropriated under this paragraph, the state board of regents may accept funds which are available from other sources for construction of the seeds laboratory facility."

On the question "Shall amendment S—4225 be adopted?" (H.F. 898) the vote was:

Ayes, 32:

Andersen	Griffin	Murray	Redmond
Bergman	Hansen	Nolin	Robinson
Briles	Hultman	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Scott
Coleman	Kelly	Plymat	Shaff
Culver	Lamborn	Priebe	Shaw
Curtis	Miller of Marshall	Rabedeaux	Taylor
DeKoster		Ramsey	Winkelman
Gallagher			

Nays, 17:

Carr	Hill of Jasper	Nolting	Sovern
Doderer	Kinley	Orr	Tieden
Glenn	Merritt	Palmer	Van Gilst
Gluba	Miller of Des Moines	Rodgers	Willits
Heying			

Absent or not voting, 1:

Hill of Polk

Amendment S—4225 was adopted.

Senator Murray withdrew amendment S—4142 filed by him on June 11, 1975, and found on pages 1951 and 1952 of the Senate Journal.

Senator Tieden offered amendment S—4207 and moved its adoption:

S—4207

Amend House File 898 as amended, passed, and reprinted by the House as follows:

1. Page 3, after line 5 insert the following:

"Prior to the expenditure of funds appropriated by this paragraph, an amount sufficient to pay school taxes on land acquired under the provisions of the Acts of the Sixty-fifth General Assembly, chapter seventy-four (74), 1973 Session, and land acquired pursuant to this Act, shall be deducted from the funds appropriated by this paragraph and shall be paid to the school districts in which such lands are located."

2. Page 10, after line 13, insert the following:

"Sec. ..... Chapter one hundred seven (107), Code 1975, is amended by adding the following new section:

NEW SECTION. The state conservation commission shall make annual payments to school districts in such amounts sufficient to pay school taxes on lands acquired under the provisions of the Acts of the Sixty-fifth General Assembly, chapter seventy-four (74), 1973 Session, and under the authority of any other Act of the General Assembly which authorizes the acquisition of land which would otherwise be subject to the levy of school taxes. There is appropriated annually from the general fund of the state from funds not otherwise appropriated to the state conservation commission an amount sufficient to make the payments provided for in this section. The state comptroller shall administer the funds appropriated by this Act and shall administer the program established by this section. The state conservation commission shall cooperate with the state comptroller in order to provide information necessary to carry out the provisions of this section."

3. Renumber the sections and internal references in conformity with this amendment.

Amendment S—4207 was adopted.

Senator Gallagher offered amendment S—4163 filed by Senators Gallagher, et al., and moved its adoption:

S—4163

Amend House File 898 as amended, passed and reprinted by the House, page 3, line 10, by striking the figure "2,500,000" and inserting in lieu thereof the figure "3,000,000".

Amendment S—4163 was adopted.

Senator Winkelman offered amendment S—4204 by Senators Winkelman, Coleman and Nolin and moved its adoption:

S—4204

Amend House File 898 as amended, passed and reprinted by the House, page 11, by striking lines 20 and 21.

Amendment S—4204 lost.

Senator Norpel offered amendment S—4148 filed by him:

S—4148

Amend House File 898 as amended, passed and reprinted by the House, page 12, by inserting after line 19 the following new section:

"Sec. ..... Chapter two hundred sixty-two (262), Code 1975, is amended by adding the following new section:

NEW SECTION. LIMITS ON CONSTRUCTION AND ON MODIFICATION OF RIVERS. Buildings with permanent foundations shall not

be constructed by the board of regents on the flood plain of a river, creek, dry creek or any area subject to flooding, unless the building is functionally related to water such as a boat house, water or sewage treatment facility, or hydrological research laboratory. The board shall not encroach upon the banks or channel of any river so as to increase the frequency and severity of flooding."

Senator Gallagher raised the point of order that amendment S—4148 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4148 out of order.

Senator Murray offered amendment S—4202 and called for a division of the amendment, as follows:

S—4202

Amend House File 898 as amended, passed, and reprinted by the House as follows:

1. Page 12, by inserting after line 19 the following new sections:

Division S—4202A

"Sec. ..... For any construction of new buildings or substantial modification of existing buildings under this Act the total estimated cost of fine arts elements included in the plans and specifications shall not be less than one-half of one percent of the total appropriation for such construction of new buildings or substantial modification of existing buildings. This section shall apply only to appropriations made pursuant to the following subsections of section one (1) of this Act:

1. Subsection two (2).
2. Subsection five (5).
3. Subsection seven (7).
4. Paragraph b of subsection eight (8).

Sec. ..... As used in this Act, 'fine arts' means sculpture, fountains, bas-reliefs, mosaics, frescoes, wall hangings, pictures, photographs or other enhancements to be integrated into the total environment of such construction. Fine arts does not include the incidental ornamental detail or functional structural elements or hardware and other accessories.

Sec. ..... The appropriate department, commission or board having authority over an appropriation to which the fine arts section applies shall coordinate with the Iowa arts council on matters relating to the inclusion of fine arts authorized by this Act.

Division S—4202B

Sec. ..... The appropriate department, commission or board must be assured, by the submission of a report by the architects or contractors before

construction is begun on any new buildings or substantial modification of existing buildings pursuant to this Act, that the building design has been developed according to maximum energy conservation."

2. By renumbering the sections and correcting internal references as necessary.

On motion of Senator Murray, division S—4202A of the amendment was adopted.

On motion of Senator Murray, division S—4202B of the amendment was adopted.

Senator Gluba offered amendment S—4232, moved its adoption and requested a record roll call:

S—4232

Amend House File 898 as amended, passed and reprinted by the House, page 7, by inserting after line 1, the following new paragraph:

"d. To such capital projects as the department of social services shall designate .....$1,000,000".

On the question "Shall amendment S—4232 be adopted?" (H.F. 898) the vote was:

Ayes, 5:

Carr	Kelly	Redmond	Shaw
Gluba			

Nays, 38:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Jasper	Nolting	Scott
Burroughs	Hultman	Norpel	Shaff
Culver	Junkins	Nystrom	Sovern
Curtis	Kinley	Orr	Taylor
DeKoster	Lamborn	Palmer	Tieden
Gallagher	Merritt	Plymat	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Griffin	Murray	Ramsey	Winkelman
Hansen		Robinson	

Voting present, 1:

Doderer

Absent or not voting, 6:

Briles	Hill of Polk	Miller of Marshall	Rabedeaux
Coleman			Schwengels

Amendment S—4232 lost.

The following amendments were ruled out of order:

Amendment S—4136 filed by Senator Gluba on June 11, 1975.

Amendment S—4137 filed by Senator Gluba on June 11, 1975.

Amendment S—4186 filed by Senator Gluba on June 12, 1975.

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. 898) the vote was:

Ayes, 47:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Rodgers
Burroughs	Heying	Nolting	Schwengels
Carr	Hill of Jasper	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Palmer	Sovern
DeKoster	Kinley	Plymat	Taylor
Doderer	Lamborn	Priebe	Tieden
Gallagher	Merritt	Rabedeaux	Van Gilst
Glenn	Miller of Des Moines	Ramsey	Willits
Gluba		Redmond	Winkelman

Nays, none.

Absent or not voting, 3:

Briles	Hill of Polk	Miller of Marshall

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 on June 13, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 571, a bill for an act relating to the reimbursement for property taxes paid and rent constituting property taxes paid for persons sixty-five years of age or older or totally disabled.

Also: That the House has on June 13, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 816, a bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 571

S—4223

Amend Senate File 571, as amended and passed by the Senate, as follows:

1. Page 1, by inserting after the word "dwelling" in line 25 the following: ", *including a mobile home,*".

2. Page 2, by inserting after line 1 the following:

"6. 'CLAIMANT' means a person filing a claim for reimbursement under this division who has attained the age of sixty-five years on or before December 31 of the base year, *or who is a surviving spouse having attained the age of fifty-five years on or before December thirty-first of the base year,* or who is totally disabled and was totally disabled on or before December 31 of the base year, and was domiciled in this state during the entire base year and is domiciled in this state at the time the claim is filed. 'Claimant' includes a vendee in possession under a contract for deed and may include one or more joint tenants or tenants in common. In the case of a claim for rent constituting property taxes paid, the claimant shall have rented the property during any part of the base year. When two persons of a household are able to meet the qualifications for a claimant, they may determine between them who will be the claimant. If they are unable to agree, the matter shall be referred to the director of revenue not later than July 31 of each year and his decision shall be final. If a homestead is occupied by two or more persons, and more than one person is able to qualify as a claimant, and some or all of the qualified persons are not related, the persons may determine among them who will be the claimant. If they are unable to agree, the matter shall be referred to the director of revenue not later than July 31 of each year and his decision shall be final."

3. Page 2, by striking line 33 and inserting in lieu thereof the following: "over or is totally disabled *or is a surviving spouse of such person who is over the age of fifty-five years of age, the person* [he] may be eligible for the credit".

4. Title page by striking everything after the word "paid" in line 2, all of line 3, and inserting in lieu thereof the words "by claimants".

5. Renumber sections and correct internal references as may be necessary in accordance with this amendment.

INTRODUCTION OF BILL

Senate File 584, by committee on appropriations, a bill for an act making an appropriation for per diem and expenses of the legislative council, legislative fiscal committee, and special interim

study committees and providing for administration of the funds appropriated.

Read first time and **placed on calendar.**

SENATE RESOLUTION 15
By Kelly and Andersen

Whereas, Mr. Larry Graham, a pianist and professor of music at Morningside College of Sioux City, Iowa is the only American finalist and is a fourth place winner of the QUEEN ELIZABETH INTERNATIONAL COMPETITION; and

Whereas, Mr. Graham is also the winner of the Jacques Stehman Prize of the Public, a prize awarded to the performer best liked by the Belgian people; and

Whereas, the accomplishments of Mr. Graham have been attained by very few Americans and bring honor to himself, the United States, and the state of Iowa; and

Whereas, it is fitting that the General Assembly of the state of Iowa and all citizens of Iowa pay tribute to Mr. Graham and give recognition to the great accomplishments of Mr. Graham; *Now Therefore,*

Be It Resolved by the Senate, That Mr. Larry Graham be congratulated for his outstanding success and musical accomplishments and that best wishes for continued success be extended to Mr. Graham; and

Be It Further Resolved, That copies of this resolution be forwarded to Mr. Larry Graham.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 53
By Gluba

Whereas, cities use special assessments to finance the construction of streets and sewers within their corporate limits; and

Whereas, these special assessments are becoming increasingly costly because of increased costs in the construction of streets and sewers; and

Whereas, it appears that some of these special assessments against an individual homeowner have amounted to as high as eighty-five thousand dollars, and such high assessments are unreasonable and virtually uncollectible; and

Whereas, the rising cost of street and sewer construction has made the special tax assessments increasingly costly and has too often placed an unreasonable burden on the homeowner, which is especially unfair to the elderly or low income property owner; and

Whereas, many of these special tax assessments have come about, not at the request of the affected homeowners but as a result of some business or industry expanding into an area; and

Whereas, the industry or the city should foot the bill for such improvements, and the burden should not fall on the homeowner; and

Whereas, the practice of assessing homeowners that happen to live along a street that the city determines must be widened or who happen to live along the route of a major sewer line extension is an antiquated, unfair concept that goes back to medieval times; and

Whereas, the homeowner who in the first place does not request or desire such improvements should not be forced to pay for these improvements when, in fact, the city, as a

whole, benefits from them; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council establish a study committee, as provided by law, which shall consist of legislative members representing both houses of the general assembly and representing both political parties, to study the feasibility of financing public improvements without the use of special assessments; and

Be It Further Resolved, That the study committee shall submit its report, including necessary bill drafts to implement its recommendations to the legislative council and the 1976 Session of the Sixty-sixth General Assembly.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 54

By Taylor, Hansen, Plymat, Priebe, Curtis, Merritt, Hultman, Miller of Marshall, Scott, Coleman, Junkins, Burroughs, Bergman, Tieden, Rabedeaux, Schwengels, Culver, Norpel, Nolin, Kelly, Winkelman, Griffin, Heying, DeKoster, Shaff and Briles

Whereas, there is growing concern among many citizens of Iowa that annual sessions, their length, and general method of operation that is developing will lead to a full-time professional legislature; and

Whereas, the legislative service bureau is overloaded with bill requests so that many bills are never printed in time to be considered; and

Whereas, many more bills are being developed as study bills originating through the work of interim study committees, state departments, and various other sources and there is adequate procedure for making these bills available to interested members of the public and the complete committee membership before final action of the committee; and

Whereas, the number of amendments filed this session has approximately doubled; and

Whereas, many states including our neighboring states of

Kansas, Nebraska, and South Dakota have developed procedures by which their legislation is prepared, considered and passed and sessions adjourned in much less time; and

Whereas, an orderly and timely adjournment of the legislature should be a top priority; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council establish an interim study committee to study ways and means of improving the handling of bills from introduction to passage, including improving public access to bills prior to final committee action, and procedures for shortening the length and improving the adjournment procedures of our sessions. It should include contacting leaders in other comparable states to determine if their methods might be adopted by Iowa.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 55

By Orr, Taylor, Schwengels, Tieden, Coleman, Priebe, Culver, Norpel, Nolin, Nystrom, Carr, Winkelman, Junkins, Gluba, Bergman, Miller of Des Moines, Hultman, Merritt and Briles

Whereas, a serious barrier to ownership of agricultural land to those who wish to enter farming is the difficulty in accumulating needed capital; and

Whereas, the level of capital required to meet the rising cost of farm equipment places the small farmer at an economic disadvantage; and

Whereas, the movement of outside nonfarm capital into agricultural production has been increasing; and

Whereas, the number of farms in Iowa has been steadily decreasing at an average annual rate of 1,700; and

Whereas, there is increasing concern on the part of family farmers and rural people about who will control agricultural production in the future; and

Whereas, the Iowa legislature desires to preserve and promote the family farm as a basic economic and social unit in Iowa; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to appoint a bipartisan interim study committee composed of members of both houses of the General Assembly to examine innovative legislation designed to make capital available to Iowa family farmers and to those who desire to actively enter farming; and

Be It Further Resolved, That the study committee examine tax incentives designed to preserve the family farm; and

Be It Further Resolved, That a report of the study and efforts of the committee be submitted to the legislative council and to the members of the Sixty-sixth General Assembly meeting in the year 1976 and shall be accompanied by legislative bill drafts to carry out the recommendations of the committee.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 56
By Gluba

Whereas, several bills have been introduced in the Sixty-sixth General Assembly proposing a tax moratorium on improvements to property; and

Whereas, bills have been introduced during previous sessions of the general assembly; and

Whereas, there is a need to encourage citizens to continue to repair and maintain their property which improvements inure to the benefit of all persons in the state; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee as provided by law, composed of members of the Senate and the House of Representatives representing both political parties, to conduct a study during the 1975 interim relating to the feasibility of providing a tax moratorium for improvements to property in this state; and

Be It Further Resolved, That the study committee shall prepare a report of its findings and recommendations and submit it to the legislative council and the members of the Sixty-sixth General Assembly, 1976 Session, accompanied by legislative bill drafts designed to carry out the recommendations of the study committee.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 57
By Kinley and Lamborn

Whereas, the legislative intern program for the Iowa General Assembly operated on a formal basis during the first session of the Sixty-sixth General Assembly, and

Whereas, the program offered valuable services to both the General Assembly and college interns, it would be desirable to continue the program; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That a Joint Committee on Legislative Internships be established to organize and supervise the college student internship program for the second session of the Sixty-sixth General Assembly. The committee shall consist of thirteen members: two members of the Senate, one appointed by the majority leader and one by the minority leader; two members of the House, one appointed by the majority leader and one appointed by the minority leader; the chief clerk of the House or his designee; the secretary of the Senate or his designee; the director of the legislative service bureau or his

designee; a person from each of the three state universities selected by each of the universities; a person representing the law schools and two persons from Iowa private colleges, selected by

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other members of the committee. A vacancy shall be filled in the same manner as the original appointment.

The duties of the committee shall include providing procedures for coordinating the recruitment, selection, assignment, and supervision of interns in each house; establishing the duties of interns; providing orientation meetings for interns; and providing for academic supervision of interns.

The expenses of the committee members and the per diem pay of legislative members shall be paid from funds available to the public agency the members represent and in the case of nonpublic members' expenses shall be paid from funds available under section two point twelve (2.12) of the Code.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION **58**
By Kinley

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Saturday, June 14, 1975, it be the final adjournment of the 1975 Regular Session of the Sixty-sixth General Assembly.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION **59**
By Kinley and Lamborn

Whereas, various committee meetings pertaining to the operation of legislative research and services are held between sessions of the General Assembly; and

Whereas, the President of the Senate, the Speaker of the House and the Legislative Council 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 of expense claims 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 authorized meetings and the per diem allowance

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 as provided in sections two point ten (2.10), two point eleven (2.11), two

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point twelve (2.12), and two point thirteen (2.13), Code 1975.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 60
By Committee on Appropriations

Whereas, section twenty-five point seven (25.7) of the Code provides that failure or refusal by the general assembly to make an appropriation for a claim after presentation to the general assembly through the state appeal board shall constitute an adjudication against the claim barring any further proceeding before the general assembly for payment of the claim; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the following claims, duly processed by the state appeal board and rejected by the joint claims committee, to be considered by the Senate and House of Representatives, and the action of the joint committee rejecting these claims be approved.

Claim Number	Name of Claimant Nature of Claim	Amount of Claim
574-65-25	Glenn Breiland Sioux City, Iowa Registration fee refund	$ 87.07
700-65-25	Douglas L. Peters Storm Lake, Iowa Prorate fee refund	167.37
947-65-25	Hawaiian Flowers, Ltd. Stevens Point, Wisconsin Fine refund	24.00
1018-65-25	Elmer Dykstra Pella, Iowa County plate license refund	35.38
1040-65-25	Mama Cookie Bakeries, Inc. Chicago, Illinois Prorate refund	140.00
1132-65-25	M. B. & B. G. Cuthbertson	

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	Toledo, Iowa License fee refund	90.00
755-65-25	Gleason Equipment, Inc. Chicago, Illinois Duplicate registration fees	Undetermined
756-65-25	Burch Construction Company Cedar Rapids, Iowa License fee refund	114.10

9	757-65-25	Arctic Transport, Inc.	
10		Council Bluffs, Iowa	
11		Refund of trailer registration	33.19
12	1155-65-25	North American Van Lines, Inc.	
13		Fort Wayne, Indiana	
14		License fee refund	6.00
15	1190-65-25	Jones & McKnight Steel, Inc.	
16		Kankakee, Illinois	
17		Fine refund	20.00
18	534-64-25	Xerox Corporation	
19		Chicago, Illinois	
20		Outdated invoice	842.99
21	1966-64-25	L. P. Ames	
22		Nevada, Missouri	
23		Prorate fee adjustment	313.11
24	2423-64-25	John R. Hink	
25		Davenport, Iowa	
26		County plate license refund	37.50
27	240-65-25	Addressograph-Multigraph Corp.	
28		Des Moines, Iowa	
29		Duplicated claim for equipment	985.62
30	330-65-25	Lloyd R. Knott	
31		Iowa Falls, Iowa	
32		License fee refund	24.00
33	355-65-25	Lloyd W. Tindall	
34		Athens, Georgia	
35		Outdated expense claim	164.00
Page 3			
1	453-65-25	Judith Ann Gimbel	
2		Ute, Iowa	
3		Merit pay adjustment	77.50
4	479-65-25	North American Van Lines	
5		Fort Wayne, Indiana	
6		Registration fee refund	110.00
7	534-65-25	Benefield Brothers	
8		Cullman, Alabama	
9		Trip permit refund	24.00
10	2004-65-25	Lester's of Minnesota, Inc.	
11		Lester Prairie, Minnesota	
12		Fine refund	28.00
13	2005-65-25	Transport Service Company	
14		Chicago, Illinois	
15		Fine refund	50.00
16	2023-65-25	Schwartz Brothers Storage & Van	
17		Chicago Heights, Illinois	
18		Permit & fine refund	40.00
19	2027-65-25	Shell Oil Company	
20		Bettendorf, Iowa	
21		Fine refund	35.00
22	2029-65-25	Transport, Inc., of South Dakota	
23		Sioux Falls, South Dakota	
24		Permit & fine refund	19.00
25	2105-65-25	Gilmore-Tatge Manufacturing Co., Inc.	
26		Clay Center, Kansas	

27		Fine refund	36.00
28	2107-65-25	Abbas Trucking	
29		Dakota City, Iowa	
30		County license fee refund	45.00
31	2109-65-25	Pickens-Kane Moving & Storage	
32		Chicago, Illinois	
33		Fine & trip permit	40.00
34	2147-65-25	Accoustical Spray Insulation Co.	
35		Norfolk, Nebraska	
Page 4			
1		Fine refund	48.00
2	2230-65-25	Coast Provision	
3		Company	
4		Santa Fe Springs	
5		California	
6		Fine refund	30.00
7	2231-65-25	Palm Industries, Inc.	
8		Litchfield, Minnesota	
9		Fine refund	19.00
10	2247-65-25	Sun'n Snow Sports, Inc.	
11		Black River Falls,	
12		Wisconsin	
13		Fine refund	25.00
14	2253-65-25	Buske Lines, Inc.	
15		Litchfield, Illinois	
16		Fine refund	42.00
17	2264-65-25	Mallinger Truck Line	
18		Fort Dodge, Iowa	
19		Registration refund	1,081.59
20	2267-65-25	Higman Sand & Gravel	
21		Akron, Iowa	
22		License fee refund	25.00
23	2272-65-25	South Omaha Feed & Supply	
24		Omaha, Nebraska	
25		Fine refund	27.50
26	2294-65-25	Elmer Peters	
27		Ocheyedan, Iowa	
28		County registration refund	30.00
29	2307-65-25	Sutherland Farmers Coop Co. &	
30		Boyd McGee	
31		Peterson, Iowa	
32		License fee refund	30.00
33	2367-65-25	Ford Truck Line	
34		Tipton, Iowa	
35		License refund	468.64
Page 5			
1	2405-65-25	Wesley T. Payer	
2		Wagner, South Dakota	
3		Reciprocity fee refund	Undetermined
4	2413-65-25	Rodney G. Harkness	
5		Chatsworth, Iowa	
6		License refund	30.00
7	2434-65-25	Dix Greenhouse, Inc.	
8		Flat River, Missouri	

		Refund fine & fee	44.00
	2448-65-25	Henry G. Nelson, Inc.	
		Avoca, Iowa	
		Registration fee refund	25.00
	2464-65-25	Gerald Nygard & Rodney G. Harkness	
		Chatsworth, Iowa	
		License fee refund	13.00
	2480-65-25	Zearing Fertilizer	
		Zearing, Iowa	
		Registration fee refund	680.00
	2485-65-25	Hofer, Inc.	
		Pittsburg, Kansas	
		Fine refund	72.00
	2487-65-25	David Saben & Smithway Motor Express, Inc.	
		Fort Dodge, Iowa	
		County plate refund	483.00
	2527-65-25	Van Iperen Feed & Grain Company	
		Hospers, Iowa	
		License fee refund	463.82
	2530-65-25	Marvin L. Yockstick	
		Altoona, Iowa	
		County license refund	Undetermined
	2575-65-25	Higman Sand and Gravel	
		Akron, Iowa	
		License fee refund	71.00
	2580-65-25	Litton Automated Business System	
		Pine Brook, New Jersey	

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		Outdated (duplicate) invoice	163.70
	2593-65-25	Heartland Express	
		Shenandoah, Iowa	
		Prorate refund	1,703.40
	2601-65-25	Thomas Oil, Inc.—Gary Riese	
		Mankato, Minnesota	
		Trip permit & fine refund	25.00
	2661-65-25	Takin Brothers Freight Line, Inc.	
		Waterloo, Iowa	
		License refund	233.75
	2662-65-25	Takin Brothers Freight Line, Inc.	
		Waterloo, Iowa	
		License refund	300.00
	(2)2715-66-25	Ihle Implement, Inc.	
		Nevada, Iowa	
		Outdated invoice already paid	62.72
	(12)2725-66-25	Livestock Transport	
		Ossian, Iowa	
		Reciprocity refund	444.78
	61-66-25	Atlantic Carrier, Inc.	
		Atlantic, Iowa	
		Prorate refund	Undetermined
	97-66-25	Litton Automated Business Systems	
		Newark, New Jersey	
		Outdated invoice	154.33
	155-66-25	Lowry Enterprises, Inc.	

27		St. Louis, Missouri	
28		Registration fee refund	250.70
29	167-66-25	Tiona Truck Lines	
30		Butler, Missouri	
31		Fine & trip fee refund	40.00
32	181-66-25	Glenn E. Randolph	
33		Riverton, Iowa	
34		County license fee refund	60.00
35	199-66-25	Elmer Gilbert	
Page 7			
1		Van Wert, Iowa	
2		County license fee refund	25.00
3	210-66-25	Duane Smith	
4		Davenport, Iowa	
5		Property damage by patient	91.00
6	213-66-25	Kiles Feed & Grain	
7		Nichols, Iowa	
8		County license fee refund	387.00
9	278-66-25	Bituminout Material & Supply Co.	
10		Wheatland, Iowa	
11		Refund of unexpired license	185.25
12	308-66-25	Reuben Samani	
13		Sioux Center, Iowa	
14		Refund of registration fee penalty	76.05
15	337-66-25	Farmers Hybrid Co., Inc.	
16		Hampton, Iowa	
17		Fine refund	20.00
18	339-66-25	Rocket Transfer Company, Inc.	
19		Des Moines, Iowa	
20		County license refund	180.00
21	340-66-25	Raymond A. Burris	
22		Altoona, Iowa	
23		License refund	60.00
24	368-66-25	Mrs. Stuart McCord	
25		Maxwell, Iowa	
26		Military exemption	500.00
27	426-66-25	Rendell Owens	
28		Oskaloosa, Iowa	
29		Employee expense reimbursement	54,528.90
30	438-66-25	Hennessey-Van Cleave-Hurley	
31		Funeral Home	
32		Missouri Valley, Iowa	
33		Outdated invoice	255.00
34	439-66-25	Kiene Brothers	
35		Washington, Iowa	
Page 8			
1		License fee refund	441.68
2	455-66-25	Curt's Royal Blue, Inc.	
3		Marshalltown, Iowa	
4		Stopped warrant	161.00
5	475-66-25	Ellerbrock Trucking	
6		Auburn, Iowa	
7		License fee refund	67.03
8	524-66-25	Lois Kile	

		Yale, Iowa	
		Property damage	165.83
	613-66-25	Warren D. Jones	
		West Des Moines, Iowa	
		Attorney's fees-merit employment appeal	650.00
	701-66-25	Wilson Concrete Company	
		Omaha, Nebraska	
		Prorate license fee refund	279.91
	702-66-25	Confinement Livestock System	
		Eldora, Iowa	
		License fee refund	325.21
	711-66-25	Kenneth R. Daugherty, III	
		Newton, Iowa	
		Damage to auto	166.35
	796-66-25	Thomas J. Fogarty	
		Des Moines, Iowa	
		Property (auto) damage	140.00
	827-66-25	James L. Butler & Raymond Harris, Inc.	
		Altoona, Iowa	
		Prorate registration fee refund	292.31
	879-66-25	Iowa Power & Light Company	
		Missouri Valley, Iowa	
		License fee refund	121.25
	1049-65-25	Firkins Truck Line	
		Emmetsburg, Iowa	
		Registration fee refund	Undetermined
Page 9			
	2179-65-25	O's Gold Seed Company	
		Parkersburg, Iowa	
		County license plate refund	221.57
	608-66-25	Booker Smith, Attorney	
		Fairfield, Iowa	
		Real estate transfer tax	21.45
	810-66-25	Carlton A. Fosvik	
		Sioux City, Iowa	
		Deer license refund	10.00
	872-66-25	Amy Groves	
		Des Moines, Iowa	
		Payment of wages	Undetermined
	989-66-25	10-X Manufacturing Company	
		Boulder, Colorado	
		Outdated invoice already paid	161.01
	1029-66-25	Philip Wakeman	
		Clarinda, Iowa	
		Claim adjusted intro-departmentally	13.95
	1032-66-25	Webster County-County Treasurer	
		Fort Dodge, Iowa	
		Outdated claim for typewriters	2,847.60
	2376-64-25	Watson Brothers Van Lines	
		Omaha, Nebraska	
		License fee refund	281.47
	2396-I-64-25	Crete Carrier Corp.	
		Wurtele Brothers	
		Nebraska City, Nebraska	

28		Transfer credit	234.35
29	2396-J-64-25	Crete Carrier Corp.	
30		William Shuffty	
31		Omaha, Nebraska	
32		Transfer credit	78.12
33	1187-66-25	Wayne Albert Peterson	
34		Des Moines, Iowa	
35		Overtime compensation	240.00
Page 10			
1	1216-66-25	Exceptional Opportunities, Inc.	
2		Burt, Iowa	
3		License fee refund	137.50
4	363-66-25	Norgaard Hay Company	
5		Dickens, Iowa	
6		Registration refund	58.13
7	782-66-25	Pulley Freight Lines, Inc.	
8		Des Moines, Iowa	
9		License fee refund	2,023.62
10	936-66-25	State Dept. of Social Services	
11		Louisa County	
12		Wapello, Iowa	
13		Outdated invoice for foster care	194.49
14	1172-66-25	Heinz W. Hormel	
15		Clarinda, Iowa	
16		Property damage	53.00
17	1173-66-25	Ronald Siedelman	
18		Clarinda, Iowa	
19		Property damage	43.00
20	1305-66-25	Darrell R. Morris	
21		Keosauqua, Iowa	
22		Property damage	300.00
23	1325-66-25	Beryl Cottington	
24		Ames, Iowa	
25		Revenue stamp refund	32.59
26	1356-66-25	Kelly Cole Kassel	
27		Perry, Iowa	
28		Broken eyeglasses	40.00
29	1421-66-25	William Franklin	
30		Fort Madison, Iowa	
31		Property damage	42.00
32	1425-66-25	Charles C. Miller	
33		Des Moines, Iowa	
34		Tow auto	10.30

Read first time and **placed on calendar.**

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.C.R. 53 Rules and administration

S.C.R. 54 Rules and administration

S.C.R. 55 Rules and administration

S.C.R. 56 Rules and administration

H. F. 431 Appropriations

H. F. 912 Appropriations

H. F. 913 Appropriations

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Jerry L. Addy, of Des Moines, Polk County, Iowa, for reappointment as Labor Commissioner for the State of Iowa under the provisions of Section 91.2, Code 1975, for the regular two-year term beginning on July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD E. ROBINSON, Chairman
LUCAS J. DeKOSTER
WILLARD R. HANSEN
MILO MERRITT
JOAN ORR

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Ruth Roberts of Fort Dodge, Webster County, Iowa, for appointment as representative of the general public to the State Board of Accountancy under the provisions of Section 116.3, Code 1975, for an initial term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LOWELL L. JUNKINS, Chairman
C. JOSEPH COLEMAN
WILLARD R. HANSEN
ELIZABETH MILLER
EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Richard D. Howe of Des Moines, Polk County, Iowa, for appointment as a member of the Transportation Regulation Board, Division of Iowa Department of Transportation, under the provisions of Section 307.15, Code 1975, for the initial term beginning July 1, 1975, and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RAY TAYLOR, Chairman
ROBERT M. CARR
MILO MERRITT
WILLIAM N. PLYMAT
KENNETH D. SCOTT

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was absent from the Senate chamber when the final vote was taken on Senate Files 491 and 525. Had I been present, I would have voted "aye" on both bills.

FRED W. NOLTING

MR. PRESIDENT: At the time the vote was taken on Senate File 491, I was meeting with the conference committee working on House File 215, the corporate farm bill. If I had been present, I would have voted "aye" on passage of Senate File 491.

JOHN S. MURRAY

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on June 13, 1975, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 823—Establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemptions and appropriations, and providing coordinating amendments related to implementation of the authority's programs.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 13th day of June, 1975: Senate Files 285, 560 and 561.

CLARK R. RASMUSSEN
Secretary of the Senate

REPORTS OF COMMITTEES

Senator Nolin submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 843**, a bill for an act relating to the width of certain vehicles or loads on such vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass**.

KARL NOLIN, Chairman

Ordered passed on file.

Senator Palmer submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 431**, a bill for an act making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appro-

priations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 912,** a bill for an act relating to the duty of computing the Iowa consumer price index and making an appropriation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 913,** a bill for an act creating an employment opportunity board authorized to grant funds for the creation of employment and making an appropriation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILLIAM D. PALMER, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4226

Amend S—4223, the House amendment to Senate File 571 as amended and passed by the Senate, by inserting after line 43, the following new paragraph:

"..... Page 3, line 14, by inserting after the period the following: *"In assessing the value of the property of any person the assessor shall not increase the valuation of such property in excess of six percent annually. However, the provisions of this section shall not apply to new improvements to such property, or such property subject to an equalization order."*

WILLIAM P. WINKELMAN
RODGER J. SHAFF

S—4213

Amend the judiciary committee amendment S—4078 to House File 352 as follows:

1. Line 7, by inserting after the word "or" the words ", within twenty days of appointment".

2. Line 9, by striking the words "within twenty days of appointment".

ELIZABETH SHAW

S—4230

Amend House File 431 as amended, passed by the House, and reprinted, as follows:

1. Page 1, line 16, by striking the figure "$54,949" and inserting in lieu thereof the figure "$44,150".

2. Page 7, by adding after line 35 the following: "*(9) For any ballot issue .....$25.00*".

3. Page 11, line 3, by striking the word "*an*" and inserting in lieu thereof the following: "*a full-time*".

4. Page 11, line 9, by inserting after the word "***employees***" the following: "*, except the executive secretary,*".

5. Page 11, line 11, by striking all after the period.

6. Page 11, by striking lines 12 and 13.

7. Page 13, line 25, by inserting after the word "corporation" the following: "for campaign expenses, or for the purpose of influencing the vote of any elector."

EARL M. WILLITS

S—4231

Amend House File 431 as amended and passed by the House, and reprinted, as follows:

1. Page 11, by striking lines 1 through 13.

2. Page 11, line 21, by inserting before the word "***errors***" the word "***substantive***".

3. Page 17, by inserting after line 3 the following new section:

"Sec. 24. Section ten (10) of this Act shall take effect January 21, 1976."

ELIZABETH SHAW
WILLARD R. HANSEN
ROBERT M. CARR

S—4220

Amend House File 628 as amended and passed by the House as follows:

1. Page 1, by inserting before line 1 and the following:

"Sec. ..... Section two hundred fifty-seven point twenty-six (257.26), subsection two (2), Code 1975, is amended to read as follows:

2. The provisions of this section shall not deprive the respective boards of public school districts of any of their legal powers, statutory or otherwise, and in accepting such specially enrolled students, each of said boards shall prescribe the terms of such special enrollment, including but not limited to scheduling of such courses and the length of class periods. In addition, the board of the affected public school district shall be given notice by the state board of its decision to permit such special

enrollment not later than six months prior to the opening of the affected public school district's school year, except that the board of the public school district may, in its discretion, waive such notice requirement. School districts and county school systems or joint county systems, or their successor agencies, may, when available, make public school [auxiliary] services, which may include health services, special education services, services [and materials] for remedial education programs [and library and resource centers, audio-visual services and materials], guidance services, [scientific instruments,] *and* school testing services[, and other services and materials], available to children attending nonpublic schools in the same manner and to the same extent that they are provided to public school students. *However, services that are made available shall be provided on public school property. Diagnostic health services may be provided at the nonpublic school by a public employee who is in the nonpublic schools on a short-time basis. Such services shall be provided in the same manner as made available to pupils in public schools."*

2. Page 2, by inserting before line 7 the following:

"Sec. ..... Section three hundred one point one (301.1), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. Textbooks adopted and purchased by a school district may be made available to pupils attending nonpublic schools upon request of the pupil or the pupil's parent under the same terms as made available to pupils attending public schools."

Page 2

3. Amend the title, line 1, by inserting after the word "school" the words "services to include auxiliary services and".

4. Renumber sections and correct internal references in conformance with this amendment.

JOAN ORR

S—4228

Amend House File 799 as amended and passed by the House as follows:

1. Page 1, by striking lines 29 and 29a and inserting in lieu thereof the word "death."

2. Page 1, line 34, by striking the words "or wanton neglect of duty" and inserting in lieu thereof the words "and wanton conduct".

3. Page 3, line 3, by striking the word "section" and inserting in lieu thereof the word "sections".

4. Page 3, line 8, by striking the words "or wanton neglect of duty" and inserting in lieu thereof the words "and wanton conduct".

5. Page 3, by inserting after line 12 the following:

"*NEW SECTION.* The state shall defend, indemnify and hold harmless an employee of the state in any action commenced in federal court under section one thousand nine hundred eighty-three (1983), Title forty-two (42), United States Code, against the employees for acts of the employee while acting in the scope of employment. If the acts or omissions of the employee, upon which the action is based, are within the exceptions to claim as defined in section twenty-five A point two (25A.2), subsection five (5), paragraph b, of the Code, the state shall not indemnify or hold harmless the employee."

6. Renumber sections and correct internal references in conformance with this section.

GENE W. GLENN

S—4208

Amend House File 799 as amended and passed by the House as follows:

1. Page 1, by striking lines 29 and 29a and inserting in lieu thereof the word "death."

2. Page 1, line 34, by striking the words "neglect of duty" and inserting in lieu thereof the word "conduct".

3. Page 3, line 3, by striking the word "section" and inserting in lieu thereof the word "sections".

4. Page 3, by inserting after line 12 the following:

NEW SECTION. The state shall indemnify an employee of the state in any action commenced in federal court under section one thousand nine hundred eighty-three (1983), Title forty-two (42), United States Code, against the employee. If the acts or omissions of the employee, upon which the action is based, are within the exceptions to claim as defined in section twenty-five A point two (25A.2), subsection five (5), paragraph b, of the Code, the state shall not indemnify the employee.

5. Renumber sections and correct internal references in conformance with this section.

GENE W. GLENN

S—4218

Amend House File 799, as amended and passed by the House, page 3, by inserting after line 12, the following new section:

"Sec. ..... Chapter twenty-five A (25A), Code 1975, is amended by adding the following new section:

NEW SECTION. A judgment award or settlement within the scope of this chapter shall not exceed:

1. For an injury to one person in any single accident or occurrence the sum of one hundred thousand dollars.

2. For an injury to two or more persons in any single accident or occurrence, the sum of three hundred

thousand dollars; except that in such instance, a person may not recover in excess of one hundred thousand dollars."

ELIZABETH SHAW
WILLIAM P. WINKELMAN
WARREN E. CURTIS

S—4212

Amend House File 801 as passed by the House as follows:

1. Page 1, by inserting after line 7 the following:

"Sec. ..... Section two hundred fifty-seven point twenty-six (257.26), subsection two (2), Code 1975, is amended to read as follows:

2. The provisions of this section shall not deprive the respective boards of public school districts of any of their legal powers, statutory or otherwise, and in accepting such specially enrolled students, each of said boards shall prescribe the terms of such special enrollment, including but not limited to scheduling of such courses and the length of class periods. In addition, the board of the affected public school district shall be given notice by the state board of its decision to permit such special enrollment not later than six months prior to the opening of the affected public school district's school year, except that the board of the public school district may, in its discretion, waive such notice requirements. School districts and county school systems or joint county systems, or their successor agencies, may, when available, make public school [auxiliary] services, which may include health services, special education services, services [and materials] for remedial education programs [and library and resources centers, audio-visual services and materials], guidance services, [scientific instruments,] *and* **school testing services**[, and other services and materials], available to children attending nonpublic schools in the same manner and to the same extent that they are provided to public school students. ***However, services that are made available shall be provided on public school property. Diagnostic health services may be provided at the nonpublic school by a public employee who is in the nonpublic schools on a short-time basis. Such services shall be provided in the same manner as made available to pupils in public schools."***

2. Page 7, by inserting before line 5 the following:

"Sec. ..... Section three hundred one point one (301.1), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. **Textbooks adopted and purchased** by a school district may be made available to pupils

attending nonpublic schools upon request of the pupil or the pupil's parent under the same terms as made available to pupils attending public schools."

Page 2

3. Amend the title, line 1, by striking the words "the requirement for special".

4. Amend the title, line 2, by striking the words "in the school standards".

5. Renumber sections and correct internal references in conformance with this amendment.

JOAN ORR

S—4217

Amend House File 894, as amended and passed by the House, page 23, by inserting after line 6, the following new section:

Sec. ..... Section fifty-three point twenty-two (53.22), subsection one (1), Code 1975, as amended by section one hundred nineteen (119) of House File seven hundred (700) of the Sixty-sixth General Assembly, 1975 Session, is amended to read as follows:

"1. A qualified elector who has applied for an absentee ballot, in a manner other than that prescribed by section fifty-three point eleven (53.11) of the Code, and who is a resident or patient in a health care facility or hospital located in the county to which the application has been submitted shall be delivered the appropriate absentee ballot by two special precinct election officers, one of whom shall be a member of each of the political parties referred to in section forty-nine point thirteen (49.13) of the Code, who shall be appointed by the commissioner from the election board panel for the special precinct established by section one hundred three (103) of this Act. The special precinct election officers shall be sworn in the manner provided by section forty-nine point seventy-five (49.75) of the Code for election board members, shall receive compensation as provided in section forty-nine point twenty (49.20) of the Code, and shall perform their duties during the ten calendar days preceding the election and on election day if all ballots requested under section fifty-three point eight (53.8), subsection three (3), of the Code have not previously been delivered and returned. If a person who so requested an absentee ballot has been dismissed from the health care facility or hospital, the special precinct election officers may take the ballot to the elector if he or she is currently residing in the county. The special precinct election officers shall both notarize each [absentee ballot delivered by them] *absent voters affidavit* as required by [this chapter] *section fifty-*

three point sixteen (53.16) of the Code; any such officer who is not a notary public shall be provided with a stamp containing that person's name and the words 'special precinct election officer' and may notarize the absentee [ballots] *affidavits* so delivered by signing them and applying the stamp. The special precinct election officers shall travel together in the same vehicle and both shall be present when an applicant casts his or her absentee ballot. If either

Page 2

or both of the special election officers fails to appear at the time the duties set forth in this section are to be performed, the commissioner shall at once appoint some other person, giving preference to persons designated by the respective county chairpersons of the political parties described in section forty-nine point thirteen (49.13) of the Code, to carry out the requirements of this section. The persons authorized by this subsection to deliver an absentee ballot to an applicant may assist the applicant in filling out the ballot as permitted by section forty-nine point ninety (49.90) of the Code. The voted absentee ballots shall be deposited in a sealed container which shall be returned to the commissioner on the same day."

JAMES M. REDMOND
JOHN N. NYSTROM

S—4215

Amend House File 894 as amended and passed by the House, page 23, by adding after line 6 the following new section:

"Sec. ..... Section forty-nine point eighty-one (49.81), subsection one (1), Code 1975, as amended by the Sixty-sixth General Assembly, 1975 Session, House File seven hundred (700), section eighty (80), is amended to read as follows:

1. A prospective voter who is prohibited under section forty-nine point eighty (49.80) of the Code from voting except under this section shall be permitted to cast a paper ballot[, in] . *If* a booth meeting the requirement of section forty-nine point twenty-five (49.25) of the Code *is not available at that polling place, the precinct election officials shall make alternative arrangements to insure the challenged voter the opportunity to vote in secret.* The marked ballot, folded as required by section forty-nine point eighty-four (49.84) of the Code, shall be delivered to a precinct election official who shall immediately seal it in an unmarked envelope which shall be placed in an affidavit envelope of the type prescribed by section fifty-three point thirteen (53.13) of the Code. The voter shall not be required to execute the oath contained in the affidavit.

Space shall be left on the affidavit envelope for the precinct election official to indicate the name of the challenged elector and the reason for the challenge. The sealed affidavit envelope shall be deposited as required by section forty-nine point eighty-five (49.85) of the Code in a special container marked 'challenged ballots' and shall be considered as having been cast in the special precinct established by section one hundred eighteen (118) of this Act for purposes of the post-election canvass."

JAMES M. REDMOND
JOHN N. NYSTROM

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 9:10 p.m., until 8:30 a.m., Saturday, June 14, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, SATURDAY, JUNE 14, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Edgar Kruse, pastor of the Grace Lutheran Church, Waterloo, Iowa.

The Journal of June 13, 1975, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hill of Polk for the day on request of Senator Kinley.

ADOPTION OF CONCURRENT RESOLUTIONS

Senate Concurrent Resolution 60

Senator Hill of Jasper asked and received unanimous consent to take up Senate Concurrent Resolution 60, a resolution relating to claims, found on pages 2079-2085, inclusive, of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Kinley asked and received unanimous consent that **Senate Concurrent Resolution 60** be **immediately messaged** to the House, which request was complied with.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration Senate File 584.

Senate File 584

On motion of Senator Hill of Jasper, Senate File 584, a bill for an act making an appropriation for per diem and expenses of the legislative council, legislative fiscal committee, and special interim study committees and providing for administration of the funds appropriated, was taken up for consideration.

Senator Hill of Jasper moved that the bill 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, 40:

Andersen	Hansen	Miller of Marshall	Redmond
Bergman	Heying	Murray	Robinson
Burroughs	Hill of Jasper	Nolin	Rodgers
Carr	Hultman	Nolting	Schwengels
Coleman	Kelly	Norpel	Scott
Culver	Kinley	Nystrom	Shaw
Curtis	Lamborn	Orr	Sovern
DeKoster	Merritt	Plymat	Taylor
Doderer	Miller of Des Moines	Priebe	Tieden
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 10:

Briles	Hill of Polk	Rabedeaux	Van Gilst
Gallagher	Junkins	Shaff	Willits
Griffin	Palmer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File** 584 be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 912.

House File 912

On motion of Senator Hill of Jasper, House File 912, a bill for an act relating to the duty of computing the Iowa consumer price index and making an appropriation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered amendment S—4234 and moved its adoption:

S—4234

Amend House File 912 as follows:

1. Page 1, by striking lines 1 through 13.

2. Page 1, line 21, by striking the words "legislative council" and inserting in lieu thereof the word "comptroller".

3. Page 1, lines 23 and 24, by striking the words "legislative council on behalf of the legislative fiscal director" and inserting in lieu thereof the word "comptroller".

4. Renumber section number.

A non-record roll call was requested.

The ayes were 43, nays 4.

Amendment S—4234 was adopted.

Senator Hill of Jasper moved that the bill 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. 912) the vote was:

Ayes, 20:

Carr	Gluba	Murray	Redmond
Coleman	Heying	Orr	Robinson
Culver	Hill of Jasper	Palmer	Sovern
DeKoster	Kelly	Plymat	Van Gilst
Glenn	Kinley	Priebe	Willits

Nays, 28:

Andersen	Hansen	Miller of Marshall	Schwengels
Bergman	Hultman	Nolin	Scott
Briles	Junkins	Nolting	Shaff
Burroughs	Lamborn	Norpel	Shaw
Curtis	Merritt	Nystrom	Taylor
Doderer	Miller of Des Moines	Rabedeaux	Tieden
Gallagher		Ramsey	Winkelman
Griffin			

Absent or not voting, 2:

Hill of Polk Rodgers

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Kinley asked and received unanimous consent to take up for consideration House File 431.

House File 431

On motion of Senator Willits, House File 431, a bill for an act making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits offered amendment S—4230 filed by him and moved its adoption:

S—4230

Amend House File 431 as amended, passed by the House, and reprinted, as follows:

1. Page 1, line 16, by striking the figure "$54,949" and inserting in lieu thereof the figure "$44,150".

2. Page 7, by adding after line 35 the following: *"(9) For any ballot issue .....$25.00"*.

3. Page 11, line 3, by striking the word *"an"* and inserting in lieu thereof the following: *"a full-time"*.

4. Page 11, line 9, by inserting after the word *"employees"* the following: ", *except the executive secretary,*".

5. Page 11, line 11, by striking all after the period.

6. Page 11, by striking lines 12 and 13.

7. Page 13, line 25, by inserting after the word "corporation" the following: "for campaign expenses, or for the purpose of influencing the vote of any elector."

Amendment S—4230 was adopted.

Senator Shaw offered amendment S—4231 filed by Senators Shaw, Hansen and Carr, and called for a division of the amendment, as follows:

S—4231

Amend House File 431 as amended and passed by the House, and reprinted, as follows:

Division S—4231A

1. Page 11, by striking lines 1 through 13.

Division S—4231B

2. Page 11, line 21, by inserting before the word *"errors"* the word *"substantive"*.

Division S—4231C

3. Page 17, by inserting after line 3 the following new section:

"Sec. 24. Section ten (10) of this Act shall take effect January 21, 1976."

Senator Shaw withdrew division S—4231A of the amendment.

Senator Shaw moved the adoption of division S—4231B of the amendment and requested a record roll call.

On the question "Shall division S—4231B of the amendment be adopted?" (H.F. 431) the vote was:

Rule 25 was invoked.

Ayes, 22:

Andersen	DeKoster	Lamborn	Rabedeaux
Bergman	Gluba	Miller of Marshall	Schwengels
Briles	Griffin	Murray	Shaw
Burroughs	Hansen	Nolting	Taylor
Carr	Hultman	Nystrom	Winkelman
Curtis	Kelly		

Nays, 23:

Coleman	Junkins	Norpel	Redmond
Culver	Kinley	Orr	Robinson
Doderer	Merritt	Palmer	Rodgers
Gallagher	Miller of	Plymat	Scott
Glenn	Des Moines	Priebe	Tieden
Hill of Jasper	Nolin	Ramsey	Willits

Absent or not voting, 5:

Heying	Shaff	Sovern	Van Gilst
Hill of Polk			

Division S—4231B of the amendment lost.

Senator Shaw withdrew division S—4231C of the amendment.

Senator Shaw offered amendment S—4236 by Senators Shaw and Willits and moved its adoption:

S—4236

Amend House File 431, page 17, by inserting after line 3 the following new section:

"Sec. 24, Section ten (10) of this Act shall take effect November 21, 1975."

Amendment S—4236 was adopted.

Senator Willits moved that the bill 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. 431) the vote was:

Ayes, 46:

Andersen	Griffin	Murray	Robinson
Bergman	Hansen	Nolin	Schwengels
Briles	Heying	Nolting	Scott
Burroughs	Hill of Jasper	Norpel	Shaff
Carr	Hultman	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Merritt	Plymat	Tieden
DeKoster	Miller of	Priebe	Van Gilst
Doderer	Des Moines	Rabedeaux	Willits
Gallagher	Miller of	Ramsey	Winkelman
Glenn	Marshall	Redmond	
Gluba			

Nays, none.

Absent or not voting, 4:

Hill of Polk	Junkins	Lamborn	Rodgers

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 431** be **immediately messaged** to the House, which request was complied with.

ADOPTION OF CONFERENCE COMMITTEE REPORT

House File 185

Senator Scott called up the following report of the conference committee on House File 185, and moved its adoption:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 185

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House of Representatives on House File 185, a bill for an act relating to the transporting of cattle, and providing penalties, respectfully make the following recommendations:

1. That the House recede from House amendment H—3861 to Senate amendment H—3847 to House File 185 as amended and passed by the House.

2. That the House concur in the Senate amendment H—3847, to House File 185 as amended and passed by the House.

3. That House File 185 as amended be amended further as follows:

1. Page 4, by striking line 31 and inserting in lieu thereof the following:

"detained: However, nothing in this Act shall be construed to authorize any law enforcement officer to open or require the opening of the cargo compartment of any vehicle manufactured for use in carrying refrigerated cargo when both the cargo is actually under refrigeration at the time the vehicle is detained by the law enforcement officer, and the person operating the vehicle has in possession when stopped a valid transportation certificate or approved shipping document which was executed by the shipper and which identifies the cargo as processed livestock and otherwise complies with subsection two (2) of section three (3) of this Act."

On the Part of the Senate:	On the Part of the House:
KENNETH D. SCOTT, Chairman	ALVIN MILLER, Chairman
MILO MERRITT	HERBERT C. HINKHOUSE
JAMES M. REDMOND	FRANK CRABB
CLIFF BURROUGHS	RICHARD F. DRAKE
ROGER J. SHAFF	

The motion prevailed and the recommendations and amendment contained therein were adopted.

Senator Scott moved that the bill 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. 185) the vote was:

Ayes, 42:

Andersen	Griffin	Miller of Marshall	Robinson
Bergman	Hansen	Murray	Rodgers
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Plymat	Taylor
Curtis	Kinley	Priebe	Tieden
DeKoster	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Redmond	Willits
Glenn			Winkelman

Nays, 2:

Nolting Ramsey

Absent or not voting, 6:

Doderer	Hill of Polk	Palmer	Sovern
Gluba	Lamborn		

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 496

Senator Willits called up for consideration Senate File 496, a bill for an act relating to gambling and providing penalties, amended by House amendment S—4144 found on pages 1926-1928, inclusive, of the Senate Journal.

Senator Glenn took the chair at 10:27 a.m.

Senator Willits offered amendment S—4191 to House amendment S—4144:

S—4191

Amend amendment S—4144, House amendment to Senate File 496, as follows:

1. Page 1, by striking lines 3 through 16 and inserting in lieu thereof the following:

1. Page 7, line 16, by striking the words "one hundred" and inserting in lieu thereof the word "fifty".

2. Page 7, line 19, by striking the word "two" and inserting in lieu thereof the word "one".

3. Page 7, line 21, by striking the words "five hundred" and inserting in lieu thereof the words "two hundred and fifty".

2. Page 1, line 23, by inserting after the numerals "31" the following: "and inserting in lieu thereof the following: 'k. No person under eighteen years of age is allowed to gamble on the premises, except persons under eighteen years of age may gamble pursuant to sections five (5), six (6), seven (7),

and nine (9) of this Act'."

3. Page 1, by striking lines 24 through 48 and inserting in lieu thereof the following: "Page 9, line 2, by inserting after the period the following: 'The holder of a license issued pursuant to this section which has its license revoked shall not be issued another license within six months of the date of revocation.' "

4. Page 2, by striking lines 11 through 20.

5. Page 2, by striking lines 24 through 50.

6. Page 3, by striking lines 1 through 24.

7. By renumbering remaining sections of the amendment in conformity with this amendment.

Senator Plymat offered amendment S—4233 to amendment S—4191 to the House amendment by Senators Plymat, et al., moved its adoption and requested a record roll call:

S—4233

Amend S—4191, the Willits amendment to the House amendment to Senate File 496 as amended, passed and reprinted by the Senate, by striking lines 15 through 19 and inserting in lieu thereof the following: "the following: 'k. No person under the age of eighteen years may participate in the gambling except pursuant to sections five (5), six (6), seven (7), and nine (9) of this Act. Any licensee knowingly allowing a person under the age of eighteen to participate in the gambling prohibited by this paragraph or any person knowingly participating in such gambling with a person under the age of eighteen, shall be guilty of a misdemeanor and, upon conviction, be punished by imprisonment in the county jail for not more than thirty days and a fine of not more than one hundred dollars or both.' "

On the question "Shall amendment S—4233 to amendment S—4191 to House amendment S—4144 be adopted?" (S.F. 496) the vote was:

Ayes, 36:

Andersen	Hill of Jasper	Nystrom	Schwengels
Bergman	Hultman	Orr	Scott
Burroughs	Junkins	Palmer	Shaff
Coleman	Kelly	Plymat	Shaw
Curtis	Kinley	Priebe	Sovern
DeKoster	Miller of Marshall	Ramsey	Taylor
Doderer	Murray	Redmond	Van Gilst
Glenn	Nolin	Robinson	Willits
Hansen		Rodgers	Winkelman
Heying			

Nays, 13:

Briles	Gluba	Miller of Des Moines	Norpel
Carr	Griffin	Nolting	Rabedeaux
Culver	Lamborn		Tieden
Gallagher	Merritt		

Absent or not voting, 1:
Hill of Polk

Amendment S—4233 to amendment S—4191 to House amendment S—4144 was adopted.

Senator Plymat withdrew amendment S—4194 to amendment S—4191 to the House amendment filed by Senators Plymat, et al., on June 12, 1975, and found on pages 2013 and 2014 of the Senate Journal.

Senator Willits moved the adoption of amendment S—4191 to the House amendment as amended.

A record roll call was requested.

On the question "Shall amendment S—4191 to the House amendment as amended be adopted?" (S.F. 496) the vote was:

Ayes, 34:

Andersen	Junkins	Orr	Scott
Bergman	Kelly	Palmer	Shaff
Coleman	Kinley	Plymat	Shaw
Curtis	Miller of Marshall	Priebe	Sovern
DeKoster	Murray	Ramsey	Taylor
Doderer	Nolin	Redmond	Van Gilst
Glenn	Nolting	Robinson	Willits
Heying	Nystrom	Rodgers	Winkelman
Hill of Jasper		Schwengels	

Nays, 14:

Briles	Gallagher	Lamborn	Norpel
Burroughs	Gluba	Merritt	Rabedeaux
Carr	Griffin	Miller of Des Moines	Tieden
Culver	Hansen		

Absent or not voting, 2:
Hill of Polk Hultman

Amendment S—4191 to the House amendment as amended was adopted.

Senator Plymat and Ramsey withdrew amendment S—4166 filed on June 12, 1975, and found on page 2014 of the Senate Journal.

Senator Willits moved that the Senate concur in House amendment S—4144 as amended.

The motion prevailed and the Senate concurred in House amendment S—4144 as amended.

Senator Willits 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. 496) the vote was:

Ayes, 39:

Andersen	Gluba	Nolin	Robinson
Bergman	Hansen	Nolting	Schwengels
Burroughs	Heying	Norpel	Scott
Coleman	Hill of Jasper	Nystrom	Shaff
Culver	Hultman	Orr	Shaw
Curtis	Junkins	Palmer	Sovern
DeKoster	Kelly	Plymat	Taylor
Doderer	Kinley	Priebe	Van Gilst
Gallagher	Merritt	Rabedeaux	Willits
Glenn	Murray	Redmond	

Nays, 8:

Briles	Miller of	Miller of	Tieden
Carr	Des Moines	Marshall	Winkelman
Griffin		Ramsey	

Absent or not voting, 3:

Hill of Polk	Lamborn	Rodgers

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

COMMUNICATION

The following communication was presented:

MEMBERS OF THE SENATE: I will miss serving with you for the last hours of the session. I have enjoyed working with each of you. Thank you for all of your help to me.

PHIL HILL

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 on June 13, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 555, a bill for an act relating to benefits for public employees and retired public employees providing for salary adjustments and certain retirement benefits for public employees and certain elected officials and retired public employees and to make appropriations.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT CONSIDERED

Senate File 571

Senator Gluba called up for consideration Senate File 571, a bill for an act relating to the reimbursement for property taxes paid and rent constituting property taxes paid for persons sixty-five years of age or older or totally disabled, amended by the

House, and moved that the Senate concur in House amendment S—4223:

S—4223

Amend Senate File 571, as amended and passed by the Senate, as follows:

1. Page 1, by inserting after the word "dwelling" in line 25 the following: ", *including a mobile home,*".

2. Page 2, by inserting after line 1 the following:

"6. 'CLAIMANT' means a person filing a claim for reimbursement under this division who has attained the age of sixty-five years on or before December 31 of the base year, *or who is a surviving spouse having attained the age of fifty-five years on or before December thirty-first of the base year,* or who is totally disabled and was totally disabled on or before December 31 of the base year, and was domiciled in this state during the entire base year and is domiciled in this state at the time the claim is filed. 'Claimant' includes a vendee in possession under a contract for deed and may include one or more joint tenants or tenants in common. In the case of a claim for rent constituting property taxes paid, the claimant shall have rented the property during any part of the base year. When two persons of a household are able to meet the qualifications for a claimant, they may determine between them who will be the claimant. If they are unable to agree, the matter shall be referred to the director of revenue not later than July 31 of each year and his decision shall be final. If a homestead is occupied by two or more persons, and more than one person is able to qualify as a claimant, and some or all of the qualified persons are not related, the persons may determine among them who will be the claimant. If they are unable to agree, the matter shall be referred to the director of revenue not later than July 31 of each year and his decision shall be final."

3. Page 2, by striking line 33 and inserting in lieu thereof the following: "over or is totally disabled *or is a surviving spouse of such person who is over the age of fifty-five years of age, the person* [he] may be eligible for the credit".

4. Title page by striking everything after the word "paid" in line 2, all of line 3, and inserting in lieu thereof the words "by claimants".

5. Renumber sections and correct internal references as may be necessary in accordance with this amendment.

Senator Gluba offered amendment S—4240 to House amendment S—4223 and moved its adoption:

S—4240

Amend the House amendment S—4223 to Senate File 571, as amended and passed by the Senate, by striking lines 3, 4, and 5.

A record roll call was requested.

On the question "Shall amendment S—4240 to House amendment S—4223 be adopted?" (S.F. 571) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Hill of Polk	Taylor

Amendment S—4240 to House amendment S—4223 was adopted.

Senator Winkelman offered amendment S—4226 to House amendment S—4223 filed by Senators Winkelman and Shaff:

S—4226

Amend S—4223, the House amendment to Senate File 571 as amended and passed by the Senate, by inserting after line 43, the following new paragraph:

"..... Page 3, line 14, by inserting after the period the following: *"In assessing the value of the property of any person the assessor shall not increase the valuation of such property in excess of six percent annually. However, the provisions of this section shall not apply to new improvements to such property, or such property subject to an equalization order."*

Senator Gluba raised the point of order that amendment S—4226 to House amendment S—4223 was not germane to the House amendment.

The Chair ruled the point well taken and amendment S—4226 to House amendment S—4223 out of order.

Senator Shaw offered amendment S—4244 to House amendment S—4223, moved its adoption and requested a record roll call:

S—4244

Amend S—4223, the House amendment to Senate File 571 as amended and passed by the Senate, by striking lines 6 through 43.

On the question "Shall amendment S—4244 to House amendment S—4223 be adopted?" (S.F. 571) the vote was:

Ayes, 24:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Hansen	Murray	Shaff
Briles	Heying	Orr	Shaw
Burroughs	Kelly	Plymat	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Miller of Des Moines		Winkelman
Doderer			

Nays, 24:

Carr	Hill of Jasper	Norpel	Rodgers
Coleman	Junkins	Nystrom	Schwengels
Culver	Kinley	Palmer	Scott
Gallagher	Merritt	Priebe	Sovern
Glenn	Nolin	Redmond	Van Gilst
Gluba	Nolting	Robinson	Willits

Absent or not voting, 2:

Hill of Polk Hultman

Amendment S—4244 to House amendment S—4223 lost.

Senator Gluba moved the Senate concur in House amendment S—4223 as amended.

A record roll call was requested.

On the question "Shall the Senate concur in House amendment S—4223 as amended?" (S.F. 571) the vote was:

Ayes, 32:

Andersen	Gluba	Merritt	Redmond
Carr	Griffin	Nolin	Robinson
Coleman	Hansen	Nolting	Rodgers
Culver	Heying	Norpel	Scott
Curtis	Hill of Jasper	Orr	Sovern
Doderer	Junkins	Palmer	Van Gilst
Gallagher	Kelly	Plymat	Willits
Glenn	Kinley	Priebe	Winkelman

Nays, 17:

Bergman	Lamborn	Murray	Shaff
Briles	Miller of Des Moines	Nystrom	Shaw
Burroughs		Rabedeaux	Taylor
DeKoster	Miller of Marshall	Ramsey	Tieden
Hultman		Schwengels	

Absent or not voting, 1:

Hill of Polk

The motion prevailed and the Senate concurred in House amendment S—4223 as amended.

Senator Gluba 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. 571) the vote was:

Ayes, 46:

Andersen	Gluba	Murray	Robinson
Bergman	Griffin	Nolin	Rodgers
Briles	Hansen	Nolting	Schwengels
Burroughs	Heying	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Tieden
DeKoster	Lamborn	Priebe	Van Gilst
Doderer	Merritt	Rabedeaux	Willits
Gallagher	Miller of Marshall	Ramsey	Winkelman
Glenn		Redmond	

Nays, 2:

Hill of Jasper	Shaw

Absent or not voting, 2:

Hill of Polk	Miller of Des Moines

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Kinley asked and received unanimous consent that **Senate File 571** 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 on June 14, 1975, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 898, a bill for an act making appropriations to various state agencies for the purposes of providing for capital improvements.

DAVID L. WRAY, Chief Clerk

SENATE INSISTS

House File 898

Senator Palmer called up for consideration House File 898, a bill for an act making appropriations to various state agencies

for the purpose of providing for capital improvements, clarifying responsibility for determining compliance with the state building code of state owned capital improvements, buildings, and structures, providing for reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase of certain equipment, providing funds for sewage works purposes, creating a hospital schools revolving fund and providing for expenditures from such funds, providing for land acquisition, providing a memorial for medal of honor recipients, and providing for the reversion of funds, amended by the Senate, and moved that the Senate insist on its amendments.

The motion prevailed and the Senate **insisted** on its amendments to **House File 898.**

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum present.

Roll call revealed a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 555

Senator Hill of Jasper called up for consideration Senate File 555, a bill for an act relating to benefits for public employees and retired public employees providing for salary adjustments and certain retirement benefits for public employees and certain elected officials and retired public employees and to make appropriations, amended by House amendment S—4238:

S—4238

Amend Senate File 555 as amended and passed by the Senate as follows:

Division S—4238B

1. Page 1, by inserting before line 1 the following:

"Sec. ..... Section thirty-three point two (33.2), unnumbered paragraph three (3), Code 1975, is amended

by striking the paragraph and inserting in lieu thereof the following:

"If a holiday enumerated in this section falls on Saturday, the preceding Friday shall be granted and if a holiday enumerated in this section falls on Sunday, the following Monday shall be granted. In those cases, where by nature of the employment a state employee must be required to work on a holiday the provisions of the first paragraph of this section shall not apply, however, compensation shall be made on the basis of the employee's straight time hourly rate for a forty hour work week and shall be made in either compensatory time off or cash payment, at the discretion of the appointing authority."

Division S—4238A

2. Page 1, by striking lines 16 through 35.

3. Page 2, by striking lines 1 and 2.

Division S—4238B (Cont'd)

4. Page 2, by inserting after line 16 the following section:

"Sec. ..... Section ninety-seven B point forty-one (97B.41), subsection one (1), paragraph a, Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Wages for an elected official means the salary received by an elected official, exclusive of expense and travel allowances."

5. Page 3, by striking lines 9G, 9H, and 9I and inserting in lieu thereof the words *"elected officials, excluding members of the general assembly, are deemed to be in employment."*

6. Page 3, by inserting after line 9I the following sections:

"Sec. ..... Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, Code 1975, is amended by striking subparagraph two (2).

Sec. ..... Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, subparagraph four (4), Code 1975, is amended to read as follows:

(4) Employees hired for temporary employment of six months or less duration *except temporary employees of the general assembly."*

7. Page 3, by inserting after line 33 the following sections:

Page 2

"Sec. ..... Section ninety-seven B point forty-one (97B.41), subsection fourteen (14), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

'Service' means uninterrupted service under this chapter by an employee, *except an elected official,* from the date he last entered employment of the employer until the date his employment shall be

terminated by death, retirement, resignation or discharge; provided, however, the service of any employee shall not be deemed to be interrupted by:

Sec. ..... Section ninety-seven B point forty-one (97B.41), subsection fourteen (14), paragraph d, Code 1975, is amended to read as follows:

d. Temporary or seasonal interruptions in service such as service of school bus drivers, schoolteachers under regular contract, interim teachers or substitute teachers, instructors at Iowa State University of science and technology, the state University of Iowa, or University of Northern Iowa, employees in state schools or hospital dormitories, [or] other positions when the temporary suspension of service does not terminate the period of employment of the employee, *or temporary employees of the general assembly.*"

8. Page 4, line 10, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

9. Page 4, by inserting after line 22 the following:

"*NEW SUBSECTION.* 'Service' for an elected official means the period of membership service for which contributions are made beginning on the date an elected official assumes office and ending on the expiration date of the last term the elected official serves, excluding all the intervening periods during which the elected official is not an elected official."

10. Page 4, line 34, by striking the words and figures "paragraph two (2), Code 1975, is" and inserting in lieu thereof the words and figures "paragraphs two (2) and three (3), Code 1975, are".

11. Page 5, line 20, by striking the word "*one*" and inserting in lieu thereof the word "*two*".

12. Page 5, line 21, by inserting after the word "*and*" the words "*the allowance for prior service credits*".

13. Page 5, line 21, by striking the words "*nine hundred*" and inserting in lieu thereof the words "*one thousand three hundred fifty*".

14. Page 5, line 22, by striking the word "*six*" and inserting in lieu thereof the word "*nine*".

15. Page 5, by inserting after line 26, the

Page 3

following:

"Each individual who as of July 1, 1973, was an active, vested, or retired member and who (1) made application for and received a refund of contributions made under the abolished system or (2) has on deposit with the retirement fund his contributions made under the abolished system shall be entitled to credit for years of prior service in the determination of retirement allowance payments by filing a written election with the commission between July 1, 1973,

and July 1, 1974, and by redepositing any withdrawn contributions under the abolished system together with interest as stated in this paragraph. Any individual who as of July 1, 1973, is a retired member and who made application for and received a refund of contributions made under the abolished system, may, by filing a written election with the commission between July 1, 1973, and July 1, 1974, have the commission retain fifty percent of the monthly increase in retiree benefits that will accrue to the individual because of prior service. If the monthly increase in retirement benefits is less than ten dollars, the commission shall retain five dollars of the scheduled increase, and if the monthly increase is less than five dollars, the provisions of this paragraph shall not apply. The commission shall continue to retain such funds until the withdrawn contributions, together with interest accrued to July 1, 1973, have been repaid. Due notice of this provision shall be sent to all retired members as of July 1, 1973. However, this paragraph shall not apply to any person who received a refund of any membership service contributions. The interest to be paid into the fund shall be compounded at the rates credited to member accounts from the date of payment of the refund of contributions under the abolished system to the date the member redeposits the refunded amount. The provisions of the first paragraph of this section relating to the consideration given to credited amounts shall apply to the redeposited amounts or to amounts left on deposit. *Effective January 1, 1976, the provisions of this paragraph shall apply to each individual who as of January 1, 1976 was an active, vested, or retired member, but who was not in service on July 4, 1953. The period for filing the written election with the commission and redepositing any withdrawn contributions together with interest accrued to January 1, 1976 shall be between January 1, 1976 and January 1, 1977. A member who is a retired member as of January 1, 1976 may*

Page 4

file written election with the commission between January 1, 1976 and January 1, 1977 to have the commission retain fifty percent of the monthly increase as provided in this paragraph."

16. Page 10, line 4, by striking the word "*one-half*".

17. Page 10, line 21F, by striking the word "*fifty-five*" and inserting in lieu thereof the word "*sixty*".

18. Page 10, line 21G, by striking the word "*twenty-two*" and inserting in lieu thereof the word "*twenty-five*".

19. Page 10, line 21J, by striking the word "*fifty*" and inserting in lieu there the word

"forty".

20. Page 10, line 21L, by inserting after the period the following:

"There is appropriated from the general fund of the state to the employment security commission from funds not otherwise appropriated an amount sufficient to pay the additional costs above the employee and employer contributions to pay for increased benefits to conservation peace officers under this subsection. The provisions of this subsection shall be effective July 1, 1976."

21. Page 14, by striking lines 11A through 11J.

22. Page 17, line 22, by striking the figure "$750,000" and inserting in lieu thereof the figure "$1,150,000".

23. Page 17, line 34, by striking the figure "$20,000" and inserting in lieu thereof the figure "$30,000".

24. Page 18, line 11, by striking the figure "$350,000" and inserting in lieu thereof the figure "$500,000".

25. Page 18, by striking all of line 17K, and inserting in lieu thereof the following:

"$635,000."

26. Page 19, lines 20A and 20B, by striking the words "from the general fund of the state".

27. Page 19, line 20Q, by striking the word "Brialle" and inserting in lieu thereof the word "Braille".

28. Page 19, by striking lines 20T through 20 AC and inserting in lieu thereof the following: "The following amounts are appropriated to finance an increased contribution for each employee eligible to be paid a portion of the single person premium cost per month, approved by the commissioner of insurance for the medical and health group insurance programs during the fiscal year beginning July 1, 1975

Page 5

and ending June 30, 1976, as follows:"

29. Page 19, line 20AF, by striking the figures "$219,140" and inserting in lieu thereof the figures "$114,000".

30. Page 19, line 20AI, by striking the figure "$11,500" and inserting in lieu thereof the figure "$6,000".

31. Page 19, line 20AM, by striking the word "presently" and inserting in lieu thereof the words "eligible to be".

32. Page 19, line 20AV, by striking the figure "$410,000" and inserting in lieu thereof the figure "$210,000".

33. Page 19, lines 24A and 25, by striking the word and figure "thirty-five (35)" and inserting in lieu thereof the word and figure "thirty-six (36)".

34. Page 19, line 25, by inserting after the figure "1975" the words and figures "except as otherwise provided in this Act".

35. Renumber the sections and correct internal references in conformance with this amendment.

Senator Griffin called for a division of House amendment S—4238, sections 2 and 3, lines 22 and 23, to be considered as division S—4238A; the remainder of the amendment to be considered as division S—4238B.

Senator Hill of Jasper moved that the Senate concur in division S—4238A of the House amendment.

A non-record roll call was requested.

The ayes were 41, nays 7.

The motion prevailed and the Senate concurred in division S—4238A of the House amendment.

Senator Hill of Jasper moved that the Senate concur in division S—4238B of the House amendment.

The motion prevailed and the Senate concurred in division S—4238B of the House amendment.

Senator Hill of Jasper 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. 555) the vote was:

Ayes, 48:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaff
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba			

Nays, none.

Absent or not voting, 2:

Hill of Polk Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 801.

House File 801

On motion of Senator Norpel, House File 801, a bill for an act relating to the requirement for special education programs and services in the school standards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Orr offered amendment S—4212 filed by her:

S—4212

Amend House File 801 as passed by the House as follows:

1. Page 1, by inserting after line 7 the following:

"Sec. ..... Section two hundred fifty-seven point twenty-six (257.26), subsection two (2), Code 1975, is amended to read as follows:

2. The provisions of this section shall not deprive the respective boards of public school districts of any of their legal powers, statutory or otherwise, and in accepting such specially enrolled students, each of said boards shall prescribe the terms of such special enrollment, including but not limited to scheduling of such courses and the length of class periods. In addition, the board of the affected public school district shall be given notice by the state board of its decision to permit such special enrollment not later than six months prior to the opening of the affected public school district's school year, except that the board of the public school district may, in its discretion, waive such notice requirements. School districts and county school systems or joint county systems, or their successor agencies, may, when available, make public school [auxiliary] services, which may include health services, special education services, services [and materials] for remedial education programs [and library and resources centers, audio-visual services and materials], guidance services, [scientific instruments,] *and* school testing services[, and other services and materials], available to children attending nonpublic schools in the same manner and to the same extent that they are provided to public school students. ***However, services that are made available shall be provided on public school property. Diagnostic health services may be provided at the nonpublic school by*** *a public employee who is in the nonpublic schools* ***on a short-time basis. Such services shall be provided***

in the same manner as made available to pupils in public schools."

2. Page 7, by inserting before line 5 the following:

"Sec. ..... Section three hundred one point one (301.1), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. Textbooks adopted and purchased by a school district may be made available to pupils attending nonpublic schools upon request of the pupil or the pupil's parent under the same terms as made available to pupils attending public schools."

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3. Amend the title, line 1, by striking the words "the requirement for special".

4. Amend the title, line 2, by striking the words "in the school standards".

5. Renumber sections and correct internal references in conformance with this amendment.

Senator Carr offered amendment S—4247 to amendment S—4212 by Senators Carr and Hansen and moved its adoption:

S—4247

Amend the Orr amendment S—4212 to House File 801 as passed by the House, page 1, by striking lines 34 through 40 and inserting in lieu thereof the following:

"However, services that are made available shall be provided on premises other than nonpublic school property, except health services which may be provided *on nonpublic school premises."*

Amendment S—4247 to amendment S—4212 was adopted.

On motion of Senator Orr, amendment S—4212 as amended was adopted.

Senator Norpel moved that the bill 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. 801) the vote was:

Ayes, 41:

Andersen	Gluba	Miller of Marshall	Rabedeaux
Bergman	Griffin	Murray	Redmond
Briles	Hansen	Nolin	Robinson
Carr	Heying	Nolting	Rodgers
Coleman	Junkins	Norpel	Schwengels
Culver	Kelly	Nystrom	Scott
Curtis	Kinley	Orr	Sovern
DeKoster	Lamborn	Palmer	Tieden
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of Des Moines	Priebe	Winkelman
Glenn			

Nays, 5:

Burroughs	Hultman	Ramsey	Shaw
Hill of Jasper			

Absent or not voting, 4:

Hill of Polk	Shaff	Taylor	Willits

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 801** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 502.

House File 502

On motion of Senator Gallagher, House File 502, a bill for an act relating to vehicle inspection and issuing inspection orders by authorized employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gallagher moved that the bill 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. 502) the vote was:

Ayes, 26:

Andersen	Glenn	Murray	Rodgers
Bergman	Heying	Nolting	Scott
Burroughs	Junkins	Orr	Shaff
Culver	Kinley	Palmer	Shaw
Curtis	Lamborn	Plymat	Sovern
DeKoster	Miller of	Redmond	Willits
Gallagher	Marshall	Robinson	

Nays, 18:

Briles	Hill of Jasper	Nolin	Schwengels
Carr	Kelly	Norpel	Taylor
Coleman	Merritt	Nystrom	Tieden
Griffin	Miller of	Priebe	Winkelman
Hansen	Des Moines	Ramsey	

Absent or not voting, 6:

Doderer	Hill of Polk	Rabedeaux	Van Gilst
Gluba	Hultman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the **conference committee** on **House File 898**, on the part of the Senate: Senators Junkins, chairman, Hill of Jasper, Willits, Murray and Shaw.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 352.

House File 352

On motion of Senator Shaw, House File 352, a bill for an act relating to dissolution of marriage, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw offered amendment S—4078 by the committee on judiciary:

S—4078

Amend House File 352 as amended, passed and reprinted by the House as follows:

1. Page 2, by striking lines 8 through 20 and inserting in lieu thereof the following:

"Upon the application of the petitioner in the petition or by the respondent in the responsive pleading thereto or of an attorney appointed under section five hundred ninety-eight point twelve (598.12) of the Code, within twenty days of appointment the court shall require the parties to participate in conciliation efforts for a period of sixty days from the issuance of an order setting forth the conciliation procedure and the conciliator.

At any time upon its own motion or upon the application of a party the court may require the parties to participate in conciliation efforts for sixty days or less following the issuance of such an order."

2. Page 4, by striking lines 20 through 23 and inserting in lieu thereof the words "ordered by the court."

3. Page 5, by striking lines 1 and 2 and inserting in lieu thereof the following:

"Sec. 11. Sections five hundred ninety-eight point ten (598.10), five hundred ninety-eight point twenty-seven (598.27) and five hundred ninety-eight point thirty-three (598.33), Code 1975, are repealed."

Senator Shaw offered amendment S—4213 to amendment S—4078 and moved its adoption:

S—4213

Amend the judiciary committee amendment S—4078 to House File 352 as follows:

1. Line 7, by inserting after the word "or" the words ", within twenty days of appointment".

2. Line 9, by striking the words "within twenty days of appointment".

Amendment S—4213 to amendment S—4078 was adopted.

On motion of Senator Shaw, amendment S—4078 as amended was adopted.

Senator Shaw moved that the bill 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. 352) the vote was:

Ayes, 43:

Andersen	Gluba	Murray	Rodgers
Bergman	Griffin	Nolin	Schwengels
Briles	Hansen	Nolting	Scott
Burroughs	Heying	Norpel	Shaff
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Miller of Des Moines	Priebe	Willits
Doderer	Miller of Marshall	Ramsey	Winkelman
Gallagher		Redmond	
Glenn			

Nays, 1:

Merritt

Absent or not voting, 6:

Hill of Jasper	Hultman	Robinson	Van Gilst
Hill of Polk	Rabedeaux		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shaw asked and received unanimous consent that **House File 352** be **immediately messaged** to the House, which request was complied with.

WITHDRAWN

Senator Shaw asked and received unanimous consent that **Senate File 238** be **withdrawn** from further consideration of the Senate.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu 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 on June 13, 1975, concurred in Senate amendment as amended and passed the following bill in which the concurrence of the House was asked:

House File 890, a bill for an act appropriating funds for the financing of programs under the administration of the Iowa employment security

commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 890

Senator Willits called up for consideration House File 890, a bill for an act appropriating funds for the financing of programs under the administration of the Iowa employment security commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor, amended by the House, and moved that the Senate concur in the following House amendment to the Senate amendment:

S—4248
Amend the senate amendment H—4190 to House File 890 by striking lines 2 and 3 and inserting in lieu thereof the following:
"the House as follows:
1. Page 1, line 19A by striking "$21,000.00 for".
2. Page 1, by inserting after line 19D the following:
"For not more than two employees to be used for implementation of House File 351.....$15,000".

The motion prevailed and the Senate concurred in House amendment S—4248 to the Senate amendment.

Senator Willits 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. 890) the vote was:

Ayes, 46:

Andersen	Glenn	Merritt	Orr
Bergman	Gluba	Miller of Des Moines	Palmer
Briles	Griffin	Miller of Marshall	Plymat
Burroughs	Hansen	Murray	Priebe
Carr	Heying	Nolin	Rabedeaux
Culver	Hill of Jasper	Nolting	Ramsey
Curtis	Hultman	Norpel	Redmond
DeKoster	Junkins	Nystrom	Robinson
Doderer	Kinley		Rodgers
Gallagher	Lamborn		Schwengels

Scott	Sovern	Tieden	Willits
Shaw	Taylor	Van Gilst	Winkelman

Nays, none.

Absent or not voting, 4:

Coleman	Hill of Polk	Kelly	Shaff

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 282

Senator Priebe called up for consideration Senate File 282, a bill for an act making an appropriation to the commission on the status of women and the board of parole and relating to the creation of a parolee security fund, amended by the House, and moved that the Senate concur in the following amendment:

S—3469

Amend Senate File 282 as follows:

1. Page 1, line 11, after the word "salaries" insert the words "including salaries of a part-time information specialist and part-time resource and program planner".

2. Page 1, line 12, by striking the figure "35,075" and inserting in lieu thereof the figure "45,775".

The motion prevailed and the Senate concurred in the House amendment S—3469.

Senator Priebe 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. 282) the vote was:

Ayes, 46:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Hansen	Murray	Redmond
Briles	Heying	Nolin	Robinson
Burroughs	Hill of Jasper	Nolting	Rodgers
Carr	Hultman	Norpel	Schwengels
Coleman	Junkins	Nystrom	Scott
Curtis	Kelly	Orr	Shaff
DeKoster	Kinley	Palmer	Shaw
Doderer	Lamborn	Plymat	Sovern
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of Des Moines	Rabedeaux	Willits
Gluba			Winkelman

Nays, 3:

Culver	Taylor	Tieden

Absent or not voting, 1:
Hill of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 894.

House File 894

On motion of Senator Redmond, House File 894, a bill for an act relating to erroneous, inconsistent and obsolete sections of the Code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Orr offered amendment S—4190 filed by her and moved its adoption:

S—4190
Amend House File 894 as amended and passed by the House, page 9, line 19, by striking the words "*area education agency* board" and inserting in lieu thereof the words "[board] *commissioner of elections*".

Amendment S—4190 was adopted.

Senator Redmond offered amendment S—4165 filed by Senator Coleman and moved its adoption:

S—4165
Amend House File 894 as amended and passed by the House, page 23, by inserting after line 6 the following new section:
"Sec. ..... Senate File two hundred ninety-six (296) of the Sixty-sixth General Assembly, 1975 Session, is amended by striking sections thirteen (13) and thirty (30)."

Amendment S—4165 was adopted.

Senator Redmond offered amendment S—4217 filed by Senators Redmond and Nystrom and moved its adoption:

S—4217
Amend House File 894, as amended and passed by the House, page 23, by inserting after line 6, the following new section:
Sec. ..... Section fifty-three point twenty-two (53.22), subsection one (1), Code 1975, as amended by section one hundred nineteen (119) of House File seven hundred (700) of the Sixty-sixth General Assembly, 1975 Session, is amended to read as follows:

"1. A qualified elector who has applied for an absentee ballot, in a manner other than that prescribed by section fifty-three point eleven (53.11) of the Code, and who is a resident or patient in a health care facility or hospital located in the county to which the application has been submitted shall be delivered the appropriate absentee ballot by two special precinct election officers, one of whom shall be a member of each of the political parties referred to in section forty-nine point thirteen (49.13) of the Code, who shall be appointed by the commissioner from the election board panel for the special precinct established by section one hundred three (103) of this Act. The special precinct election officers shall be sworn in the manner provided by section forty-nine point seventy-five (49.75) of the Code for election board members, shall receive compensation as provided in section forty-nine point twenty (49.20) of the Code, and shall perform their duties during the ten calendar days preceding the election and on election day if all ballots requested under section fifty-three point eight (53.8), subsection three (3), of the Code have not previously been delivered and returned. If a person who so requested an absentee ballot has been dismissed from the health care facility or hospital, the special precinct election officers may take the ballot to the elector if he or she is currently residing in the county. The special precinct election officers shall both notarize each [absentee ballot delivered by them] *absent voters affidavit* as required by [this chapter] *section fifty-three point sixteen (53.16) of the Code;* any such officer who is not a notary public shall be provided with a stamp containing that person's name and the words 'special precinct election officer' and may notarize the absentee [ballots] *affidavits* so delivered by signing them and applying the stamp. The special precinct election officers shall travel together in the same vehicle and both shall be present when an applicant casts his or her absentee ballot. If either

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or both of the special election officers fails to appear at the time the duties set forth in this section are to be performed, the commissioner shall at once appoint some other person, giving preference to persons designated by the respective county chairpersons of the political parties described in section forty-nine point thirteen (49.13) of the Code, to carry out the requirements of this section. The persons authorized by this subsection to deliver an absentee ballot to an applicant may assist the applicant in filling out the ballot as permitted by section forty-nine point ninety (49.90) of the Code. The voted absentee

ballots shall be deposited in a sealed container which shall be returned to the commissioner on the same day."

Amendment S—4217 was adopted.

Senator Redmond offered amendment S—4215 filed by Senators Redmond and Nystrom and moved its adoption:

S—4215

Amend House File 894 as amended and passed by the House, page 23, by adding after line 6 the following new section:

"Sec. ..... Section forty-nine point eighty-one (49.81), subsection one (1), Code 1975, as amended by the Sixty-sixth General Assembly, 1975 Session, House File seven hundred (700), section eighty (80), is amended to read as follows:

1. A prospective voter who is prohibited under section forty-nine point eighty (49.80) of the Code from voting except under this section shall be permitted to cast a paper ballot[, in]. *If* a booth meeting the requirement of section forty-nine point twenty-five (49.25) of the Code *is not available at that polling place, the precinct election officials shall make alternative arrangements to insure the challenged voter the opportunity to vote in secret.* The marked ballot, folded as required by section forty-nine point eighty-four (49.84) of the Code, shall be delivered to a precinct election official who shall immediately seal it in an unmarked envelope which shall be placed in an affidavit envelope of the type prescribed by section fifty-three point thirteen (53.13) of the Code. The voter shall not be required to execute the oath contained in the affidavit. Space shall be left on the affidavit envelope for the precinct election official to indicate the name of the challenged elector and the reason for the challenge. The sealed affidavit envelope shall be deposited as required by section forty-nine point eighty-five (49.85) of the Code in a special container marked 'challenged ballots' and shall be considered as having been cast in the special precinct established by section one hundred eighteen (118) of this Act for purposes of the post-election canvass."

Amendment S—4215 was adopted.

Senator Kelly offered amendment S—4241 and moved its adoption:

S—4241

Amend House File 894 as amended and passed by the House as follows:

1. Page 7, by inserting after line 3 the following:
"Sec. ..... Section two hundred thirty-two point thirty-three (232.33), subsection five (5), Code 1975, is amended to read as follows:
5. Commit to or place the child in any private institution or hospital for the care and training of children or any public institution or hospital for the care and training of children other than an institution [named in subsection 4 of this section and section 232.34, subsection 4] *under the jurisdiction of the commissioner of social services.*
Sec. ..... Section two hundred thirty-two point thirty-four (232.34), subsection five (5), Code 1975, is amended to read as follows:
5. Commit to or place the child in any private institution or hospital for care and training or any public institution or hospital for care and training other than an institution [named in subsection 4 of this section and section 232.33, subsection 4] *under the jurisdiction of the commissioner of social services."*
2. By renumbering the remaining sections to accord with this **amendment.**

Amendment S—4241 was adopted.

Senator Redmond moved that the bill 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. 894) the vote was:

Ayes, 41:

Andersen	Griffin	Miller of Marshall	Ramsey
Bergman	Hill of Jasper	Nolin	Redmond
Burroughs	Hultman	Nolting	Robinson
Carr	Junkins	Norpel	Rodgers
Coleman	Kelly	Nystrom	Schwengels
Culver	Kinley	Orr	Scott
Curtis	Lamborn	Palmer	Shaw
DeKoster	Merritt	Plymat	Taylor
Gallagher	Miller of Des Moines	Priebe	Tieden
Glenn		Rabedeaux	Willits
Gluba			Winkelman

Nays, none.

Absent or not voting, 9:

Briles	Heying	Murray	Sovern
Doderer	Hill of Polk	Shaff	Van Gilst
Hansen			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 894** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 724.

House File 724

On the motion of Senator Rabedeaux, House File 724, a bill for an act relating to motor vehicles providing for registration of trailers and semitrailers for a three-year period and trip permits for commercial vehicles and the authority of the state department of transportation to negotiate vehicle registration apportionment agreements and providing a penalty, 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. 724) the vote was:

Ayes, 44:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin	Nolin	Redmond
Briles	Hansen	Nolting	Robinson
Burroughs	Hill of Jasper	Norpel	Rodgers
Carr	Hultman	Nystrom	Schwengels
Coleman	Junkins	Orr	Scott
Culver	Kelly	Palmer	Shaw
Curtis	Kinley	Plymat	Taylor
DeKoster	Lamborn	Priebe	Tieden
Doderer	Merritt	Rabedeaux	Willits
Gallagher	Miller of Des Moines		Winkelman
Glenn			

Nays, none.

Absent or not voting, 6:

Heying	Murray	Sovern	Van Gilst
Hill of Polk	Shaff		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 724** be **immediately messaged** to the House, which request was complied with.

House File 913

On motion of Senator Priebe, House File 913, a bill for an act creating an employment opportunity board authorized to grant funds for the creation of employment and making an appropriation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered amendment S—4243 and moved its adoption:

S—4243

Amend House File 913, as amended and passed by the House as follows:

1. Page 1, line 8, by striking the words "by section three (3) of this Act" and inserting in lieu thereof "in accordance with chapter twenty-eight D of the Code".

2. Page 1, by striking lines 13 through 14q and inserting in lieu thereof the following:

"an employment opportunity board consisting of those persons who are members of the employment security commission created in section ninety-six point ten (96.10) of the Code."

Amendment S—4243 was adopted.

Senator Redmond offered amendment S—4237:

S—4237

Amend House File 913 as amended and passed by the House, page 3, line 31, by striking the words "However, if by" and by striking lines 32 through 35.

Senator Redmond asked unanimous consent to withdraw amendment S—4237.

Objection was raised.

Senator Redmond moved the adoption of the amendment.

A record roll call was requested.

On the question "Shall amendment S—4237 be adopted?" (H.F. 913) the vote was:

Ayes, 12:

Doderer	Miller of Des Moines	Redmond	Sovern
Glenn	Palmer	Robinson	Van Gilst
Gluba		Rodgers	Willits
Kinley			

Nays, 33:

Andersen	Griffin	Miller of Marshall	Rabedeaux
Bergman	Hansen	Murray	Ramsey
Briles	Heying	Nolin	Schwengels
Carr	Hill of Jasper	Norpel	Scott
Coleman	Hultman	Nystrom	Shaff
Culver	Junkins	Orr	Shaw
Curtis	Kelly	Plymat	Taylor
DeKoster	Merritt	Priebe	Winkelman
Gallagher			

Absent or not voting, 5:

Burroughs	Lamborn	Nolting	Tieden
Hill of Polk			

Amendment S—4237 lost.

Senator Priebe moved that the bill 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. 913) the vote was:

Ayes, 29:

Andersen	Gluba	Nolin	Robinson
Carr	Heying	Nolting	Rodgers
Coleman	Hill of Jasper	Norpel	Scott
Culver	Junkins	Orr	Shaff
Curtis	Kinley	Palmer	Sovern
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of	Redmond	Willits
Glenn	Des Moines		

Nays, 18:

Bergman	Hultman	Nystrom	Shaw
Briles	Kelly	Plymat	Taylor
DeKoster	Miller of	Rabedeaux	Tieden
Griffin	Marshall	Ramsey	Winkelman
Hansen	Murray	Schwengels	

Absent or not voting, 3:

Burroughs	Hill of Polk	Lamborn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that **House File 913** 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 on June 14, 1975, receded from division B of the House amendment to and passed the following bill in which the concurrence of the House was asked:

Senate File 536, a bill for an act relating to the use of electronic facilities and electronic transfers of funds by banks, credit unions and savings and loan associations.

Also: That the House has on June 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 573, a bill for an act relating to programs for elderly, handicapped, and lower income persons and persons in need of health care and and making appropriations.

Also: That the House has on June 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 575, a bill for an act making appropriations for increased employer contributions resulting because of changes in the employees' retirement systems.

Also: That the House has on June 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 579, a bill for an act making an appropriation for the states' contribution for the support of the Missouri River riverfront project.

Also: That the House has on June 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 580, a bill for an act to make appropriations from the general fund and reimbursement fund of the state to certain persons in settlement

Also: That the House has on June 14, 1975, passed the following bill in which the concurrence of the House was asked:

House File 725, a bill for an act relating to the issuance of permits for of claims made against the state of Iowa.

Also: That the House has on June 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 581, a bill for an act making an appropriation to provide funds to certain state agencies for increased employer contributions resulting because of changes in the Iowa public employees' retirement system.

Senate File 582, a bill for an act making an appropriation from the general fund of the state to Iowa state university of science and technology for research on dust explosions related to grain elevators.

Also: That the House has on June 14, 1975, concurred in Senate amendment as amended by the House and Senate and passed the following bill in which the concurrence of the House was asked:

House File 723, a bill for an act correcting and clarifying provisions in the city code of Iowa.

Also: That the House has concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:
the sale of cigarettes.

Also: That the House has on June 14, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House House was asked:

House File 811, a bill for an act relating to the military service tax exemption.

Also: That the House has on June 14, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 814, a bill for an act relating to the purchase and use of state motor vehicles and use of private motor vehicles for state business.

Also: That the House has on June 14, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked :

House File 904, a bill for an act relating to railroad grade crossings on public highways.

DAVID L. WRAY, Chief Clerk

REPORT OF SECOND CONFERENCE COMMITTEE ON HOUSE FILE 215

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 differences between the Senate and the House of Representatives on House File 215, a bill for an act relating to farming by corporations and reports required of corporations and to provide penalties, respectfully submit the following recommendations:

1. That the Senate recede from its amendment to House File 215 as amended, passed and reprinted by the House.

2. That House File 215 as passed and reprinted by the House be amended by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. *NEW SECTION.* DEFINITIONS. For the purposes of this Act:

1. "Corporation" means a domestic or foreign corporation as defined in chapters four hundred ninety-one (491), four hundred ninety-six A (496A), four hundred ninety-seven (497), four hundred ninety-eight (498), four hundred ninety-nine (499), five hundred four (504) and five hundred four A (504A) of the Code which owns or leases agricultural land or is engaged in farming.

2. "Limited partnership" means a partnership as defined in chapter five hundred forty-five (545) of the Code which owns or leases agricultural land or is engaged in farming.

3. "Processor" means a person, firm, corporation, or limited partnership, which alone or in conjunction with others, directly or indirectly controls the manufacturing, processing or preparation for sale of beef or pork products having a total annual wholesale value of ten million dollars or more. Any person, firm, corporation or limited partner with a ten percent or greater interest in another person, firm, corporation, or limited partnership involved in the manufacturing, processing or preparation for sale of beef or pork products having a total annual wholesale value of ten million dollars or more shall also be considered a processor.

4. "Feedlot" means a lot, yard, corral, or other area in which hogs or cattle fed for slaughter are confined. The term includes areas which are used for the raising of crops or other vegetation and upon which hogs or cattle fed for slaughter are allowed to graze or feed.

5. "Agricultural land" means land suitable for use in farming.

6. "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing or the production of livestock. Farming shall not include the production of timber,

forest products, nursery products, or sod, and farming shall not include a contract where a processor or distributor of farm products or supplies provides spraying, harvesting or other farm services.

7. "Fiduciary capacity" means an undertaking to act alone or jointly as trustee, executor, administrator, personal representative, agent, guardian, conservator, receiver, escrow agent, attorney-in-fact, and any other similar capacity.

8. "Family farm corporation" means a corporation:

a. Founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons related to each other as spouse, parent, grandparent, lineal ascendents of grandparents or their spouses and other lineal descendents of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related;

b. All of its stockholders are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons; and

c. Sixty percent of the gross revenues of the corporation over the last consecutive three-year period comes from farming.

9. "Authorized farm corporation" means a corporation other than a family farm corporation founded for the purpose of farming and the ownership of agricultural land in which:

a. The stockholders do not exceed twenty-five in number; and

b. The stockholders are all natural persons or persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations.

Sec. 2. *NEW SECTION.* PROHIBITED OPERATIONS. In order to preserve free and private enterprise, prevent monopoly, and protect consumers, it is unlawful for any processor of beef or pork or limited partnership in which a processor holds partnership shares as a general partner or partnership shares as a limited partner, to own, control, or operate a feedlot in Iowa in which hogs or cattle are fed for slaughter. However, this section shall not preclude a processor or limited partnership from contracting for the purchase or feeding of hogs or cattle, provided that where the contract sets a date for delivery which is more than twenty days after the making of the contract it shall:

1. Specify a calendar day for delivery of the livestock; or

2. Specify the month for the delivery, and shall allow the farmer to set the week for the delivery within such month and the processor or limited partnership to set the date for delivery within such week. This section shall not prevent processors or educational institutions from carrying on legitimate research, educational, or demonstration activities,

nor shall it prevent processors from owning and operating facilities to provide normal care and feeding of animals for a period not to exceed ten days immediately prior to slaughter, or for a longer period in an emergency. Any processor or limited partnership which owns, controls, or operates a feedlot on the effective date of this Act shall have until July 1, 1985 to dispose of the property.

Sec. 3. *NEW SECTION.* PENALTIES FOR PROHIBITED OPERATION-INJUNCTIVE RELIEF. Any processor violating the provisions of section two (2) of this Act shall, upon conviction, be punished by a fine of not more than fifty thousand dollars. The courts of this state may prevent and restrain violations of this Act through the issuance of an injunction. The attorney general or a county attorney shall institute suits on behalf of the state to prevent and restrain violations of this Act.

Sec. 4. *NEW SECTION.* TEMPORARY RESTRICTION ON INCREASE OF HOLDINGS. For a period of one year from the effective date of this Act no corporation, other than a family farm corporation or an authorized farm corporation shall, either directly or indirectly, acquire or otherwise obtain or lease any additional agricultural land in this state. However, the restrictions provided in this section shall not apply to the following:

1. A bona fide encumbrance taken for purposes of security.

2. Agricultural land acquired by a corporation for research or experimental purposes, if the commercial sales from such agricultural land are incidental to the research or experimental objectives of the corporation, and agricultural land acquired for the purpose of testing, developing or producing seeds, animals, or plants for sale or resale to farmers or for purposes incidental to those purposes.

3. Agricultural land acquired by a nonprofit corporation organized under the provisions of chapters five hundred four (504) and five hundred four A (504A) of the Code.

4. Agricultural land acquired by a corporation for immediate or potential use in nonfarming purposes.

5. Agricultural land acquired by a corporation by process of law in the collection of debts, or pursuant to a contract for deed executed prior to the effective of this Act, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise.

6. A municipal corporation.

7. Agricultural land which is acquired by a trust company or bank in a fiduciary capacity for the benefit of natural persons or nonprofit corporations.

8. A corporation or its subsidiary organized under chapter four hundred ninety-one (491) of the Code and to which section

three hundred twelve point eight (312.8) of the Code is applicable.

Sec. 5. *NEW SECTION.* REPORTS BY CORPORATIONS. All corporations, except where the corporation is acting in a fiduciary capacity, which own or lease agricultural land in the state of Iowa, or which own or lease any land on which poultry or livestock are confined for feeding or other purposes for ten days or more, or which contract for keeping and feeding poultry or livestock, or which contract for the growing of agricultural crops, fruits or other horticultural products in the state of Iowa, shall file with their annual report, on forms approved pursuant to the provisions of chapter seventeen A (17A) of the Code and supplied by the secretary of state, the following additional information, unless otherwise provided:

1. Declaration of the type of agricultural activity engaged in by the reporting corporation.

2. The acreage and location listed by township and county, or legally described urban plat of each lot or parcel of agricultural land in this state owned or leased by the corporation at the end of the preceding fiscal or calendar year.

3. The approximate number and kind of poultry or livestock owned, contracted for, fed or kept by the corporation during the preceding calendar or fiscal year.

4. The approximate number of acres used for each agricultural crop, fruit or other horticultural product grown or contracted for during the preceding calendar or fiscal year.

5. The number of acres owned and operated by the corporation, the number of acres leased by the corporation, and the number of acres leased to the corporation. If a livestock or crop-share lease, the corporation shall disclose the share of the livestock or the crop to which the corporation is entitled under the lease.

6. In the case of a corporation holding agricultural land for immediate or potential use in nonfarming purposes, a statement specifying for what purpose such land is being held.

7. The names and addresses of, and the number of shares of stock by class held by, all shareholders owning ten percent or more of any class of stock of the corporation.

8. The name, address, residence, citizenship of, and number of shares of each class held by any nonresident alien shareholder holding five percent or more of any class of stock of the corporation.

9. Whether the corporation is a family farm corporation as defined in section one (1) of this Act. If a family farm corporation, the number of shares held by persons residing on or actively engaged in farming.

10. Whether the corporation is an authorized farm corporation as defined in section one (1) of this Act. If an authorized farm corporation, the number of shares held by persons residing on or actively engaged in farming. This section shall not apply to land held for the purpose of railroad or highway rights-of-way, nor shall it apply to lots within city limits which are smaller than twenty acres.

The annual report from any corporation owning agricultural land in Iowa used for research, testing or experimental purposes or held for the potential expansion of its physical facilities shall include only the information required by subsections one (1) through six (6) of this section.

Corporations organized under chapter five hundred four (504) of the Code, shall file only the additional report required by this section.

Sec. 6. *NEW SECTION.* REPORTING BY LIMITED PARTNERSHIPS.

Each limited partnership owning or leasing agricultural land or engaged in farming shall file with the secretary of state on or before March thirty-first of each year on forms approved pursuant to the provisions of chapter seventeen A (17A) of the Code and supplied by the secretary of state an annual report setting forth the following:

1. The name of the limited partnership, and the term for which the partnership is to exist.

2. Declaration of the type of agricultural activity engaged in by the reporting limited partnership.

3. The acreage and location listed by township and county, or legally described urban plat, of each lot or parcel of agricultural land in this state owned or leased by the limited partnership at the end of the preceding calendar or fiscal year.

4. The approximate number and kind of poultry or livestock owned, contracted for, fed or kept by the limited partnership during the preceding calendar or fiscal year.

5. The approximate number of acres used for each agricultural crop, fruit or other horticultural product grown or contracted for during the preceding calendar or fiscal year.

6. The number of acres owned and operated by the limited partnership, the number of acres leased by the limited partnership, and the number of acres leased to the limited partnership. If a livestock or crop-share lease, the limited partnership shall disclose the share of the livestock or the crop to which the limited partnership is entitled under the lease.

7. The name and place of residence and principal occupation of each member of the limited partnership, general and limited partners being respectively designated and, if a nonresident alien partner, his or her citizenship.

8. The amount of cash and a description of and the agreed value of the other property contributed by each limited partner.

9. The share of the profits or the other compensation by way of income which each limited partner shall receive by reason of the limited partner's contribution.

10. The amount of cash and a description of and the agreed value of the other property contributed by each limited partner during the preceding fiscal or calendar year.

Sec. 7. Chapter five hundred sixty-seven (567), Code 1975, is amended by adding the following new section:

NEW SECTION. REPORTS BY NONRESIDENT ALIENS. Every nonresident alien, owning or leasing agricultural land, or engaged in farming outside the corporate limits of any city of this state, shall file with the secretary of state on forms approved pursuant to chapter seventeen A (17A) of the Code or before March thirty-first of each year, a report containing the following:

1. The nonresident alien's name, address, residence and citizenship.

2. A declaration of the type of agricultural activity engaged in by the reporting nonresident alien.

3. The acreage and location of agricultural land owned outside corporate limits of any city of this state listed by township and county at the end of the preceding calendar or fiscal year.

4. The approximate number and kind of livestock or poultry owned, contracted for, fed or kept and the approximate number of acres used for each agricultural crop, fruit or other horticultural product grown or contracted for during the preceding calendar or fiscal year.

5. The number of acres owned and operated by the nonresident alien, the number of acres leased by the **nonresident alien, and the number of acres leased to the** nonresident alien. If a livestock or crop-share lease, the nonresident alien shall disclose the share of the livestock or the crop to which the nonresident alien is entitled under the lease. The nonresident shall also disclose whether such nonresident alien is represented in Iowa by an agent or other representative and, if so represented, the name of the **individual or firm acting in such capacity.**

Sec. 8. *NEW SECTION.* REPORTS BY FIDUCIARIES. Every person acting in a fiduciary capacity on behalf of any corporation, limited partnership, or nonresident alien individual, who holds agricultural land in this state outside the corporate limits of any city, shall file with the secretary of state on or before January thirty-first of each year a report as follows:

1. If acting in a fiduciary capacity for a corporation:

a. The name and address of the corporation.

b. The name and address of the corporation's registered **agent or agents, if any, in this state.**

c. The acreage and location of the land owned in such fiduciary capacity listed by township and county on December thirty-first of the year reported.

2. If acting in a fiduciary capacity for a limited partnership:

a. The name and address of the partnership.

b. The name and place of residence of each member, general and limited partners being respectively designated.

c. The acreage and location of the land owned in such fiduciary capacity listed by township and county on December thirty-first of the year reported.

3. If acting in a fiduciary capacity for a nonresident alien:

a. The name, address, residence and citizenship of the nonresident alien.

b. The acreage and location of the land owned in such fiduciary capacity listed by township and county on December thirty-first of the year reported.

Sec. 9. *NEW SECTION.* REPORTS BY BENEFICIARIES.

1. Any corporation identified as a beneficiary in a report filed with the secretary of state pursuant to subsection one (1) of section eight (8) of this Act shall file with the secretary of state on or before March thirty-first of each year, on forms supplied by the secretary of state, a report containing the information set forth in section five (5) of this Act, with respect to land owned by a fiduciary on behalf of the corporation.

2. Any limited partnership identified as a beneficiary in a report filed with the secretary of state pursuant to subsection two (2) of section eight (8) shall file with the secretary of state on or before March thirty-first of each year, on forms supplied by the secretary of state, a report containing the information set forth in section six (6) of this Act, with respect to land owned by a fiduciary on behalf of the limited partnership.

3. Any nonresident alien identified as a beneficiary in a report filed with the secretary of state pursuant to subsection three (3) of section eight (8) shall file with the secretary of state on or before March thirty-first of each year, on forms supplied by the secretary of state, a report containing the information set forth in section seven (7) of this Act, with respect to land owned by a fiduciary on behalf of the nonresident alien.

Sec. 10. *NEW SECTION.* REPORT BY PROCESSORS. Any processor of beef or pork in this state shall file with the secretary of state on or before March thirty-first of each year, a report setting forth:

1. The number of hogs and the number of cattle owned and fed more than thirty days by the processor in Iowa during the preceding calendar or fiscal year.

2. The total number of hogs and the total number of cattle owned and fed more than thirty days by the processor during the preceding calendar year.

3. The number of hogs and the total number of cattle slaughtered in Iowa by the processor during the preceding calendar or fiscal year.

4. The total number of hogs and the total number of cattle slaughtered by the processor during the preceding calendar or fiscal year.

Sec. 11. *NEW SECTION.* SIGNING REPORTS. Reports by corporations shall be signed by the president or other officer or authorized representative. Reports by limited partnerships shall be signed by the president or other authorized representative of the partnership. Reports by individuals shall be signed by the individual or an authorized representative.

Sec. 12. *NEW SECTION.* PENALTIES—REPORTS. Willful failure to file a required report, or the willful filing of false information, is a public offense. A person found guilty of violating this section shall be subject to a fine not to exceed one thousand (1000) dollars.

Sec. 13. *NEW SECTION.* COUNTY ASSESSOR'S REPORT. The county assessor shall forward to the secretary of state, by October first of each year, the name and address of every corporation, nonresident alien, trust, or other business entity owning agricultural land in the county as shown by the assessment rolls of the county.

Sec. 14. *NEW SECTION.* COUNTY RECORDER'S REPORT. The county recorder shall forward to the secretary of state, by December first of each year, the names and addresses of each limited partnership owning agricultural land or engaged in farming in the county as shown by county records.

Sec. 15. *NEW SECTION.* DUTIES OF SECRETARY OF STATE-LEGISLATIVE USE. The secretary of state shall do all things necessary to implement this Act. It is the intent of this section that information shall be made available to members of the general assembly and appropriate committees of the general assembly in order to determine the extent of farming being carried out in this state by corporations and other business entities and the effect of such farming practices upon the economy of this state. The secretary of state shall assist any committee of the general assembly existing or established for the purposes of studying the effects of this Act and the practices this Act seeks to study and regulate.

Sec. 16. *NEW SECTION.* The secretary of state shall request additional information as may be necessary or appropriate to enable the secretary of state to administer this Act.

3. Amend the title of House File 215 as passed and reprinted by the House by striking everything after the word "Act" in line 1 through the word "Act" in line 7 and inserting

in lieu thereof the words "prohibiting any processor or limited partnership with certain exceptions from owning, controlling or operating a feedlot in Iowa, providing for divestment of prohibited operations, providing a moratorium on acquisition of agricultural land by certain corporations, requiring reports from corporations, limited partnerships, fiduciaries, nonresident aliens and nonresident alien corporations, and providing penalties".

On the Part of the House:
LYLE SCHEELHAASE, Chairman
COOPER EVANS
HERBERT C. HINKHOUSE
CARROLL PERKINS
DELWYN STROMER

On the Part of the Senate:
BASS VAN GILST, Chairman
JOHN S. MURRAY
ROGER J. SHAFF
STEVE SOVERN

COMMUNICATION FROM THE SECRETARY OF STATE

June 13, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 488 was published in The Cedar Valley Times, Vinton, Iowa, June 5, 1975, and in The Record-Herald and Indianola Tribune, Indianola, Iowa, June 9, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William E. Ewing of Oskaloosa, Mahaska County, Iowa, for appointment as a representative of the general public to the State Board of Pharmacy Examiners under the provisions of Section 147.12, Code 1975, for an initial term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

MINNETTE F. DODERER, Chairman
LEONARD C. ANDERSEN
JOHN S. MURRAY
RICHARD J. NORPEL, SR.
BASS VAN GILST

EXPLANATION OF VOTE

MR. PRESIDENT: I missed several votes because of my preoccupation with the conference committee on the corporate farm bill these past few days.

H. L. HEYING

SUBCOMMITTEE ASSIGNMENTS

Senate File 552
State Government
Redmond, Chairman
Gluba
Andersen

House File 799
State Government
Glenn, Chairman
Gluba
Andersen

House File 812
State Government
Coleman, Chairman
Glenn
Andersen

Senate File 557
State Government
Coleman, Chairman
Redmond
Winkelman

AMENDMENTS FILED

S—4235

Amend Senate File 356 as follows:

1. Page 12, line 34, by inserting after the period the words "However, a property owner whose income during the last preceding calendar year does not exceed that prescribed for lower income families in Acts of the Sixty-sixth General Assembly, House File eight hundred twenty-three (823), section one (1), subsection three (3), and rules promulgated pursuant thereto by the Iowa housing finance authority, is entitled to have his or her property within the district exempted from the tax levied under this section, by applying for the exemption at the office of the city clerk on forms to be provided by the city, not later than July first for taxes due in the year beginning July first."

2. Page 13, line 11, by inserting after the period the words "However, a property owner whose income during the last preceding calendar year does not exceed that prescribed for lower income families in Acts of the Sixty-sixth General Assembly, House File eight hundred twenty-three (823), section one (1), subsection three (3), and rules promulgated pursuant thereto by the Iowa housing finance authority, is entitled to have his or her property within the district exempted from the tax levied under this section, by applying for the exemption at the office of the city clerk on forms to be provided by the city, not later than July first for taxes due in the year beginning July first."

3. Page 13, line 22, by inserting after the period the words "However, a property owner whose income during the last preceding calendar year does not exceed that prescribed for lower income families in Acts of the Sixty-sixth General Assembly, House File eight hundred twenty-three (823), section one (1), subsection (3) and rules promulgated pursuant thereto by the Iowa housing finance authority, is entitled to have his or her property within the district exempted from the tax levied under this section, by applying for the exemption at the office of the city

clerk on forms to be provided by the city, not later than July first for taxes due in the year beginning July first. A city shall establish a reserve fund, either from proceeds of self-supported municipal improvement district bonds or from the district's operation fund or capital improvement fund, from which it shall pay into the debt service fund each fiscal year an amount equal to the total amount of taxes levied for the year for which taxpayers claim exemptions under this section."

WILLIAM E. GLUBA

S—4245

Amend House File 614, as amended and passed by the House and reprinted, as follows:

1. Page 3, line 34, by striking the number "1."

2. Page 4, by striking everything in lines 2 through 10, inclusive, and inserting in lieu thereof the following:

"ten (10) of this Act. However, this section shall not apply to the parent-".

3. Page 5, by striking everything in lines 26 through 30, inclusive, and inserting in lieu thereof the following:

". If demand for revocation of the release is made upon the custodian within ten days of the birth of the child subject to the release, the juvenile court shall order the release revoked. If such demand is not made within this ten-day period, the juvenile court shall order the release revoked only upon a showing of fraud, misrepresentation, duress, or mutual mistake of fact or law.".

4. Page 9, line 5, by striking the words "one week" and inserting in lieu thereof the words "ten days".

5. Page 9, line 22, by inserting before the word "proof" the words "clear and convincing" and by striking the words "beyond a reasonable doubt".

6. Page 16, line 24, by inserting after the period the following:

"Also, such person shall, prior to making any of these investigations, fully apprise the person being investigated of the information which will be collected and the method of collecting this information which will be utilized to complete the investigation."

COMMITTEE ON HUMAN RESOURCES
WILLIAM E. GLUBA, Chairman

S—4246

Amend House File 614, as amended and passed by the House and reprinted, as follows:

1. Page 3, line 27, by inserting before the word "person" the word "natural".

. Page 4, line 16, by inserting before the word "alter" the word "permanently".

3. Page 6, line 8, by inserting before the word "guardian" the word "parent,".

4. Page 7, line 19, by inserting after the period the words "Such notice shall also inform the person notified that subsequent to a hearing on termination of parental rights the juvenile court may declare maternity and paternity of the child subject to the termination action."

5. Page 9, line 4, by inserting before the word "be" the word "not".

6. Page 9, line 5, by striking the words "not less" and inserting in lieu thereof the word "sooner".

7. Page 10, line 7, by inserting after the word "failed" the words "to correct the conditions leading to neglect or dependency".

8. Page 10, line 15, by inserting before the word "aid" the word "financially".

9. Page 10, line 29, by striking the word "is" and inserting in lieu thereof the word "be".

10. Page 27, by inserting after line 14 the following and by renumbering the bill sections accordingly:

"Sec. ..... Section four hundred twenty-two point nine (422.9), subsection two (2), paragraph d, Code 1975, is amended to read as follows:

d. Add the amount by which the expenses paid or incurred in connection with the adoption of a child by the taxpayer exceed three percent of the net income of the taxpayer, or of the taxpayer and spouse in the case of a joint return. The expenses may include medical and hospital expenses of the natural mother which are incident to the child's birth and are paid by the taxpayer, welfare agency fees, legal fees, and all other fees and costs relating to the adoption of a child if the child is placed by a child-placing agency licensed under chapter 238 *or by a person making an independent placement according to the provisions of chapter six hundred (600) of the Code.*

Sec. ..... Section six hundred thirty-three point two hundred twenty-three (633.223), subsections two (2) and three (3), are amended by striking the subsections."

RICHARD R. RAMSEY

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 5:45 p.m., until 10:00 a.m., Wednesday, June 18, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JUNE 18, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Michael M. Mason, Minister of Education, Highland Park Presbyterian Church, Des Moines, Iowa.

The Journal of Saturday, June 14, 1975, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hill of Polk for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

President Neu welcomed the Honorable Howard C. Reppert, Jr., former member of the Senate and the House of Representatives from Polk County.

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 on June 17, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 526, a bill for an act relating to city government by correcting references to electors, modifying provisions for officers' bonds, federal agreements, annexation and severance, forms of city government, etc.

Also: That the House has on June 14, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 563, a bill for an act appropriating funds to the office of the citizens' aide.

Also: That the House has on June 17, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 564, a bill for an act establishing salary rates for members of the judicial branch of government and the members of the public employment relations board.

Also: That the House has on June 17, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 566, a bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue.

Also: That the House has on June 14, 1975, concurred in Senate amendment to the House amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 571, a bill for an act relating to the reimbursement for property taxes paid for persons sixty-five years of age or older or totally disabled.

Also: That the House has on June 14, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 584, a bill for an act making an appropriation for per diem and expenses of the legislative council, legislative fiscal committee, and special interim study committees.

Also: That the House has on June 17, 1975, refused to concur in Senate amendment to the following bill in which the concurrence of the House was asked:

House File 352, a bill for an act relating to dissolution of marriage.

Also: That the House has on June 17, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 801, a bill for an act relating to the requirement for special education programs and services in the school standards.

Also: That the House has on June 17, 1975, 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 870, a bill for an act relating to the eradication of bovine brucellosis and making an appropriation.

Also: That the members of the conference committee on the part of the House to consider the differences between the House and Senate, on House File 898 are as follows: The Representative from Keokuk, Mr. Dunton, chairman; the Representative from Chickasaw, Mr. Griffee; the Representative from Polk, Mr. Jesse; the Representative from Sioux, Mr. Den Herder; and the Representative from Madison, Mr. Bortell.

Also: That the House has on June 17, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 913, a bill for an act creating an employment opportunity board authorized to grant funds for the creation of employment and making an appropriation.

Also: That the House has on June 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 914, a bill for an act relating to retirement benefits for certain public employees engaged in public safety occupations.

Also: That the House has on June 17, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 916, a bill for an act relating to employment security.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 914, a bill for an act relating to retirement benefits for certain public employees engaged in public safety occupations.

Read first time and **passed on file.**

House File 916, a bill for an act relating to employment security.

Read first time and **passed on file.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Robinson called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Jerry L. Addy, of Des Moines, Polk County, Iowa, for reappointment as Labor Commissioner for the State of Iowa under the provisions of Section 91.2, Code 1975, for the regular two-year term beginning on July 1, 1975, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CLOYD E. ROBINSON, Chairman
LUCAS J. DeKOSTER
WILLARD R. HANSEN
MILO MERRITT
JOAN ORR

The motion prevailed and the report was adopted.

Senator Robinson moved the appointment of Jerry L. Addy as Commissioner of Labor be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Andersen	Gallagher	Kinley	Norpel
Bergman	Glenn	Lamborn	Nystrom
Briles	Gluba	Merritt	Palmer
Carr	Griffin	Miller of Des Moines	Plymat
Coleman	Hansen	Miller of Marshall	Priebe
Culver	Heying	Nolin	Ramsey
Curtis	Hill of Jasper	Nolting	Redmond
DeKoster	Hultman		Robinson
Doderer	Kelly		Rodgers

Schwengels	Sovern	Van Gilst	Winkelman
Scott	Tieden	Willits	

Nays, none.

Voting present, 2:

Burroughs	Taylor

Absent or not voting, 7:

Hill of Polk	Murray	Rabedeaux	Shaw
Junkins	Orr	Shaff	

President Neu declared the appointment of Jerry L. Addy as Commissioner of Labor confirmed for the regular two-year term ending June 30, 1977.

Senator Gallagher called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William H. Huff, III, of Des Moines, Polk County, Iowa, for reappointment as Commissioner of Insurance, under the provisions of Section 502.2, 1975 Code of Iowa, for a regular four-year term commencing July 1, 1975 and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be **confirmed.**

JAMES V. GALLAGHER, Chairman
MINNETTE F. DODERER
MILO MERRITT
JOHN N. NYSTROM
WILLIAM N. PLYMAT

The motion prevailed and the report was adopted.

Senator Gallagher moved the appointment of William H. Huff III as Commissioner of Insurance be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Andersen	Griffin	Miller of	Redmond
Bergman	Hansen	Marshall	Robinson
Briles	Heying	Murray	Rodgers
Burroughs	Hill of Jasper	Nolin	Schwengels
Carr	Hultman	Nolting	Scott
Coleman	Kelly	Norpel	Sovern
Culver	Kinley	Nystrom	Taylor
Curtis	Lamborn	Palmer	Tieden
DeKoster	Merritt	Plymat	Van Gilst
Doderer	Miller of	Priebe	Willits
Gallagher	Des Moines	Ramsey	Winkelman
Glenn			

Nays, 1:

Gluba

Absent or not voting, 6:

Hill of Polk	Orr	Shaff	Shaw
Junkins	Rabedeaux		

President Neu declared the appointment of William H. Huff III as Commissioner of Insurance confirmed for the regular four-year term ending June 30, 1979.

Senator Doderer called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William E. Ewing of Oskaloosa, Mahaska County, Iowa, for appointment as a representative of the general public to the State Board of Pharmacy Examiners under the provisions of Section 147.12, Code 1975, for an initial term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

MINNETTE F. DODERER, Chairman
LEONARD C. ANDERSEN
JOHN S. MURRAY
RICHARD J. NORPEL, SR.
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Doderer moved the appointment of William E. Ewing as a member of the State Board of Pharmacy Examiners be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Kelly	Nystrom	Sovern
Culver	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			Winkelman

Nays, 1:

Gluba

Absent or not voting, 7:

Curtis	Junkins	Rabedeaux	Shaw
Hill of Polk	Orr	Shaff	

President Neu declared the appointment of William E. Ewing as a member of the State Board of Pharmacy Examiners confirmed for an initial three-year term ending June 30, 1978.

Senator Taylor called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Richard D. Howe of Des Moines, Polk County, Iowa, for appointment as a member of the Transportation Regulation Board, Division of Iowa Department of Transportation, under the provisions of Section 307.15, Code 1975, for the initial term beginning July 1, 1975, and ending June 30, 1979, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RAY TAYLOR, Chairman
ROBERT M. CARR
MILO MERRITT
WILLIAM N. PLYMAT
KENNETH D. SCOTT

The motion prevailed and the report was adopted.

Senator Taylor moved the appointment of Richard D. Howe as a member of the Transportation Regulation Board, Division of the Iowa Department of Transportation, be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hultman	Norpel	Shaw
Coleman	Kelly	Nystrom	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Ramsey	Willits
Gallagher		Redmond	Winkelman
Glenn	Miller of Marshall	Robinson	
Griffin			

Nays, 1:

Gluba

Absent or not voting, 6:

Carr	Junkins	Rabedeaux	Shaff
Hill of Polk	Orr		

President Neu declared the appointment of Richard D. Howe as a member of the Transportation Regulation Board, Division

of the Iowa Department of Transportation, confirmed for an initial four-year term ending June 30, 1979.

GOVERNOR'S VETO MESSAGE

The following veto message from the Governor was presented:

June 16, 1975

The Honorable Arthur A. Neu
Lieutenant Governor and President of the Senate
Sixty-sixth General Assembly
State Capitol Building
Local

Dear Governor Neu:

I am returning herewith Senate File 285, an Act relating to the administration of state records and providing an appropriation, disapproved and without my signature to the Senate in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 285 would transfer the primary administrative responsibility for records management from the State Records Commission to the Director of the Department of General Services. In addition the bill would appropriate funds to the Department of General Services for administration of records management during the remainder of FY75.

The apparent motive behind this bill was to concentrate enough authority in one person, the Director of General Services, so that the implementation of the State Records Management Act could be accomplished in a rapid manner.

While I can appreciate this desire for quick implementation, I think it is important to remember that the proposal for records management in state government has been discussed and considered since 1967. With the passage of the Records Management Act last year, the State Records Commission has moved in an orderly fashion to implement the legislation without disrupting state government operation or destroying any records that might be needed.

Concern has been raised by some that the action to date has not been sufficient or fast enough. After eight years of consideration of this legislation, suddenly some people wanted to see it implemented on an immediate basis. To accomplish this they would charge one person with the responsibility of implementation.

I believe efficient and orderly management of state records is of high importance. Wherever possible, I believe that unnecessary records should be removed from state files. Yet efficiency should not be solely measured in how fast one can throw things away.

If we are to err on whether to keep records or not keep records, we would be better to be on the side of keeping the records. It is essential that our state departments and agencies retain the records that are needed in the operations of state government.

When the authority to determine what state records should be retained is removed from a department, it is better in this case that it not rest with just one person. The present State Records Commission consists of seven highly qualified and experienced individuals. Three members of the Commission alone have more than 55 years total experience in state government.

I have great faith that this Commission can make the wise and orderly decisions needed to implement the State Records Management Act.

For the reasons I have outlined above, I hereby respectfully disapprove of this Senate File 285.

Sincerely,
ROBERT D. RAY
Governor

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

June 13, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Willie Glanton, Des Moines, Polk County, Iowa, for appointment as a public member of the State Board of Cosmetology Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Marian Lokken, Ames, Story County, Iowa, for appointment as a licensed member of the State Board of Cosmetology Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Helen Mefferd Laurens, Pocahontas County, Iowa, for appointment as a public member of the State Board of Cosmetology Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Carole Tracy, Dubuque, Dubuque County, Iowa, for appointment as a licensed member of the State Board of Cosmetology Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Nancy E. Welter, Cedar Rapids, Linn County, Iowa, for appointment as a licensed member of the State Board of Cosmetology Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Ray V. Bailey, Milford, Dickinson County, Iowa, for reappointment to the State Board of Regents pursuant to Section 262.3, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Mary Louise Petersen, Harlan, Shelby County, Iowa, for reappointment to the State Board of Regents pursuant to Section 262.3, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975 and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Donald H. Shaw, Davenport, Scott County, Iowa, for reappointment to the State Board of Regents pursuant to Section 262.3, 1975 Code of Iowa, for a regular six-year term commencing July 1, 1975, and ending June 30, 1981.

Sincerely,
ROBERT D. RAY
Governor

Also:

June 16, 1975

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Donna P. Gabriel, Clinton, Clinton County, Iowa, for appointment as a public member to the State Board of Funeral Directors and Embalmer Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Robert E. McKone, Carroll, Carroll County, Iowa, for appointment as a public member on the State Board of Funeral Directors and Embalmer Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Gary L. Sliefert, Storm Lake, Buena Vista County, Iowa, for appointment as a licensed member of the State Board of Funeral Directors and Embalmer Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Dwight K. Wagler, Griswold, Cass County, Iowa, for appointment as a licensed member of the State Board of Funeral Directors and Embalmer Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

June 17, 1975

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Thomas A. Barton, Ames, Story County, Iowa, for appointment

as a licensed member of the State Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of David L. Dahlquist, Des Moines, Polk County, Iowa, for appointment as a licensed member of the State Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of N. Earl Ferris, Hampton, Franklin County, Iowa, for appointment as a public member of the State Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Milford A. Fjare, Council Bluffs, Pottawattamie County, Iowa, for appointment as a licensed member of the State Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Nancy Seiberling, North Liberty, Johnson County, Iowa, for appointment as a public member of the State Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of James B. Sinatra, Ames, Story County, Iowa, for appointment as a licensed member of the State Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1978.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Herman W. Thompson, Cedar Rapids, Linn County, Iowa, for appointment as a licensed member of the State Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1976.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Joyce Repp, Minburn, Dallas County, Iowa, for appointment to the Natural Resources Council for the State of Iowa pursuant to Section 455A.4, 1975 Code of Iowa, for an unexpired term ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President 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 on June 17, 1975, amended Senate amendment to House amendment, concurred in Senate amendment as amended to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 496, a bill for an act relating to gambling, and providing penalties.

Also: That the House has on June 18, 1975, adopted the Conference Committee Report and passed the following bill in which the concurrence of the Senate is asked:

House File 215, a bill for an act relating to farming by corporations.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENTS CONSIDERED

Senate File 564

Senator Willits called up for consideration Senate File 564, a bill for an act establishing salary rates for members of the judicial branch of government and the members of the public employment relations board, amended by the House, and moved that the Senate concur in the following amendment:

S—4252

Amend Senate File 564, as amended and passed by the Senate, page 1, as follows:

1. Line 23, by striking the figure "36,380" and inserting in lieu thereof the figure "37,000".

2. Line 24, by striking the figure "35,310" and inserting in lieu thereof the figure "36,000".

3. Line 25, by striking the figure "31,565" and inserting in lieu thereof the figure "32,000".

4. Line 27, by striking the figure "31,030" and inserting in lieu thereof the figure "31,500".

5. Line 28, by striking the figure "22,470" and inserting in lieu thereof the figure "23,500".

6. Line 29, by striking the figure "22,470" and inserting in lieu thereof the figure "23,500".

2. Page 2, by inserting after line 9 the following new section:

"Sec. ..... Section nineteen A point three (19A.3), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. **Employees of the public employment relations board."**

The motion prevailed and the Senate concurred in House amendment S—4252.

Senator Willits 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. 564) the vote was:

Ayes, 36:

Andersen	Gluba	Miller of Des Moines	Ramsey
Bergman	Griffin	Murray	Redmond
Briles	Hansen	Nolin	Robinson
Burroughs	Heying	Norpel	Rodgers
Carr	Hill of Jasper	Nystrom	Shaw
Coleman	Junkins	Orr	Sovern
Culver	Kelly	Palmer	Taylor
Curtis	Kinley	Plymat	Van Gilst
DeKoster	Merritt		Willits
Glenn			

Nays, 9:

Gallagher	Miller of Marshall	Nolting	Schwengels
Lamborn		Priebe	Scott

Tieden Winkelman

Absent or not voting, 5:

Doderer Hultman Rabedeaux Shaff
Hill of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE REFUSED TO CONCUR

Senate File 566

Senator Willits called up for consideration Senate File 566, a bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue, amended by the House, and moved that the Senate refuse to concur in the following amendment:

S—4250

Amend Senate File 566, as amended and passed by the Senate, as follows:

1. Page 1, by inserting after line 27 the following new section:

"Sec. ..... The director of revenue shall reinstate rule five point twenty (5.20) of the department relating to the imposition of the sales and use tax on flying services which was in effect on July 1, 1974 and to this extent the provisions of this section shall be retroactive to July 1, 1974. The departmental rule shall read as follows:

5.20(422) FLYING SERVICE. Persons engaged in the business of teaching a course of instruction in the art of operation and flying of an airplane, and instructions in repairing, renovating, or reconditioning an airplane are rendering, furnishing, or performing a service the gross receipts from which are subject to tax."

2. Amend the title, line 2, by inserting after the word "revenue" the words "and making certain provisions of the Act retroactive".

3. Renumber sections and correct internal references as may be necessary in accordance with this amendment.

A non-record roll call was requested.

The ayes were 27, nays 15.

The motion prevailed and the Senate **refused to concur** in House amendment S—4250 to **Senate File 566.**

On motion of Senator Kinley, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 526

Senator Schwengels called up for consideration Senate File 526, a bill for an act relating to city government by correcting references to electors, modifying provisions for officers' bonds, federal agreements, annexation and severance, forms of city government, compensation and removal of officers, passage of ordinances and amendments, the mayor's right to veto, adoption of codes by reference, city utility and city budgets, essential and general corporate purpose bonds, and pledge orders, and providing for liens for service charges and restricted residence districts, amended by the House, and moved that the Senate concur in the following amendment:

S—4253

Amend Senate File 526 as amended and passed by the Senate as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section four hundred nineteen point one (419.1), subsection two (2), paragraph (a), Code 1975, is amended to read as follows:

2. 'Project' means all or any part of, or any interest in, (a) any land, buildings or improvements, whether or not in existence at the time of issuance of the bonds issued under authority of this chapter, which shall be suitable for the use of any voluntary nonprofit hospital, clinic or health care facility as defined in section 135C.1, subsection 8, or of any private college or university, whether for the establishment or maintenance of such college or university, or of any industry or industries for the manufacturing, processing or assembling of any agricultural or manufactured products, even though such processed products may require further treatment before delivery to the ultimate consumer, or of any commercial enterprise engaged in storing, warehousing, *or* distributing [or

selling] products of agriculture, mining or industry including but not limited to barge facilities and river-front improvements useful and convenient for the handling and storage of goods and products or

Sec. 2. Section four hundred nineteen point seven (419.7), Code 1975, is amended to read as follows:

419.7 APPLICATION OF PROCEEDS LIMITED. The proceeds from the sale of any bonds, issued under authority of this chapter, shall be applied only for the purpose for which the bonds were issued and if, for any reason, any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, such unneeded portion of said proceeds shall be applied to the payment of the principal or the interest on said bonds. The cost of any project shall be deemed to include the actual cost of acquiring a site or the cost of the construction of any part of a project which may be constructed including architects' and engineers' fees, the purchase price of any part of a project that may be acquired by purchase, all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition, an amount to be held as a bond reserve

Page 2

fund, and the interest on such bonds for a reasonable time prior to construction, during construction and for not exceeding six months after completion of construction, *and with respect to any health care facility or voluntary nonprofit hospital the cost of retiring any existing indebtedness of such health care facility or voluntary nonprofit hospital which the governing body of the municipality determines to be reasonably necessary in connection with the issuance of the bonds.*

Sec. 3. Chapter twenty-eight E (28E), Code 1975, is amended by adding the following new section:

NEW SECTION. TRANSIT POLICY—JOINT AGREEMENT—CITY DEBT.

1. It is the public policy of this state to encourage the establishment or acquisition of urban mass transit systems and the equipment, maintenance and operation thereof by public agencies in cooperation with, and with the assistance of the urban mass transportation administration of the United States department of transportation, pursuant to the provisions of the Urban Mass Transportation Act of 1964, as amended, title forty-nine (49), sections one thousand six hundred one (1601) et seq., United States Code,

which requires unification or official coordination of local mass transportation services on an area-wide basis as a condition of such assistance.

2. An agreement between one or more cities and other public agencies for this purpose may be made and carried out without an election and the agency created thereby may jointly exercise through a board of trustees as provided by the agreement all the rights, powers, privileges and immunities of cities related to the provision of mass transportation services, except the authority to incur bonded indebtedness.

3. A city which is a party in a joint transit agency may issue general corporate purpose bonds for the support of a capital program for the joint agency in the following manner:

a. The council shall give notice and conduct a hearing on the proposal in the manner set forth in section three hundred eighty-four point twenty-five (384.25) of the Code. However, the notice must be published at least ten days prior to the hearing, and if a petition valid under section

Page 3

three hundred sixty-two point four (362.4) of the Code is filed with the clerk of the city prior to the hearing, asking that the question of issuing the bonds be submitted to the qualified electors of the city, the council shall either by resolution declare the proposal abandoned or shall direct the county commissioner of elections to call a special election to vote upon the question of issuing the bonds. Notice of the election and its conduct shall be in the manner provided in section three hundred eighty-four point twenty-six (384.26) of the Code.

b. If no petition is filed, or if a petition is filed and the proposition of issuing bonds is approved at the election, the council may proceed with the authorization and issuance of the bonds.

An agreement may provide for full or partial payment from transit revenues to the cities for meeting debt service on such bonds.

This subsection shall be construed as granting additional power without limiting the power already existing in cities, and as providing an alternative independent method for the carrying out of any project for the issuance and sale of bonds for the financing of a city's share of a capital expenditures project of a joint transit agency, and no further proceedings with respect to the authorization of the bonds shall be required.

Sec. ..... Chapter twenty-eight G (28G), Code 1975, is repealed.

Sec. 4. Chapter seventy-five (75), Code 1975, is amended by adding the following new section:

NEW SECTION. MAXIMUM INTEREST RATES. Unless otherwise provided by law, the maximum rates of interest on all bonds issued by a city shall be as follows:

1. General obligation bonds or other evidences of indebtedness payable from general taxation may bear interest at a rate not exceeding seven percent per annum.

2. Revenue bonds or obligations, the principal and interest of which are to be paid solely and only from the revenue derived from the operations of the project for which the bonds or obligations are issued, may bear interest at a rate not exceeding seven and one-half percent per annum. This subsection shall not apply to revenue bonds issued pursuant to chapter four

Page 4

hundred nineteen (419) of the Code.

3. Special assessment bonds or certificates, the principal and interest of which are payable from special assessments levied against benefited property may bear interest at a rate not exceeding seven percent per annum."

2. Page 3, by striking lines 7 and inserting in lieu thereof the following:

"(372.4), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, House File seven hundred twenty-three (723), section thirteen (13), is amended to read as follows:".

3. Page 3, by striking lines 19 through 26 and inserting in lieu thereof the following:

"However, a city governed, on the effective date of this section, by the mayor-council form composed of a mayor and a council consisting of two councilmen elected at large, and one councilman from each of four wards, or a special charter city governed, on the effective date of this section, by the mayor-council form composed of a mayor and a council consisting of two councilmen elected at large and one councilman elected from each of eight wards, may continue until the form of government is changed as provided in section 372.2 or section 372.9. While a city is thus operating with an even number of councilmen, the mayor may vote to break a tie vote on motions *not involving ordinances, resolutions or appointments made by the council alone*, and in a special charter city operating with ten councilmen under this section, the mayor may vote to break a tie vote on all measures."

4. Page 4, line 16, insert after the second comma the word "six (6),".

5. Page 4, insert after line 23 the following:
"6. [Immediately] *Within fifteen days* following a regular or special meeting of the council, the clerk shall [prepare a condensed statement] *cause the minutes* of the proceedings of the council, including the total expenditure from each city fund, [and cause the statement] to be published in a newspaper of general circulation in the city. The [statement] *publication* shall include a list of all claims allowed and a summary of all receipts[,] and shall show the gross amount of the claim. *Matters discussed in closed session pursuant to section twenty-eight A point three (28A.3) of the Code shall not be published until entered on the public minutes.* However, in cities having more than one hundred fifty thousand population the council shall each month print in pamphlet form

Page 5

a detailed itemized statement of all receipts and disbursements of the city, and a summary of its proceedings during the preceding month, and furnish copies to the city library, the daily newspapers of the city, and to persons who apply at the office of the city clerk, and the pamphlet shall constitute publication as required. Failure by the clerk to make publication is a misdemeanor. The provisions of this subsection are applicable in cities in which a newspaper is published, or in cities of two hundred population or over, but in all other cities, posting the statement in three public places in the city which have been permanently designated by ordinance is sufficient compliance with this subsection."

6. Title page, line 2 by inserting after the word "for" the following:
"administrative agencies, municipal support of industrial projects, joint transit agencies, interest rates for city bonds,".

7. Renumber sections and correct internal references in accordance with this amendment.

Senator Van Gilst offered amendment S—4255 to House amendment S—4253, moved its adoption and requested a non-record roll call:

S—4255

Amend S—4253, the House amendment to Senate File 526 as amended and passed by the Senate, on page 4, by inserting after line 6 the following new section:
"Sec. ..... *NEW SECTION.* The provisions of section four hundred nineteen point one (419.1), Code 1975, shall apply to those cities which approved, prior to July 1, 1975, issuance of industrial revenue bonds for retail outlets."

The ayes were 15, nays 31.

Amendment S—4255 to House amendment S—4253 lost.

Senator Schwengels moved that the Senate concur in House amendment S—4253.

The motion prevailed and the Senate concurred in House amendment S—4253.

Senator Schwengels 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. 526) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Nolting	Scott
Carr	Hultman	Norpel	Shaff
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Merritt	Priebe	Van Gilst
Gallagher	Miller of	Ramsey	Willits
Glenn	Des Moines	Redmond	Winkelman
Gluba	Miller of	Robinson	
Griffin	Marshall		

Nays, none.

Absent or not voting, 3:

Briles	Hill of Polk	Rabedeaux

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 563

Senator Willits called up for consideration Senate File 563, a bill for an act appropriating funds to the office of the citizens' aide, amended by the House as follows:

S—4249

Amend Senate File 563, as passed by the Senate, as follows:

Division S—4249A

1. Page 1, line 9, by striking the figures "104,150" and inserting in lieu thereof the figures "120,150".

Division S—4249B

2. Page 1, by inserting after line 13 the following new section:

"Sec. 3. Section six hundred one G point six (601G.6), unnumbered paragraph two (2), Code 1975, is amended to read as follows:

The citizens' aide shall appoint an assistant who shall be responsible for investigating complaints relating only to penal or correctional agencies *and shall appoint another assistant who shall be responsible for investigating complaints relating only to Indian problems. A person who is an assistant of Indian problems shall have knowledge of American Indian cultures and the problems of American Indians living in this state.*"

President pro tempore Doderer took the chair at 1:50 p.m.

Senator Willits offered amendment S—4257 to House amendment S—4249 and moved its adoption:

S—4257

Amend the House amendment S—4249 to Senate File 563, line 16, by striking the word *"only"* and inserting in lieu thereof the word *"primarily"*.

A record roll call was requested.

On the question "Shall amendment S—4257 to House amendment S—4249 be adopted?" (S.F. 563) the vote was:

Ayes, 36:

Andersen	Heying	Miller of Marshall	Scott
Bergman	Hill of Jasper	Murray	Shaff
Burroughs	Hultman	Nolting	Shaw
Coleman	Junkins	Nystrom	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Glenn	Merritt	Ramsey	Van Gilst
Gluba	Miller of Des Moines	Redmond	Willits
Griffin		Schwengels	Winkelman
Hansen			

Nays, 9:

Carr	Gallagher	Orr	Robinson
Culver	Norpel	Priebe	Rodgers
Doderer			

Absent or not voting, 5:

Briles	Kelly	Nolin	Rabedeaux
Hill of Polk			

Amendment S—4257 to House amendment S—4249 was adopted.

Senator Junkins called for a division of House amendment S—4249 as amended, section 1 to be considered as division S—4249A; section 2 to be considered as division S—4249B.

Senator Willits moved that the Senate concur in division S—4249A of the House amendment, and requested a non-record roll call.

The ayes were 23, nays 22.

The motion prevailed and the Senate concurred in division S—4249A of the House amendment.

Senator Willits moved that the Senate concur in division S—4249B of the amendment as amended.

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 21, nays 26.

The Senate refused to concur in division S—4249B as amended.

Senator Willits moved that the bill as amended by the House, divided and concurred in in part 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. 563) the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Marshall	Rodgers
Bergman	Griffin	Murray	Schwengels
Briles	Hansen	Nolin	Scott
Burroughs	Heying	Nolting	Shaff
Carr	Hill of Jasper	Nystrom	Sovern
Coleman	Hultman	Orr	Taylor
Culver	Junkins	Plymat	Tieden
Curtis	Kelly	Priebe	Van Gilst
DeKoster	Kinley	Ramsey	Willits
Doderer	Miller of Des Moines	Redmond	Winkelman
Gallagher			
Glenn			

Nays, 3:

Merritt	Norpel	Shaw

Absent or not voting, 5:

Hill of Polk	Palmer	Rabedeaux	Robinson
Lamborn			

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 TO HOUSE AMENDMENT CONSIDERED

Senate File 496

Senator Willits called up for consideration Senate File 496, a bill for an act relating to gambling and providing penalties, amended by the House, further amended by the Senate, and still further amended by the House, and moved that the Senate concur in the following House amendment to the Senate amendment to the House amendment:

S—4254

Amend the Senate amendment H—4302, to House amendment S—4144, to Senate File 496, as amended, passed, and reprinted by the Senate, as follows:

Division S—4254A

1. Page 1, by striking lines 5 through 12 and inserting in lieu thereof the following:

"1. Page 7, by striking lines 5 through 21 and inserting in lieu thereof the following: 'cation fee of twenty-five dollars, and has been issued a license, and prominently displays the license on the premises'."

2. Page 1, by inserting after the numeral "20" in line 33 the following:

"and inserting in lieu thereof the following: 'Page 13, line 26, by inserting after the word "permit" the words "unless such location has been licensed pursuant to section eight (8) of this Act as premises upon which gambling is allowed".' "

Division S—4254B

3. Page 1, by striking lines 26 through 32 and inserting in lieu thereof the following:

"3. Page 1, by striking lines 24 through 48 and inserting in lieu thereof the following:

'..... Page 8, by striking lines 34 and 35, and page 9 by striking lines 1 and 2, and inserting in lieu thereof the following:

"subsection one (1) of this section. Proof of any acts constituting a violation shall be grounds for revocation of the license issued pursuant to this section if the holder of the license permitted the violation to occur when the licensee knew or had reasonable cause to know of the acts constituting the violation. The holder of a license issued pursuant to this section which has its license revoked shall not be issued another license within six months of the date of revocation." ' "

Division S—4254C

4. Page 1, line 34, by striking the numeral "24" and inserting in lieu thereof the numeral "43".

Division S—4254A (Cont'd)

5. By renumbering sections and correcting internal references in conformity with this amendment.

Senator Ramsey called for a division of House amendment S—4254, sections 1, 2, 4 and 5 to be considered as division S—4254A, section 3 to be considered as division S—4254B.

Senator Coleman called for a further division of House amendment S—4254, section 4 to be considered as division S—4254C.

Senator Willits moved that the Senate concur in division S—4254A of the House amendment to the Senate amendment to the House amendment.

A non-record roll call was requested.

The ayes were 24, nays 23.

The motion prevailed and the Senate concurred in division S—4254A of the House amendment to the Senate amendment to the House amendment.

On motion of Senator Willits, the Senate concurred in division S—4254B of the House amendment to the Senate amendment to the House amendment.

Senator Willits moved that the Senate concur in division S—4254C of the House amendment to the Senate amendment to the House amendment.

A record roll call was requested.

On the question "Shall division S—4254C of the House amendment to the Senate amendment to the House amendment be adopted?" (S.F. 496) the vote was:

Ayes, 25:

Carr	Kelly	Nolting	Scott
Culver	Kinley	Norpel	Shaff
Gallagher	Lamborn	Orr	Shaw
Glenn	Merritt	Palmer	Sovern
Gluba	Miller of	Priebe	Tieden
Hansen	Des Moines	Redmond	Willits
Junkins	Murray		

Nays, 21:

Andersen	DeKoster	Miller of	Robinson
Bergman	Doderer	Marshall	Schwengels
Briles	Griffin	Nolin	Taylor
Burroughs	Heying	Nystrom	Van Gilst
Coleman	Hill of Jasper	Plymat	Winkelman
Curtis		Ramsey	

Absent or not voting, 4:

Hill of Polk	Hultman	Rabedeaux	Rodgers

The motion prevailed and the Senate concurred in division S—4254C of the House amendment to the Senate amendment to the House amendment.

Senator Willits moved that the bill as amended by the House, further amended by the Senate, still 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?" (S.F. 496) the vote was:

Ayes, 32:

Andersen	Junkins	Nolin	Rodgers
Bergman	Kelly	Nolting	Scott
Culver	Kinley	Norpel	Shaff
DeKoster	Lamborn	Orr	Shaw
Doderer	Merritt	Palmer	Sovern
Gallagher	Miller of Des Moines	Priebe	Taylor
Glenn	Murray	Redmond	Tieden
Hansen		Robinson	Willits
Heying			

Nays, 15:

Briles	Curtis	Miller of Marshall	Ramsey
Burroughs	Gluba	Nystrom	Schwengels
Carr	Griffin	Plymat	Van Gilst
Coleman	Hill of Jasper		Winkelman

Absent or not voting, 3:

Hill of Polk	Hultman	Rabedeaux

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 on June 18, 1975, amended the Senate amendment, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the House was asked:

House File 431, a bill for an act making an appropriation to the campaign finance disclosure commission, to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state.

DAVID L. WRAY, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 431

Senator Willits called up for consideration House File 431, a bill for an act making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state, 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:

S—4256

Amend the Senate amendment H—4297 to House File 431 by striking everything in line 5 and inserting in lieu thereof the figure "49,550".

A non-record roll call was requested.

The ayes were 43, nays 1.

The motion prevailed and the Senate concurred in House amendment S—4256 to the Senate amendment.

Senator Willits 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. 431) the vote was:

Ayes, 41:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Junkins	Nystrom	Scott
Culver	Kelly	Orr	Shaw
Curtis	Kinley	Palmer	Sovern
DeKoster	Merritt	Plymat	Taylor
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher		Ramsey	Willits
Glenn	Miller of Marshall	Redmond	Winkelman
Gluba			
Griffin			

Nays, 4:

Coleman	Norpel	Shaff	Tieden

Absent or not voting, 5:

Briles	Hultman	Lamborn	Rabedeaux
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ADOPTION OF SECOND CONFERENCE COMMITTEE REPORT

House File 215

Senator Van Gilst called up the report of the second conference committee on House File 215, a bill for an act relating to farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain corporations, requiring reports, authorizing farming by certain corporations, providing civil procedures and remedies for enforcement of the provisions of the Act, and providing penalties for violation of the Act, found on pages 2131-2139, inclusive, of the Senate Journal.

Senator Redmond took the chair at 4:05 p.m.

Senator Heying moved that the report of the second conference committee on House File 215 be postponed indefinitely.

President Neu took the chair at 4:15 p.m.

Senator Heying withdrew his motion.

Senator Van Gilst moved the adoption of the report of the second conference committee.

A record roll call was requested.

On the question "Shall the report of the second conference committee be adopted?" (H.F. 215) the vote was:

Ayes, 46:

Andersen	Hansen	Murray	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Briles	Hultman	Nolting	Scott
Burroughs	Junkins	Norpel	Shaff
Carr	Kelly	Nystrom	Shaw
Coleman	Kinley	Orr	Sovern
Culver	Lamborn	Palmer	Taylor
Curtis	Merritt	Plymat	Tieden
DeKoster	Miller of	Priebe	Van Gilst
Gallagher	Des Moines	Ramsey	Willits
Glenn	Miller of	Redmond	Winkelman
Gluba	Marshall	Robinson	
Griffin			

Nays, 2:

Doderer	Heying

Absent or not voting, 2:

Hill of Polk	Rabedeaux

The motion prevailed and the report of the second conference committee and the recommendations and amendment contained therein were 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. 215) the vote was:

Ayes, 41:

Carr	Gluba	Nolin	Rodgers
Coleman	Griffin	Nolting	Schwengels
Culver	Hansen	Norpel	Scott
Curtis	Hill of Jasper	Orr	Shaff
DeKoster	Junkins	Palmer	Sovern
Gallagher	Kinley	Plymat	Taylor
Glenn	Lamborn	Priebe	Tieden
Andersen	Merritt	Ramsey	Van Gilst
Bergman	Miller of	Redmond	Willits
Briles	Des Moines	Robinson	Winkelman
Burroughs	Murray		

Nays, 7:

Doderer	Hultman	Miller of	Nystrom
Heying	Kelly	Marshall	Shaw

Absent or not voting, 2:

Hill of Polk Rabedeaux

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

H. F. 914 Appropriations

H. F. 916 Labor and industrial relations

REPORT OF COMMITTEE

Senator Robinson submitted the following report:

MR. PRESIDENT: Your committee on labor and industrial relations to which was referred **House File 916**, a bill for an act relating to employment security, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLOYD ROBINSON, Chairman

Ordered passed on file.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Neu presiding.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for immediate consideration House File 916.

House File 916

On motion of Senator Nolting, House File 916, a bill for an act relating to employment security, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tieden offered amendment S—4270, moved its adoption, and requested a record roll call:

S—4270

Amend House File 916 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section ninety-six point seven (96.7), subsection three (3), paragraph e, Code 1975, as amended by Senate File four hundred eighty-five (485), section fourteen (14), as enacted by the Sixty-sixth General Assembly, is amended by striking paragraph e and inserting in lieu thereof the following:

e. The contribution rates as herein stated shall be increased 50% for the period of three months commencing July 1 of any year after June 30, 1975 whenever the unemployment trust fund account of the state is less than $70 million at the beginning of such three month period. The contribution rates shall remain at such amount for each succeeding three month period until said unemployment trust fund account is equal to or exceeds $110 million at the beginning of the three month period in which event the said contribution rates shall revert to the rates herein stated."

On the question "Shall amendment S—4270 be adopted?" (H.F. 916) the vote was:

Ayes, 17:

Bergman	Hansen	Miller of Marshall	Shaff
Briles	Heying	Norpel	Taylor
Burroughs	Hultman	Ramsey	Tieden
Curtis	Lamborn	Schwengels	Winkelman
Griffin			

Nays, 29:

Andersen	Hill of Jasper	Nolin	Redmond
Carr	Junkins	Nolting	Robinson
Coleman	Kelly	Nystrom	Rodgers
Culver	Kinley	Orr	Scott
DeKoster	Merritt	Palmer	Sovern
Gallagher	Miller of Des Moines	Plymat	Van Gilst
Glenn	Murray	Priebe	Willits
Gluba			

Absent or not voting, 4:

Doderer	Hill of Polk	Rabedeaux	Shaw

Amendment S—4270 lost.

Senator Hultman offered amendment S—4267 and moved its adoption:

S—4267

Amend House File 916 as follows:

1. Page 1, by inserting before line 1, the following:

"Section 1. Section ninety-six point three (96.3), subsection four (4), Code 1975, as amended by Senate File four hundred eighty-five (485), section two (2), as enacted by the Sixty-sixth General Assembly, is amended to read as follows:

4. DETERMINATION OF BENEFITS. With respect to benefit years beginning on [or after] July 1, 1975 *or*

before January 1, 1977, an eligible individual's weekly benefit amount for a week of total unemployment shall be an amount equal to one-twentieth of his total wages in insured work paid during that quarter of his base period in which such total wages were highest, subject to the following limitation: The commission shall determine annually a maximum weekly benefit amount by computing [sixty-six and two-thirds] *sixty-two* percent of the statewide average weekly wage paid to employees in insured work which shall be effective the first day of the first full week in July. Such maximum weekly benefit amount, if not a multiple of one dollar shall be rounded to the higher multiple of one dollar.

For the purposes of this subsection statewide average weekly wage means the amount computed by the commission at least once a year on the basis of the aggregate amount of wages reported by employers in each preceding twelve-month period ending on December [31] *thirty-first* and divided by the figure that results from fifty-two times the average of mid-month employment reported by employers for the same period. In determining the aggregate amount of wages paid statewide, the commission shall disregard any limitation on the amount of wages subject to contributions under state law."

2. By renumbering the remaining sections.

A record roll call was requested.

On the question "Shall amendment S—4267 be adopted?" (H.F. 916) the vote was:

Rule 25 was invoked.

Ayes, 24:

Bergman	Hansen	Murray	Shaff
Briles	Heying	Nystrom	Shaw
Burroughs	Hultman	Plymat	Taylor
Coleman	Lamborn	Ramsey	Tieden
Curtis	Merritt	Schwengels	Winkelman
DeKoster	Miller of Marshall	Scott	
Griffin			

Nays, 24:

Andersen	Hill of Jasper	Nolin	Redmond
Carr	Junkins	Nolting	Robinson
Culver	Kelly	Norpel	Rodgers
Doderer	Kinley	Orr	Sovern
Gallagher	Miller of Des Moines	Palmer	Van Gilst
Glenn		Priebe	Willits
Gluba			

Absent or not voting, 2:

Hill of Polk	Rabedeaux

The Chair cast an "aye" vote to break the tie and declared amendment S—4267 adopted.

Senator Miller of Marshall offered amendment S—4271, moved its adoption and requested a record roll call:

S—4271
Amend House File 916 as amended and passed by the House as follows:
1. Page 1, by striking all of lines 23 through 35.
2. Page 2, by striking all of lines 1 through 14.

On the question "Shall amendment S—4271 be adopted?" (H.F. 916) the vote was:

Rule 25 was invoked.

Ayes, 15:

Bergman	Curtis	Priebe	Shaw
Briles	Heying	Ramsey	Taylor
Burroughs	Miller of Marshall	Scott	Tieden
Culver		Shaff	Winkelman

Nays, 33:

Andersen	Hansen	Miller of Des Moines	Plymat
Carr	Hill of Jasper	Murray	Redmond
Coleman	Hultman	Nolin	Robinson
DeKoster	Junkins	Nolting	Rodgers
Doderer	Kelly	Norpel	Schwengels
Gallagher	Kinley	Nystrom	Sovern
Glenn	Lamborn	Orr	Van Gilst
Gluba	Merritt	Palmer	Willits
Griffin			

Absent or not voting, 2:

Hill of Polk	Rabedeaux

Amendment S—4271 lost.

Senator Coleman moved to reconsider the vote by which amendment S—4267 was adopted by the Senate.

A record roll call was requested.

On the question "Shall motion to reconsider amendment S—4267 be adopted?" (H.F. 916) the vote was:

Ayes, 26:

Andersen	Gluba	Miller of Des Moines	Priebe
Carr	Heying	Nolin	Redmond
Coleman	Junkins	Nolting	Robinson
Culver	Kelly	Norpel	Rodgers
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn			Willits

Nays, 22:

Bergman	Burroughs	DeKoster	Hansen
Briles	Curtis	Griffin	Hill of Jasper

Hultman	Murray	Schwengels	Taylor
Lamborn	Nystrom	Scott	Tieden
Miller of Marshall	Plymat	Shaff	Winkelman
	Ramsey	Shaw	

Absent or not voting, 2:

Hill of Polk Rabedeaux

The motion prevailed and amendment S—4267 was taken up for reconsideration.

Senator Hultman moved the adoption of amendment S—4267 and requested a record roll call.

On the question "Shall amendment S—4267 be adopted?" (H.F. 916) the vote was:

Ayes, 22:

Bergman	Hansen	Murray	Shaff
Briles	Hill of Jasper	Nystrom	Shaw
Burroughs	Hultman	Plymat	Taylor
Curtis	Lamborn	Ramsey	Tieden
DeKoster	Miller of Marshall	Schwengels	Winkelman
Griffin		Scott	

Nays, 26:

Andersen	Gluba	Miller of Des Moines	Priebe
Carr	Heying	Nolin	Redmond
Coleman	Junkins	Nolting	Robinson
Culver	Kelly	Norpel	Rodgers
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn			Willits

Absent or not voting, 2:

Hill of Polk Rabedeaux

Amendment S—4267 lost.

Senator Hultman offered amendment S—4273:

S—4273

Amend House File 916, as passed by the House, as follows:

1. Page 1, after line 22, by inserting the following new section:

"Sec. ..... Section ninety-six point seven (96.7), subsection one (1), paragraph d, is amended by striking the paragraph and inserting in lieu thereof the following:

d. Contributions required from an employer shall not be deducted in whole from the wages paid to individuals in his employ."

2. Page 1 by inserting after line 28, the following new section:

"Sec. ..... Section ninety-six point seven (96.7), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The commission shall with respect to the calendar year 1976, levy a temporary emergency tax of one-half percent payable by employees on their base salary or wage.

3. By renumbering the remaining sections.

Senator Gluba raised the point of order that amendment S—4273 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4273 in order.

Senator Hultman moved the adoption of amendment S—4273 and requested a record roll call.

On the question, "Shall amendment S—4273 be adopted?" (H.F. 916) the vote was:

Ayes, 14:

Bergman	DeKoster	Miller of Marshall	Shaw
Briles	Hultman	Schwengels	Taylor
Burroughs	Lamborn	Shaff	Tieden
Curtis			Winkelman

Nays, 34:

Andersen	Hansen	Murray	Ramsey
Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Doderer	Kelly	Nystrom	Scott
Gallagher	Kinley	Orr	Sovern
Glenn	Merritt	Palmer	Van Gilst
Gluba	Miller of Des Moines	Plymat	Willits
Griffin		Priebe	

Absent or not voting, 2:

Hill of Polk	Rabedeaux

Amendment S—4273 lost.

Senator Nolting moved that the bill 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. 916) the vote was:

Ayes, 34:

Andersen	Glenn	Merritt	Plymat
Bergman	Gluba	Miller of Des Moines	Redmond
Carr	Hansen	Murray	Robinson
Coleman	Heying	Nolin	Rodgers
Culver	Hill of Jasper	Nolting	Schwengels
Curtis	Junkins	Norpel	Sovern
DeKoster	Kelly	Orr	Van Gilst
Doderer	Kinley	Palmer	Willits
Gallagher	Lamborn		

Nays, 14:

Briles	Burroughs	Griffin	Hultman

Miller of Marshall	Priebe	Shaff	Tieden
	Ramsey	Shaw	Winkelman
Nystrom	Scott	Taylor	

Absent or not voting, 2:

Hill of Polk Rabedeaux

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 870

Senator Hultman called up for consideration House File 870, a bill for an act relating to the eradication of bovine brucellosis and making an appropriation, amended by the Senate and further amended by the House, and moved that the Senate concur in the House amendment to the Senate amendment:

S—4251

Amend the Senate amendment H—4267, to House File 870, as follows:

By striking all of lines 3 through 6 and inserting in lieu thereof the following:

Page 2, line 25, by striking the word *"two"* and **inserting in lieu thereof** the word *"five"*.

Senator Priebe offered amendment S—4260 to House amendment S—4251 to the Senate amendment:

S—4260

Amend S—4251, the House amendment to the Senate amendment to House File 870, by striking lines 5 and 6 and inserting in lieu thereof the following:

1. Page 2, line 25, by striking the words *"an animal"* and inserting in lieu thereof the words *"a grade animal or a purebred animal raised by the owner"*.

2. Page 2, line 26, by inserting after the period **the sentence *"If a purebred animal is purchased and*** *owned for at least one year before testing and the owner can verify the actual cost, the total amount of indemnification for such condemned animal shall be the actual cost of the animal when purchased not to exceed one thousand dollars. If the owner cannot verify the actual purchase price, the indemnification shall not exceed two hundred dollars."*

Senator Gluba raised the point of order that Senate Rule 32 should be invoked.

The Chair ruled the point not well taken and that a fiscal note was not required.

Senator Ramsey offered amendment S—4269 to amendment S—4260 to House amendment S—4251 to the Senate amendment by Senators Ramsey and Shaff, and moved its adoption:

S—4269

Amend the Priebe amendment S—4260 to the House amendment to the Senate amendment to House File 870, line 13, by striking *"one thousand"* and inserting in lieu thereof *"five hundred"*.

A record roll call was requested.

On the question "Shall amendment S—4269 to amendment S—4260 to House amendment S—4251 to the Senate amendment be adopted?" (H.F. 870) the vote was:

Ayes, 26:

Andersen	Glenn	Murray	Schwengels
Bergman	Gluba	Nolting	Shaff
Briles	Hansen	Nystrom	Taylor
Burroughs	Hill of Jasper	Palmer	Tieden
Carr	Kelly	Ramsey	Willits
Coleman	Kinley	Robinson	Winkelman
Curtis	Merritt		

Nays, 14:

Culver	Lamborn	Norpel	Scott
Heying	Miller of Des Moines	Orr	Sovern
Hultman	Nolin	Priebe	Van Gilst
Junkins		Redmond	

Absent or not voting, 10:

DeKoster	Griffin	Miller of Marshall	Rabedeaux
Doderer	Hill of Polk	Plymat	Rodgers
Gallagher			Shaw

Amendment S—4269 to amendment S—4260 to House amendment S—4251 to the Senate amendment was adopted.

Senator Priebe moved the adoption of amendment S—4260 as amended to House amendment S—4251 to the Senate amendment.

A record roll call was requested.

On the question "Shall amendment S—4260 as amended to House amendment S—4251 to the Senate amendment be adopted?" (H.F. 870) the vote was:

Ayes, 26:

Andersen	Hansen	Miller of Des Moines	Robinson
Bergman	Hill of Jasper	Murray	Schwengels
Briles	Hultman	Nolting	Shaff
Burroughs	Junkins	Nystrom	Sovern
Coleman	Kinley	Palmer	Tieden
Curtis	Merritt	Ramsey	Van Gilst
Glenn			Willits

Nays, 14:

Carr	Kelly	Orr	Scott
Culver	Lamborn	Priebe	Taylor
Gluba	Nolin	Redmond	Winkelman
Heying	Norpel		

Absent or not voting, 10:

DeKoster	Griffin	Miller of	Rabedeaux
Doderer	Hill of Polk	Marshall	Rodgers
Gallagher		Plymat	Shaw

Amendment S—4260 as amended to House amendment S—4251 to the Senate amendment was adopted.

DEFERRED

Senator Kinley asked and received unanimous consent that further action on **House File 870** be **deferred** and that the bill **retain its place on the calendar.**

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

June 17, 1975

The Honorable Arthur A. Neu
Lieutenant Governor of Iowa
State Capitol Building
Local

Dear Governor Neu:

It is my pleasure to submit to the Senate for their consideration the name of Maurice J. Tierney, Dubuque, Dubuque County, Iowa, for appointment as a licensed member of the State Board of Funeral Directors and Embalmer Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975 and ending June 30, 1977.

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 on June 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 167, a bill for an act relating to licensing and regulating restaurants and food establishments.

Also: That the House has on June 18, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 184, a bill for an act increasing the mileage rate paid to jurors and the witness fees and mileage paid to witnesses.

Also: That the House has on June 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 189, a bill for an act relating to investment reports submitted to the auditor of state.

Also: That the House has on June 18, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 192, a bill for an act relating to age requirements of applicants for marriage licenses, and to legitimacy of children born of certain marriages.

Also: That the House has on June 18, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 358, a bill for an act relating to neglected, dependent, and delinquent children.

Also: That the House has on June 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 364, a bill for an act relating to the practice of accountancy.

Also: That the House has on June 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 378, a bill for an act providing for identification of boars, sows and stags designated for slaughter.

Also: That the House has on June 18, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 427, a bill for an act making an appropriation to the Iowa state civil rights commission.

Also: That the House has on June 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 494, a bill for an act authorizing the county recorder to combine separate index books.

Also: That the House has on June 18, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 511, a bill for an act relating to vessels.

Also: That the House has on June 18, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 541, a bill for an act relating to the probate code.

Also: That the House has on June 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 544, a bill for an act to abolish the state advisory committee on area schools.

Also: That the House has receded from division B of the House amendment to and passed the following bill in which the concurrence of the House was asked:

Senate File 563, a bill for an act appropriating funds to the office of the citizens' aide.

Also: That the House insists on its amendment to Senate File 566, a bill for an act appropriating funds to the auditor of state, treasurer of

state, state comptroller, and department of revenue, and that the members of the conference committee on the part of the House are: The Representative from Chickasaw, Mr. Griffee, chairman; the Representative from Des Moines, Mr. Monroe; the Representative from Linn, Mr. Wells; the Representative from Pottawattamie, Mr. Schroeder; and the Representative from Crawford, Mr. Crabb.

Also: That the House has on June 18, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 583, a bill for an act to amend the rules of civil procedure proposed by the supreme court.

Also: That the House has on June 18, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 60 relating to denied claims.

Also: That the House has on June 18, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 652, a bill for an act relating to the restraint of dogs.

Also: That the House has on June 18, 1975, concurred in the Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 894, a bill for an act relating to correcting erroneous, inconsistent and obsolete sections of the Code.

Also: That the House has on June 18, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 73 proposing that the Sixty-sixth General Assembly approve the comprehensive transportation policy adopted and submitted by the state transportation commission.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 73
By Committee on Transportation

Whereas, the law required the state department of transportation to develop a comprehensive transportation policy for the state; and

Whereas, the state transportation commission has developed the policy and approved the policy on December 11, 1974; and

Whereas, the Iowa transportation policy provides that:

The transportation goal for the State of Iowa is to assure adequate, safe, and efficient transportation facilities and services to the public.

It is the policy of the Iowa Department of Transportation to:

A. General.

1. Encourage development of a transportation system to satisfy user needs and maximize economic and social benefits for Iowa citizens.

2. Provide for a participatory transportation planning process which involves public, private, and

citizen interests and encourages complementary transportation and land development patterns.

3. Encourage and support programs to provide for movement of goods and mobility for all citizens.

4. Consolidate and simplify procedures for registration and regulation of common-carriers and motor vehicles.

Page 2

B. Plan.

1. Develop a total transportation system plan, subject to annual review, which

—considers all transportation modes as interacting elements,

—considers facilities and services necessary for person and commodity movements from origin to destination,

—contributes to the development and implementation of a state comprehensive plan,

—provides a positive influence on social, economic, and aesthetic values,

—provides safe and convenient travel opportunities,

—minimizes economic, energy, and environmental costs,

—coordinates with the plans of surrounding states and national programs,

—coordinates available federal, state, and local resources, and

—recommends funding procedures for implementation.

2. Encourage and assist development of general aviation, airport facilities, and air-carrier services.

3. Encourage and assist the general development and efficient use of highway transportation through improvement programs to equalize functional adequacy of roads and streets throughout all of Iowa.

4. Encourage and assist development of public passenger transportation systems.

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5. Encourage and assist a viable railroad system consistent with the needs of Iowa and the United States.

6. Encourage and assist the development of programs for proper use of river transportation.

C. Program.

1. Prepare annually a coordinated current and long-range program of capital investment, services, and regulatory practice.

2. Propose and promote legislative programs to implement an integrated transportation system; and

Whereas, the state transportation commission has submitted its state transportation policy to the general assembly for its approval as required by law; *now therefore,*

Be it resolved by the House of Representatives, the Senate concurring, That the Sixty-sixth General Assembly approve the comprehensive transportation policy adopted and submitted by the state transportation commission.

Be It Further Resolved, that the committees on transportation of both houses of the general assembly review the transportation policy hereby approved and the transportation plan, which is to be submitted to the general assembly on January 1, 1976 during the month of January, 1976, and submit their findings and recommendations to the House of Representatives and Senate.

Be It Further Resolved, That the legislative council is authorized to create a study committee composed of legislators of both houses of the general assembly serving on the committees on transportation to monitor the progress on the development of the transportation plan by the department of transportation, and to offer adequate legislative input.

Read first time and **passed on file.**

HOUSE AMENDMENT TO SENATE FILE 184

S—4265

Amend Senate File 184, as amended and passed by the Senate, as follows:

Title page, by inserting after the word "rate" in line 1 the words "and certain fees".

HOUSE AMENDMENT TO SENATE FILE 192

S—4264

Amend Senate File 192, as passed by the Senate as follows:

1. Page 2, by inserting after line 10 the following:

"c. If a parent or guardian withholds consent, the judge upon application of a party to a proposed marriage shall determine if the consent has been unreasonably withheld. If the judge so finds, the judge shall proceed to review the application under subsection b of this section."

2. Page 2, by inserting after line 29 the following new section:

"Sec. ..... Section five hundred ninety-five point nine (595.9), Code 1975, is amended to read as follows:

595.9 VIOLATION. [If the clerk issues a license in violation of the provisions of section 595.8, or if] *If* a marriage is solemnized without [its being procured] *procuring a license,* [the clerk so issuing the same, and] the parties married, and all persons aiding them, are guilty of a misdemeanor *and shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days.*"

HOUSE AMENDMENT TO SENATE FILE 358

S—4266

Amend Senate File 358, as passed by the Senate, page 5, by inserting after line 7 the following:

"Sec. ..... Chapter two hundred thirty-two (232), Code 1975, is amended by adding the following new section:

NEW SECTION. PLACEMENT OF A CHILD IN NEED OF ASSISTANCE. Notwithstanding the provisions of section two hundred thirty-two point thirty-three (232.33), subsections four (4) and five (5) of the Code, a minor adjudicated as a child in need of assistance shall not be placed in the Iowa training school for boys, or the Iowa training school for girls."

HOUSE AMENDMENT TO SENATE FILE 427

S—4262

Amend Senate File 427 as passed by the Senate as follows:

1. Page 1, lines 4 and 5, by striking the words and numbers "two hundred thirty-two thousand eight hundred sixty-four (232,864)" and inserting in lieu thereof the words and numbers "two hundred forty-nine thousand one hundred nineteen (249,119)".

2. Page 1, by striking all of Sec. 3.

HOUSE AMENDMENT TO SENATE FILE 511

S—4268

Amend Senate File 511, as amended and passed by the Senate, as follows:

1. Page 2, line 4, by inserting after the word *"sailboats"* the words *", nonpowered canoes"*.

2. Page 2, line 7, by inserting after the word *"sailboats"* the words *", nonpowered canoes"*.

3. Page 2, line 8, by inserting after the word *"shore"* the words *"in accordance with rules promulgated by the commission"*.

4. Page 2, line 9, by striking the word *"readily"*.

5. Page 2, line 18C, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

6. Page 2, by inserting after line 18C the following new subsection:

"NEW SUBSECTION. The owner of each vessel which has a valid marine document issued by the bureau of customs of the United States government or any federal agency successor thereto shall register it every two years with the county recorder in the same manner prescribed for undocumented vessels and shall cause the registration validation decal to be

placed on the vessel in the manner prescribed by the rules of the commission. When such vessel bears the identification required in the documentation, it shall be exempt from the placement of the identification numbers as required on undocumented vessels. The fee for such registration shall be twenty-five dollars plus the usual writing fee."

7. Page 2, by inserting after line 18P the following new section:

"Sec. ..... Section one hundred six point six (106.6), Code 1975, subsections one (1) and three (3), are amended to read as follows:

1. Covered by a number in full force and effect which has been awarded to it pursuant to [federal law or] a federally-approved numbering system of another state if such vessel shall not have been within this state for a period in excess of [ninety] *sixty* days within one calendar year.

3. A public vessel of the United States, a state or subdivision thereof *which is used for enforcement, search and rescue or official research and studies, but not including vessels used for recreation or commercial purposes.*"

8. Page 3, by striking all of lines 8 through 12 and inserting in lieu thereof the following:

"NEW SUBSECTION. An air mattress, inner tube, or other toy or beach type item which is being used in

Page 2

a recognized swimming area. In the case of a natural lake or reservoir these beach or swimming areas may be less, but in no case shall exceed three hundred feet from shore."

HOUSE AMENDMENT TO SENATE FILE 541

S—4272

Amend Senate File 541 as passed by the Senate as follows:

1. Page 5, line 25, by striking the word "spouse" and inserting in lieu thereof the word "spouse,".

2. Page 5, line 25, by striking the word "property," and inserting in lieu thereof the word "property[,]".

HOUSE MESSAGE CONSIDERED

House File 652, a bill for an act relating to the restraint of dogs.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 61

By Gluba, Kinley, Lamborn, Andersen, Scott, Doderer, Junkins, Bergman, Merritt, Robinson, Curtis, Tieden, Redmond,

Taylor, Culver, Coleman, Orr, Palmer, Sovern, Murray, Van Gilst, Winkelman, Schwengels, Rodgers, Plymat, Griffin, Kelly, Miller of Des Moines, Heying, Nystrom, and Hansen

Whereas, the United States Bureau of the Census has estimated that some 500,000 persons 60 years of age or older live in Iowa, comprising more than twelve percent of the total population, thus giving Iowa the second highest proportion of elderly persons to total state population in the nation; and

Whereas, a disproportionately high number of elderly persons in Iowa are classified as poor, and the incomes of the elderly tend to decrease with advancing age, making them particularly vulnerable to inflation; and

Whereas, the combination of economic, health and other factors force many elderly persons to give up their family or personal residences and move into institutional settings; and

Whereas, rural areas of Iowa which have a particularly high proportion of elderly residents also in many cases have a shortage of medical personnel and of adequate health care facilities available to serve the elderly; and

Whereas, Bureau of the Census figures also show that Iowa has some 180,000 physically handicapped residents who are less than 60 years of age, comprising more than five percent of the state's population; and

Page 2

Whereas, many physically handicapped persons must live upon limited incomes, derived in many cases largely or entirely from government grants; and

Whereas, the physically handicapped are often unable to live in or remain in family or personal residences and must seek living facilities of an institutional nature; and

Whereas, institutional facilities in which many of Iowa's elderly and physically handicapped must reside should be designed and administered so as to accord to every resident the following as basic rights:

1. The right to buildings free of architectural barriers to mobility of handicapped persons;
2. The right to adequate physical care, and to basic physical therapy to maintain or restore the individual's physical condition;
3. The right to meaningful occupational activity, within the limitations of the individual's strength and abilities;
4. The right to meaningful recreational activity;
5. The right to be outdoors as often as reasonably possible, within the limitations of the individual's situation;
6. The right to some means of transportation to and from the facility for residents;
7. The right to an adequate diet;
8. The right to be treated with dignity and respect, and to be protected against mental or emotional as well as physical abuse;

9. The right to a third-party advocate, if the individual has no family member or close friend to intercede with the facility for him or her, should the situation so indicate;

10. The right to move to another facility, if the individual wishes to do so;

11. The right to adequate funding, if the individual resident is dependent upon public assistance; and

Whereas, the economic situations of many of Iowa's elderly and physically handicapped make access to legal services

Page 3

difficult or impossible, and salaried attorneys provided through a legal aid service could afford counsel effectively to many such persons at a reasonable cost; and

Whereas, it is desirable that a representative committee of the General Assembly regularly monitor the continuing and changing problems of the elderly, and the physically handicapped in Iowa, and the efforts to deal with these problems; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee, as provided by law, which may include nonlegislative members knowledgeable of the problems of elderly and handicapped persons in Iowa as well as members of the General Assembly, to look into the matters referred to in the preamble to this resolution, to assess the problems presently confronting elderly and handicapped Iowans and to consider what legislation may be necessary or advisable to assist in dealing with these problems. A report of the study shall be prepared and submitted to the Legislative Council and to the second session of the Sixty-sixth General Assembly, and shall be accompanied by draft legislation to carry out the recommendations of the study committee.

Read first time and **passed on file.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the appointment of the **conference committee** on **Senate File 566** on the part of the Senate: Senators Sovern, chairman; Priebe, Kelly, Burroughs and Norpel.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on June 16, 1975, the Governor approved and transmitted to the Secretary of State the following bills:

S.J.R. 12—To provide for an interim study of the causes and effects of and solutions to the unavailability and high cost of malpractice insurance to health care providers and to provide for an appropriation.

S. F. 499—Relating to hospitalization of the mentally ill.

S. F. 505—To appropriate money from the dairy industry fund to the Iowa dairy industry commission.

S. F. 521—Relating to expenses for persons seeking or employed in positions with the state.

S. F. 523—Relating to and appropriating funds to legislative agencies and agencies involved in the legislative process.

S. F. 548—To make an appropriation to the legislative council for a comprehensive study of mental health delivery systems in the state.

S. F. 549—Making an appropriation to the Iowa law enforcement academy.

S. F. 559—Making an appropriation to the department of public instruction for the administration of driver education courses.

S. F. 560—Making an appropriation to the moneys and credits replacement fund.

S. F. 561—Creating and making an appropriation to the executive council general contingent fund.

H. F. 206—Relating to deduction of debts and expenses for inheritance tax purposes.

H. F. 264—To allow the destruction of abandoned animals by veterinarians, boarding and commercial kennels.

H. F. 421—Relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law.

H. F. 625—Relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providin penalties.

H. F. 670—Relating to the salaries of juvenile court employees.

H. F. 700—Relating to procedures for preparing for, giving notice of, conducting and canvassing elections, to the election of presidential electors, and to the registration of voters, and prescribing penalties.

H. F. 885—To exempt the equalization of property from the provisions of the Iowa administrative procedure act.

COMMUNICATION FROM THE SECRETARY OF STATE

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 558 was published in The Des Moines Register, Des Moines, Iowa, June 7, 1975, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, June 10, 1975.

Respectfully submitted
MELVIN D. SYNHORST
Secretary of State

REPORT OF COMMITTEE

Senator Palmer submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 914, a bill for an act relating to retirement benefits for certain

public employees engaged in public safety occupations, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM D. PALMER, Chairman

Ordered passed on file.

AMENDMENTS FILED

S—4263

Amend Senate File 516, page 1, by striking lines 10 through 22 and inserting in lieu thereof the following:

"Sec. 2. Section three hundred thirty-two point thirty-two (332.32), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

332.32 COST ON PROPORTIONATE BASIS—TAX LEVY. The board of supervisors may make a determination of how the county will be best served by a sanitary disposal project and levy an annual tax on the assessed value of the taxable property in each township outside the incorporated limits of any city or on the assessed value of the taxable property within a city if the city council agrees to participate in the acquisition or maintenance of a sanitary disposal project, however, the annual tax shall not exceed an amount which would be raised by a uniform levy of thirteen and one-half cents per thousand dollars of assessed value of all the taxable property outside the incorporated limits of any city and all the taxable property within participating cities. The estimated cost of acquiring or maintaining a sanitary disposal project shall be apportioned among the townships and participating cities in the proportion that the population of each township or participating city is to the total population of the townships and participating cities being served by the sanitary disposal project. The funds obtained from the tax levy shall be credited to the sanitary disposal fund.

The tax levy authorized in this section upon the taxable property of a city shall be in addition to the maximum levy limitation provided for in section three hundred eighty-four point one (384.1) of the Code."

RAY TAYLOR
LOWELL L. JUNKINS

S—4261

Amend the House amendment, S—4145, to Senate File 525, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by striking lines 11 through 50 and

inserting in lieu thereof the following:

"5. The provisions of this section notwithstanding, upon the verified petition of the county board of supervisors the district court may appoint the administrator of a county care facility as conservator or guardian, or both, of a resident of such county care facility, in accordance with the provisions of Chapter 633 of the Code. Such administrator shall serve as conservator or guardian, or both, without fee. The county attorney shall serve as attorney for the administrator in such conservatorship or guardianship, or both, without fee. The administrator may establish either separate or common bank accounts for cash funds of such resident wards."

2. Page 3, by striking line 1.

WILLIAM E. GLUBA
E. KEVIN KELLY

S—4258

Amend House File 914 as amended and passed by the House, page 10, by striking lines 19a through 19q.

LOWELL JUNKINS
CALVIN HULTMAN

S—4259

Amend House File 914 as follows:

1. Page 1, by striking lines 21 through 31.
2. Page 10, line 19a, by striking the words "allocated from" and inserting in lieu thereof "appropriated from the general fund to."
3. By renumbering the sections and correcting internal references in accordance with this amendment.

MINNETTE DODERER
CHARLES P. MILLER
KENNETH D. SCOTT
JOHN N. NYSTROM
HILARIUS HEYING
CLIFTON C. LAMBORN

Note: For explanation of brackets and italics, see page 202 of the Senate Journal.

On motion of Senator Kinley, the Senate adjourned at 8:00 p.m., until 8:30 a.m., Thursday, June 19, 1975.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JUNE 19, 1975

The Senate met in regular session, President Neu presiding.

Prayer was offered by Miss Candy Kennedy, Office of Legislative Activity, Des Moines Catholic Diocese, Des Moines, Iowa.

The Journal of Wednesday, June 18, 1975, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hill of Polk for the day on request of Senator Lamborn.

President pro tempore Doderer took the chair at 8:45 a.m.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 799.

House File 799

On motion of Senator Glenn, House File 799, a bill for an act relating to liability protection for state employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn offered amendment S—4228 filed by him and moved its adoption:

S—4228

Amend House File 799 as amended and passed by the House as follows:

1. Page 1, by striking lines 29 and 29a and inserting in lieu thereof the word "death."

2. Page 1, line 34, by striking the words "or wanton neglect of duty" and inserting in lieu thereof the words "and wanton conduct".

3. Page 3, line 3, by striking the word "section" and inserting in lieu thereof the word "sections".

4. Page 3, line 8, by striking the words "or wanton neglect of duty" and inserting in lieu thereof

the words "and wanton conduct".

5. Page 3, by inserting after line 12 the following:

"*NEW SECTION.* The state shall defend, indemnify and hold harmless an employee of the state in any action commenced in federal court under section one thousand nine hundred eighty-three (1983), Title forty-two (42), United States Code, against the employees for acts of the employee while acting in the scope of employment. If the acts or omissions of the employee, upon which the action is based, are within the exceptions to claim as defined in section twenty-five A point two (25A.2), subsection five (5), paragraph b, of the Code, the state shall not indemnify or hold harmless the employee."

6. Renumber sections and correct internal references in conformity with this section.

Amendment S—4228 was adopted.

Senator Glenn withdrew amendment S—4208 filed by him on June 13, 1975, and found on page 2091 of the Senate Journal.

Senator Shaw offered amendment S—4218 filed by Senators Shaw, Winkelman and Curtis, moved its adoption and requested a record roll call:

S—4218

Amend House File 799, as amended and passed by the House, page 3, by inserting after line 12, the following new section:

"Sec. ..... Chapter twenty-five A (25A), Code 1975, is amended by adding the following new section:

NEW SECTION. A judgment award or settlement within the scope of this chapter shall not exceed:

1. For an injury to one person in any single accident or occurrence the sum of one hundred thousand dollars.

2. For an injury to two or more persons in any single accident or occurrence, the sum of three hundred thousand dollars; except that in such instance, a person may not recover in excess of one hundred thousand dollars."

On the question "Shall amendment S—4218 be adopted?" (H.F. 799) the vote was:

Rule 25 was invoked.

Ayes, 21:

Andersen	Hansen	Miller of Marshall	Shaff
Bergman	Heying	Murray	Shaw
Briles	Hultman	Norpel	Taylor
Burroughs	Lamborn	Priebe	Tieden
Curtis	Merritt	Schwengels	Winkelman
Griffin			

Nays, 27:

Carr	Gluba	Nolin	Redmond
Coleman	Hill of Jasper	Nystrom	Robinson
Culver	Junkins	Orr	Rodgers
DeKoster	Kelly	Palmer	Scott
Doderer	Kinley	Plymat	Sovern
Gallagher	Miller of	Rabedeaux	Van Gilst
Glenn	Des Moines	Ramsey	Willits

Absent or not voting, 2:

Hill of Polk Nolting

Amendment S—4218 lost.

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. 799) the vote was:

Ayes, 45:

Andersen	Gluba	Miller of	Redmond
Bergman	Hansen	Marshall	Robinson
Briles	Heying	Murray	Rodgers
Burroughs	Hill of Jasper	Nolin	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Sovern
Culver	Kelly	Orr	Taylor
Curtis	Kinley	Palmer	Tieden
DeKoster	Lamborn	Plymat	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher	Miller of	Rabedeaux	Winkelman
Glenn	Des Moines	Ramsey	

Nays, none.

Voting present, 1:

Griffin

Absent or not voting, 4:

Hill of Polk	Nolting	Shaff	Shaw

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Glenn asked and received unanimous consent that **House File 799** be **immediately messaged** to the House, which request was complied with.

MOTION TO RECONSIDER ADOPTED

Senate File 525

Senator Kelly called up the following motion to reconsider filed by Senators Gluba and Kelly on June 13, 1975, and moved its **adoption:**

MR. PRESIDENT: We move to reconsider the vote by which Senate File 525 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 525) the vote was:

Ayes, 46:

Andersen	Heying	Murray	Rodgers
Bergman	Hill of Jasper	Nolin	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaff
Coleman	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of	Rabedeaux	Van Gilst
Glenn	Des Moines	Ramsey	Willits
Gluba	Miller of	Redmond	Winkelman
Griffin	Marshall	Robinson	
Hansen			

Nays, none.

Absent or not voting, 4:

Briles	Gallagher	Hill of Polk	Nolting

The motion prevailed.

Senator Kelly moved to reconsider the vote by which Senate File 525 went to its last reading, which motion prevailed.

Senator Kelly called up for reconsideration Senate File 525, a bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties for violations, amended by the House, and moved to reconsider the vote by which the Senate concurred in House amendment S—4145.

The motion prevailed and the motion to concur in House amendment S—4145 was taken up for reconsideration.

Senator Kelly offered amendment S—4261 to House amendment S—4145 filed by Senators Gluba and Kelly and moved its adoption:

S—4261

Amend the House amendment, S—4145, to Senate File 525, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by striking lines 11 through 50 and inserting in lieu thereof the following:

"5. The provisions of this section notwithstanding, upon the verified petition of the county board of supervisors the district court may appoint the administrator of a county care facility as conservator or guardian, or both, of a resident of such county care facility, in accordance with the provision of Chapter 633 of the Code. Such administrator shall serve as conservator or guardian, or both,

without fee. The county attorney shall serve as attorney for the administrator in such conservatorship or guardianship, or both, without fee. The administrator may establish either separate or common bank accounts for cash funds of such resident wards."

2. Page 3, by striking line 1.

Amendment S—4261 to House amendment S—4145 was adopted.

Senator Kelly moved that the Senate concur in House amendment S—4145 as amended

The motion prevailed and the Senate concurred in House amendment S—4145 as amended.

Senator Kelly 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. 525) the vote was:

Ayes, 40:

Andersen	Gluba	Miller of Marshall	Redmond
Bergman	Griffin	Nolin	Robinson
Burroughs	Hansen	Norpel	Rodgers
Carr	Heying	Nystrom	Schwengels
Coleman	Hultman	Orr	Scott
Culver	Kelly	Palmer	Shaw
Curtis	Kinley	Plymat	Sovern
DeKoster	Lamborn	Priebe	Taylor
Doderer	Merritt	Rabedeaux	Tieden
Gallagher	Miller of Des Moines		Van Gilst
Glenn			

Nays, 3:

Briles	Ramsey	Winkelman

Absent or not voting, 7:

Hill of Jasper	Junkins	Nolting	Willits
Hill of Polk	Murray	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kelly asked and received unanimous consent that **Senate File 525** be **immediately messaged** to the House, which request was complied with.

HOUSE AMENDMENTS CONSIDERED

Senate File 184

Senator Miller of Des Moines called up for consideration Senate File 184, a bill for an act increasing the mileage rate paid to

jurors and the witness fees and mileage paid to witnesses, amended by the House, and moved that the Senate concur in the following amendment:

S—4265
1 Amend Senate File 184, as amended and passed
2 by the Senate, as follows:
3 Title page, by inserting after the word "rate"
4 in line 1 the words "and certain fees".

The motion prevailed and the Senate concurred in House amendment S—4265.

Senator Miller of Des Moines 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.

Senator Taylor took the chair at 9:45 a.m.

On the question "Shall the bill pass?" (S.F. 184) the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Hansen	Murray	Redmond
Briles	Heying	Nolin	Robinson
Burroughs	Hultman	Norpel	Rodgers
Carr	Junkins	Nystrom	Schwengels
Coleman	Kelly	Orr	Scott
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Rabedeaux	Winkelman
Gallagher			
Glenn			

Nays, none.

Absent or not voting, 8:

Griffin	Hill of Polk	Shaff	Sovern
Hill of Jasper	Nolting	Shaw	Willits

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 192

Senator Doderer called up for consideration Senate File 192, a bill for an act relating to age requirements of applicants for marriage licenses, and to legitimacy of children born of certain marriages, amended by the House, and moved that the Senate concur in the following amendment:

S—4264
1 Amend Senate File 192, as passed by the Senate
2 as follows:

1. Page 2, by inserting after line 10 the following:

"c. If a parent or guardian withholds consent, the judge upon application of a party to a proposed marriage shall determine if the consent has been unreasonably withheld. If the judge so finds, the judge shall proceed to review the application under subsection b of this section."

2. Page 2, by inserting after line 29 the following new section:

"Sec. ..... Section five hundred ninety-five point nine (595.9), Code 1975, is amended to read as follows:

595.9 VIOLATION. [If the clerk issues a license in violation of the provisions of section 595.8, or if] *If* a marriage is solemnized without [its being procured] *procuring a license*, [the clerk so issuing the same, and] the parties married, and all persons aiding them, are guilty of a misdemeanor *and shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days.*"

A record roll call was requested.

On the question "Shall the motion to concur in House amendment S—4264 be adopted?" (S.F. 192) the vote was:

Ayes, 37:

Andersen	Heying	Nolin	Rodgers
Bergman	Hill of Jasper	Norpel	Schwengels
Carr	Hultman	Orr	Shaff
Curtis	Junkins	Palmer	Shaw
DeKoster	Kelly	Plymat	Sovern
Doderer	Kinley	Priebe	Taylor
Glenn	Lamborn	Ramsey	Van Gilst
Gluba	Miller of Des Moines	Redmond	Willits
Griffin	Murray	Robinson	Winkelman
Hansen			

Nays, 9:

Briles	Merritt	Rabedeaux	Tieden
Coleman	Miller of Marshall	Scott	
Culver			
Gallagher			

Absent or not voting, 4:

Burroughs	Hill of Polk	Nolting	Nystrom

The motion prevailed and the Senate concurred in House amendment S—4264.

Senator Doderer 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. 192) the vote was:

Ayes, 39:

Andersen	Gluba	Nolin	Rodgers
Bergman	Griffin	Norpel	Schwengels
Briles	Hansen	Orr	Scott
Burroughs	Heying	Palmer	Shaff
Carr	Hultman	Plymat	Sovern
Culver	Kelly	Priebe	Taylor
Curtis	Kinley	Rabedeaux	Tieden
DeKoster	Lamborn	Ramsey	Van Gilst
Doderer	Miller of Des Moines	Redmond	Winkelman
Gallagher		Robinson	
Glenn			

Nays, 3:

Coleman	Merritt	Miller of Marshall

Absent or not voting, 8:

Hill of Jasper	Junkins	Nolting	Shaw
Hill of Polk	Murray	Nystrom	Willits

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 358

Senator Kelly called up for consideration Senate File 358, a bill for an act relating to neglected, dependent, and delinquent children, amended by the House, and moved that the Senate concur in the following amendment:

S—4266

Amend Senate File 358, as passed by the Senate, page 5, by inserting after line 7 the following:

"Sec. ..... Chapter two hundred thirty-two (232), Code 1975, is amended by adding the following new section:

NEW SECTION. PLACEMENT OF A CHILD IN NEED OF ASSISTANCE. Notwithstanding the provisions of section two hundred thirty-two point thirty-three (232.33), subsections four (4) and five (5) of the Code, a minor adjudicated as a child in need of assistance shall not be placed in the Iowa training school for boys, or the Iowa training school for girls."

President pro tempore Doderer took the chair at 10:10 a.m.

The motion prevailed and the Senate concurred in House amendment S—4266.

Senator Kelly 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. 358) the vote was:

Ayes, 42:

Andersen	Gluba	Miller of Marshall	Robinson
Bergman	Griffin	Nolin	Rodgers
Briles	Hansen	Norpel	Schwengels
Burroughs	Heying	Orr	Scott
Carr	Hultman	Palmer	Shaff
Coleman	Kelly	Plymat	Sovern
Culver	Kinley	Priebe	Taylor
Curtis	Lamborn	Rabedeaux	Tieden
DeKoster	Merritt	Ramsey	Van Gilst
Doderer	Miller of Des Moines	Redmond	Winkelman
Gallagher			
Glenn			

Nays, none.

Absent or not voting, 8:

Hill of Jasper	Junkins	Nolting	Shaw
Hill of Polk	Murray	Nystrom	Willits

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 427

Senator Priebe called up for consideration Senate File 427, a bill for an act making an appropriation to the Iowa state civil rights commission, amended by the House, and moved that the Senate refuse to concur in the following amendment:

S—4262

Amend Senate File 427 as passed by the Senate as follows:

1. Page 1, lines 4 and 5, by striking the words and numbers "two hundred thirty-two thousand eight hundred sixty-four (232,864)" and inserting in lieu thereof the words and numbers "two hundred forty-nine thousand one hundred nineteen (249,119)".

2. Page 1, by striking all of Sec. 3.

Senator Orr asked unanimous consent to substitute a motion to concur in the House amendment for the motion to refuse to concur in the House amendment.

Objection was raised.

A non-record roll call was requested on the motion to refuse to concur.

The ayes were 21, nays 26.

The motion lost and the Senate concurred in House amendment S—4262.

Senator Priebe 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. 427) the vote was:

Ayes, 35:

Andersen	Glenn	Miller of Des Moines	Rabedeaux
Bergman	Gluba	Miller of Marshall	Redmond
Briles	Griffin	Nolin	Robinson
Burroughs	Hansen	Nystrom	Rodgers
Carr	Heying	Orr	Schwengels
Coleman	Kelly	Palmer	Shaw
Curtis	Kinley	Plymat	Sovern
DeKoster	Lamborn		Taylor
Doderer	Merritt		Van Gilst
Gallagher			

Nays, 8:

Culver	Norpel	Scott	Tieden
Hultman	Priebe	Shaff	Winkelman

Absent or not voting, 7:

Hill of Jasper	Junkins	Nolting	Willits
Hill of Polk	Murray	Ramsey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 511

Senator Winkelman called up for consideration Senate File 511, a bill for an act relating to vessels, amended by the House, and moved that the Senate concur in the following amendment:

S—4268

Amend Senate File 511, as amended and passed by the Senate, as follows:

1. Page 2, line 4, by inserting after the word "*sailboats*" the words ", *nonpowered canoes*".

2. Page 2, line 7, by inserting after the word "*sailboats*" the words ", *nonpowered canoes*".

3. Page 2, line 8, by inserting after the word "*shore*" the word "*in accordance with rules promulgated by the commission*".

4. Page 2, line 9, by striking the word "*readily*".

5. Page 2, line 18C, by striking the word "subsection" and inserting in lieu thereof the word "subsections".

6. Page 2, by inserting after line 18C the following new subsection:

"*NEW SUBSECTION.* **The owner of each vessel which has a valid marine document issued by the bureau of customs of the United States government or any federal agency successor thereto shall register it every two years with the county recorder in the same manner prescribed for undocumented vessels and shall cause the registration validation decal to be placed on the vessel in the manner prescribed by the rules of the commission. When such vessel bears the**

identification required in the documentation, it shall be exempt from the placement of the identification numbers as required on undocumented vessels. The fee for such registration shall be twenty-five dollars plus the usual writing fee."

7. Page 2, by inserting after line 18P the following new section:

"Sec. ..... Section one hundred six point six (106.6), Code 1975, subsections one (1) and three (3), are amended to read as follows:

1. Covered by a number in full force and effect which has been awarded to it pursuant to [federal law or] a federally-approved numbering system of another state if such vessel shall not have been within this state for period in excess of [ninety] *sixty* days within one calendar year.

3. A public vessel of the United States, a state or subdivision thereof *which is used for enforcement, search and rescue or official research and studies, but not including vessels used for recreation or commercial purposes.*"

8. Page 3, by striking all of lines 8 through 12 and inserting in lieu thereof the following:

"*NEW SUBSECTION.* An air mattress, inner tube, or other toy or beach type item which is being used in

Page 2

a recognized swimming area. In the case of a natural lake or reservior these beach or swimming areas may be less, but in no case shall exceed three hundred feet from shore."

The motion prevailed and the Senate concurred in House amendment S—4268.

Senator Winkelman 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. 511) the vote was:

Ayes, 45:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Schwengels
Burroughs	Hill of Jasper	Norpel	Scott
Carr	Hultman	Nystrom	Shaff
Coleman	Junkins	Orr	Shaw
Culver	Kelly	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Ramsey	Willits
Glenn			Winkelman

Nays, none.

Absent or not voting, 5:

Gluba	Kinley	Nolting	Rodgers
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 541

Senator Redmond called up for consideration Senate File 541, a bill for an act relating to the probate code, amended by the House, and moved that the Senate concur in the following amendment:

S—4272

Amend Senate File 541 as passed by the Senate as follows:

1. Page 5, line 25, by striking the word "spouse" and inserting in lieu thereof the word "spouse,".

2. Page 5, line 25, by striking the word "property," and inserting in lieu thereof the word "property[,]".

The motion prevailed and the Senate concurred in House amendment S—4272.

Senator Redmond 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. 541) the vote was:

Ayes, 44:

Andersen	Gluba	Miller of Marshall	Redmond
Bergman	Griffin	Murray	Robinson
Briles	Hansen	Nolin	Schwengels
Burroughs	Heying	Norpel	Scott
Carr	Hill of Jasper	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Ramsey	Winkelman
Glenn			

Nays, none.

Absent or not voting, 6:

Hill of Polk	Kinley	Rodgers	Willits
Kelly	Nolting		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senator Van Gilst asked and received unanimous consent to take up for consideration House File 914.

House File 914

On motion of Senator Willits, House File 914, a bill for an act relating to retirement benefits for certain public employees engaged in public safety occupations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn took the chair at 11:23 a.m.

Senator Doderer offered amendment S—4259 filed by Senators Doderer, et al., and called for a division of the amendment as follows:

S—4259
Amend House File 914 as follows:
Division S—4259A
1. Page 1, by striking lines 21 through 31.
Division S—4259B
2. Page 10, line 19a, by striking the words "allocated from" and inserting in lieu thereof "appropriated from the general fund to."
3. By renumbering the sections and correcting internal references in accordance with this amendment.

Senator Doderer asked and received unanimous consent to withdraw division S—4259A of the amendment.

Senator Doderer moved the adoption of division S—4259B of the amendment.

A non-record roll call was requested.

The ayes were 39, nays 5, present 1.

Division S—4259B of the amendment was adopted.

Senator Junkins asked and received unanimous consent to withdraw amendment S—4258 filed by Senators Junkins and Hultman on June 18, 1975, and found on page 2189 of the Senate Journal.

Senator Willits offered amendment S—4277 and moved its adoption:

S—4277
Amend House File 914, as amended and passed by the House, in the title, line 2, by inserting after the word "occupations" the words "and to make appropriations".

Amendment S—4277 was adopted.

Senator Willits moved that the bill 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. 914) the vote was:

Ayes, 45:

Andersen	Gluba	Miller of Marshall	Redmond
Bergman	Griffin	Murray	Robinson
Briles	Hansen	Nolin	Schwengels
Burroughs	Heying	Norpel	Scott
Carr	Hill of Jasper	Nystrom	Shaff
Coleman	Hultman	Orr	Shaw
Culver	Junkins	Palmer	Taylor
Curtis	Kelly	Plymat	Tieden
DeKoster	Lamborn	Priebe	Van Gilst
Doderer	Merritt	Rabedeaux	Willits
Gallagher	Miller of Des Moines	Ramsey	Winkelman
Glenn			

Nays, none.

Absent or not voting, 5:

Hill of Polk	Nolting	Rodgers	Sovern
Kinley			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Palmer asked and received unanimous consent that **House File 914** be **immediately messaged** to the House, which request was complied with.

DISTINGUISHED VISITOR

President pro tempore Doderer presented the Honorable Daisy Thaler, member of the Senate of the state of Kentucky from Jefferson County, who was present in the Senate chamber.

On motion of Senator Van Gilst, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Doderer 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 on June 18, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 100, a bill for an act relating to the advertisement, letting, and approval of secondary road contracts.

Also: That the House has on June 19, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 353, a bill for an act making an appropriation from the general fund of the state to the Iowa American revolution bicentennial commission.

Also: That the House has on June 19, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 518, a bill for an act creating a child support recovery unit within the department of social services.

Also: That the House has on June 19, 1975, concurred in Senate amendment to the House amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 525, a bill for an act relating to the licensing and regulation of health care facilities.

Also: That the House has on June 19, 1975, concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 799, a bill for an act relating to liability protection for state employees.

Also: That the House has on June 19, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 877 a bill for an act relating to the placement and adoption of South Vietnamese children.

Also: That the House has on June 19, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 917, a bill for an act appropriating funds to the office of secretary of state to finance the administration of House File 215.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 877, a bill for an act relating to the placement and adoption of South Vietnamese children.

Read first time and **passed on file.**

House File 917, a bill for an act appropriating funds to the office of secretary of state to finance the administration of House File two hundred fifteen (215).

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 62

By Gluba

Whereas, some 35,000 persons presently reside in nursing homes in Iowa, of which approximately 13,000 are indigents

who depend upon medical assistance payments under Title XIX of the United States Social Security Act, in which the state must participate to the extent of several million dollars each year; and

Whereas, the daily medical assistance payment to a nursing home for a state patient is computed on the basis of annual financial data relative to the nursing home's cost of operation which is reported to the Department of Social Services by the nursing home, as well as certain other elements of cost, and there is believed to be some confusion or misunderstanding as to the manner in which this computation is made; and

Whereas, the maximum daily payment to nursing homes for care of medical assistance patients during the 1976 fiscal year will be $19, and there is concern whether all patients are in fact receiving care commensurate with payments on that scale; and

Whereas, it is likely that the cost of operation of nursing homes in urban and rural areas varies considerably, and it is desirable to review the computation procedure by which the daily payment for care of medical assistance patients is determined for each nursing home (subject to the statutory maximum) to insure that no nursing homes are receiving excessive reimbursement from the state; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Legislative Council be requested to authorize the standing committees on Human Resources of the Senate and House of Representative to establish a joint interim subcommittee to review and hold hearings into the entire issue of nursing

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home costs and reimbursement for care of medical assistance patients, to determine whether overpayments or other abuses have occurred, and to report to the second session of the Sixty-sixth General Assembly, recommending any appropriate legislation necessary to correct any problems which the subcommittee may identify.

Read first time and passed on file.

QUORUM CALL

Senator Lamborn requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 100

Senator Miller of Des Moines called up for consideration Senate File 100, a bill for an act relating to the advertisement, letting, and approval of secondary road contracts, amended by the House, and moved that the Senate concur in the following amendment:

S—4274

Amend Senate File 100 as passed by the Senate as follows:

1. Page 1, line 4, by striking the words "[work] *or repairs thereon*" and inserting in lieu thereof the word "work".

2. Page 1, line 5, by striking the words "[therefor of] *for*" and inserting in lieu thereof the words "therefor of".

3. Page 1, line 33, by striking the word "[work] *or repairs thereon*" and inserting in lieu thereof the word "work".

4. Page 1, line 42, by striking the following: ", or repairs thereon," and inserting in lieu thereof the words " [, or repairs thereof,]".

The motion prevailed and the Senate concurred in House amendment S—4274.

Senator Miller of Des Moines 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. 100) the vote was:

Ayes, 43:

Andersen	Griffin	Murray	Rodgers
Burroughs	Hansen	Nolin	Schwengels
Carr	Heying	Nolting	Scott
Coleman	Hill of Jasper	Norpel	Shaff
Culver	Hultman	Nystrom	Shaw
Curtis	Junkins	Orr	Sovern
DeKoster	Kinley	Palmer	Taylor
Doderer	Lamborn	Plymat	Tieden
Gallagher	Merritt	Priebe	Van Gilst
Glenn	Miller of	Ramsey	Willits
Gluba	Des Moines	Redmond	Winkelman

Nays, none.

Absent or not voting, 7:

Bergman	Hill of Polk	Miller of	Rabedeaux
Briles	Kelly	Marshall	Robinson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.C.R. 61 Rules and administration

H. F. 652 Human resources

H. F. 877 Human resources

H. F. 917 Appropriations

H.C.R. 73 Transportation

REPORT OF COMMITTEE

Senator Coleman submitted the following report:

MR. PRESIDENT: Your committee on transportation to which was referred **House Concurrent Resolution 73,** a resolution proposing that the Sixty-sixth General Assembly approve the comprehensive transportation policy adopted and submitted by the state transportation commission, begs leave to report it has had the same under consideration and recommends the same **be adopted.**

C. JOSEPH COLEMAN, Chairman

Ordered passed on file.

ADOPTION OF CONCURRENT RESOLUTION

House Concurrent Resolution 73

Senator Coleman asked and received unanimous consent to take up for consideration House Concurrent Resolution 73, found on pages 2180-2182, inclusive, of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

UNFINISHED BUSINESS

House File 870

Senator Hultman called up for further consideration House File 870, a bill for an act relating to the eradication of bovine brucellosis and making an appropriation, amended by the Senate and further amended by the House.

The Senate resumed consideration of House amendment S—4251 to the Senate amendment, amended and pending on June 18, 1975.

Senator Ramsey moved to reconsider the vote by which amendment S—4260 as amended to House amendment S—4251 to the Senate amendment was adopted by the Senate on June 18, 1975.

The motion prevailed and amendment S—4260 as amended to House amendment S—4251 to the Senate amendment was taken up for reconsideration.

Senator Priebe asked and received unanimous consent to withdraw amendment S—4260 as amended to House amendment S—4251 to the Senate amendment.

Senator Ramsey offered amendment S—4278 to House amendment S—4251 to the Senate amendment by Senators Ramsey, et al.:

S—4278
Amend S—4251, the House amendment to the Senate amendment to House File 870, by striking lines 5 and 6 and inserting in lieu thereof the following:
1. Page 2, line 25, by striking the words *"an animal"* and inserting in lieu thereof the words *"a grade animal or a purebred animal"*.
2. Page 2, line 26, by inserting after the period the sentence: *"However, if a purebred animal is purchased and owned for at least one year before testing and the owner can verify the actual cost, the board of supervisors of the county of origin may, by resolution award the payment of an additional indemnification not to exceed five hundred fifty dollars or the actual cost of the animal when purchased, whichever is less."*

Senator Ramsey offered amendment S—4279 to amendment S—4278 to House amendment S—4251 to the Senate amendment and moved its adoption:

S—4279
Amend the Ramsey, et al., amendment S—4278 to S—4251, the House amendment to the Senate amendment to House File 870, as follows:
1. By inserting after line 3 the following new paragraph:
"..... Page 2, line 25, by inserting after the word *'indemnity'* the words *'paid by the county of origin'*."
2. By numbering the paragraphs and correcting internal references in accordance with this amendment.

Amendment S—4279 to amendment S—4278 to House amendment S—4251 to the Senate amendment was adopted.

On motion of Senator Ramsey, amendment S—4278 as amended to House amendment S—4251 to the Senate amendment was adopted.

Senator Hultman moved that the Senate concur in House amendment S—4251 to the Senate amendment as amended.

The motion prevailed and the Senate concurred in House amendment S—4251 to the Senate amendment as amended.

Senator Hultman moved that the bill as amended by the Senate, further amended by the House, still 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?" (H.F. 870) the vote was:

Ayes, 40:

Andersen	Gluba	Miller of Marshall	Redmond
Bergman	Griffin	Nolin	Robinson
Burroughs	Hansen	Norpel	Rodgers
Carr	Heying	Nystrom	Schwengels
Coleman	Hultman	Orr	Scott
Culver	Kelly	Palmer	Shaff
Curtis	Kinley	Plymat	Sovern
DeKoster	Lamborn	Priebe	Taylor
Doderer	Merritt	Ramsey	Van Gilst
Gallagher	Miller of Des Moines		Winkelman
Glenn			

Nays, none.

Absent or not voting, 10:

Briles	Junkins	Rabedeaux	Tieden
Hill of Jasper	Murray	Shaw	Willits
Hill of Polk	Nolting		

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 518

Senator Gluba called up for consideration Senate File 518, a bill for an act creating a child support recovery unit within the department of social services, prescribing the powers and duties thereof, and providing for the assignment of rights to child support payments by any person who receives public assistance and providing a penalty, amended by the House, and moved that the Senate concur in the following amendment:

S—4276

Amend Senate File 518, as passed by the Senate, as follows:

1. Page 4, by striking lines 25 through 31 and inserting in lieu thereof the following:

"Sec. 7. *NEW SECTION.* LEGAL SERVICES. The attorney general may perform the legal services for the child support recovery program and may enforce all laws for the recovery of child support from responsible relatives. The attorney general shall have power to file and prosecute:

a. contempt of court proceedings to enforce any order of court pertaining to child support.

b. cases under chapter two hundred fifty-two A

(252A), Code 1975, the Uniform Support of Dependents Law.

c. an information charging desertion under the provisions of chapter seven hundred thirty-one (731), Code 1975.

d. any other lawful action which will secure collection of support for minor children.

For the aforesaid purposes, the attorney general shall have the same power to commence, file and prosecute any action or information in the proper jurisdiction, which the county attorney could file or prosecute in that jurisdiction. This shall in no way relieve any county attorney from his or her duties, or the supervisory power of the attorney general, in recovery of child support."

The Chair called for a non-record roll call.

The ayes were 35, nays 3.

The motion prevailed and the Senate concurred in House amendment S—4276.

Senator Gluba 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. 518) the vote was:

Ayes, 40:

Andersen	Gluba	Murray	Robinson
Bergman	Hansen	Nolting	Rodgers
Briles	Heying	Norpel	Schwengels
Burroughs	Junkins	Nystrom	Scott
Carr	Kelly	Orr	Shaw
Culver	Kinley	Palmer	Sovern
Curtis	Lamborn	Plymat	Taylor
DeKoster	Merritt	Priebe	Tieden
Doderer	Miller of Des Moines	Rabedeaux	Van Gilst
Gallagher		Redmond	Willits
Glenn			

Nays, 5:

Hultman	Miller of Marshall	Nolin	Winkelman
		Ramsey	

Absent or not voting, 5:

Coleman	Hill of Jasper	Hill of Polk	Shaff
Griffin			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

SENATE REFUSED TO CONCUR

Senate File 266

Senator Robinson called up for further consideration Senate File 266, a bill, for an act relating to leaves of absence for per-

sons who are elected to a municipal, county, state or federal office and providing penalties, amended by the House, and resumed consideration of House amendment S—3983 and the Hultman amendment S—4013 to House amendment S—3983, offered and pending on June 9, 1975.

Senator Hultman withdrew amendment S—4013 to House amendment S—3983.

Senator Hultman withdrew amendment S—4061 to House amendment S—3983 filed by him on June 5, 1975, and found on page 1795 of the Senate Journal.

Senator Nystrom withdrew amendment S—4085 to House amendment S—3983 filed by him on June 9, 1975, and found on page 1842 of the Senate Journal.

Senator Murray called for a division of House amendment S—3983 as follows:

Division S—3983A—sections 1 and 2.

Division S—3983B—sections 3, 4, 7 and 8.

Division S—3983C—section 5, lines 15 through 29, and section 9.

Division S—3983D—section 5, lines 30 through 42, and section 6.

Senator Robinson moved that the Senate refuse to concur in division S—3983A of the House amendment.

A non-record roll call was requested.

The ayes were 24, nays 13.

The motion prevailed and the Senate **refused to concur** in division S—3983A of the House amendment.

On motion of Senator Robinson, the Senate **refused to concur** in division S—3983B of the House amendment.

Senator Robinson moved that the Senate refuse to concur in division S—3983C of the House amendment.

A record roll call was requested.

On the question "Shall the Senate refuse to concur in division S—3983C of the House amendment?" (S.F. 266) the vote was:

Ayes, 29:

Andersen	**Briles**	**Coleman**	**Culver**

Gallagher	Kinley	Orr	Robinson
Glenn	Merritt	Palmer	Rodgers
Gluba	Nolin	Plymat	Scott
Griffin	Nolting	Priebe	Sovern
Heying	Norpel	Ramsey	Van Gilst
Hill of Jasper	Nystrom	Redmond	Willits
Junkins			

Nays, 16:

Bergman	Doderer	Miller of Marshall	Schwengels
Burroughs	Hansen	Murray	Shaw
Carr	Kelly	Rabedeaux	Taylor
Curtis	Lamborn		Winkelman
DeKoster			

Absent or not voting 5:

Hill of Polk	Hultman	Miller of Des Moines	Shaff
			Tieden

The motion prevailed and the Senate **refused to concur** in division S—3983C of the House amendment.

On motion of Senator Robinson, the Senate **refused to concur** in division S—3983D of the House amendment.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Ruth Roberts of Fort Dodge, Webster County, Iowa, for appointment as representative of the general public to the State Board **of Accountancy under the provisions of Section 116.3, Code 1975, for an initial term beginning July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.**

LOWELL L. JUNKINS, Chairman
C. JOSEPH COLEMAN
WILLARD R. HANSEN
ELIZABETH MILLER
EARL M. WILLITS

The motion prevailed and the report was adopted.

Senator Coleman moved the appointment of Ruth Roberts as a member of the State Board of Accountancy be confirmed by the Senate.

Senator Ramsey took the chair at 2:48 p.m.

On the question "Shall the appointee be confirmed?" the vote **was:**

Ayes, 47:

Andersen	Hansen	Murray	Rodgers
Bergman	Heying	Nolin	Schwengels
Briles	Hill of Jasper	Nolting	Scott
Burroughs	Hultman	Norpel	Shaff
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Doderer	Miller of Des Moines	Rabedeaux	Willits
Gallagher		Ramsey	Winkelman
Glenn	Miller of Marshall	Redmond	
Griffin			

Nays, 1:

Gluba

Absent or not voting, 2:

Hill of Polk Robinson

The Chair declared the appointment of Ruth Roberts as a member of the State Board of Accountancy confirmed for an initial three-year term ending June 30, 1978.

Senator Willits called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Gerald D. Bair of Norwalk, Warren County, Iowa, for appointment as Director of Revenue for the State of Iowa effective immediately under the provisions of Section 421.2, 1975 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.

EARL M. WILLITS, Chairman
WILLIAM N. PLYMAT
NORMAN RODGERS
ELIZABETH SHAW
STEVE SOVERN

The motion prevailed and the report was adopted.

Senator Willits moved the appointment of Gerald D. Bair as Director of Revenue be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Andersen	Carr	Gallagher	Hansen
Bergman	Curtis	Glenn	Heying
Briles	DeKoster	Gluba	Hill of Jasper
Burroughs	Doderer	Griffin	Hultman

Junkins	Nolting	Ramsey	Shaw
Kelly	Norpel	Redmond	Sovern
Kinley	Nystrom	Robinson	Taylor
Lamborn	Orr	Rodgers	Tieden
Miller of Marshall	Plymat	Schwengels	Van Gilst
Murray	Priebe	Scott	Willits
Nolin	Rabedeaux	Shaff	Winkelman

Nays, 3:

Culver	Merritt	Palmer

Voting present, 1:

Miller of Des Moines

Absent or not voting, 2:

Coleman	Hill of Polk

The Chair declared the appointment of Gerald D. Bair as Director of Revenue confirmed.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for consideration House File 450.

House File 450

On motion of Senator Nolin, House File 450, a bill for an act relating to persons engaged in the buying and selling of certain motor vehicles and relating to vehicle registration by revising the registration application form and the registration filing system, requiring a bond to be posted in situations where vehicle ownership is not established, providing for publication of notice regarding vehicle registration renewals, increasing motorcycle and hearse registration fees, providing for receipt of new registration for all vehicles transferred in December, relating to braking and hitching requirements for certain travel trailers and semitrailers operated on the highways, and relating to the base price of a vehicle for registration purposes, subject to penalties provided by law, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Nolin offered amendment S—3553 by the committee on transportation and moved its adoption:

S—3553

Amend House File 450 as amended, passed and reprinted by the House, as follows:

1. Page 10, line 13, by striking the words "*one hundred*" and inserting in lieu thereof the word "*fifty*".

2. Page 10, by striking lines 14 and 15.
3. Page 12, by inserting the following after line 6:
"Sec. ..... Section three hundred twenty-one point four hundred fifty-four (321.454) is amended to read as follows:
321.454 WIDTH OF VEHICLES. The total outside width of any vehicle or the load thereon[, except loose hay or straw,] shall not exceed eight feet. *However, if hay, straw, or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry shall not be subject to the permit requirements of chapter three hundred twenty-one E (321E) of the Code. If hay, straw, or stover is moved on any other vehicle subject to registration, such moves shall be subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter three hundred twenty-one E (321E) of the Code.*"
4. By renumbering the remaining sections in accordance with this amendment.
5. Amend the title, line 12, by inserting after the comma the words "relating to the width of vehicles carrying hay, straw or stover,".

The Chair requested a non-record roll call.

The ayes were 37, nays 5.

Amendment S—3553 was adopted.

Amendments S—3545 and S—3570 filed by Senator Hultman were ruled out of order with the adoption of amendment S—3553.

Senator Nolin withdrew amendment S—3778 filed by him on May 9, 1975, and found on page 1336 of the Senate Journal.

Senator Curtis offered amendment S—3562 filed by him:

S—3562
Amend House File 450 as follows:
1. Page 8, by striking lines 33 through 35.
2. Page 9, by striking lines 1 through 10.

President Neu took the chair at 3:35 p.m.

Senator Curtis moved the adoption of amendment S—3562.

A non-record roll call was requested.

The ayes were 22, nays 24.

Amendment S—3562 lost.

Senator Coleman offered amendment S—3652 filed by him and moved its adoption:

S—3652

Amend House File 450 as amended, passed and reprinted by the House, page 9 by striking lines 3 and 4 and inserting in lieu thereof the following:

"receive applications for renewal of vehicle registrations and payment of the registration fees. The registration".

Amendment S—3652 was adopted.

Senator Priebe asked and received unanimous consent to withdraw amendment S—3803 filed by Senators Priebe, et al., on May 13, 1975, and found on page 1367 of the Senate Journal.

Senator Priebe asked and received unanimous consent to withdraw amendment S—3959 filed by Senators Priebe, et al., on May 27, 1975, and found on page 1596 of the Senate Journal.

Senator Priebe offered amendment S—3994 filed by Senators Priebe, et al., and moved its adoption:

S—3994

Amend House File 450 as amended, passed and reprinted by the House, page 12, line 3, by inserting after the comma the words *"other than mobile homes more than eight feet in width or more than thirty-two feet in length"*.

A non-record roll call was requested.

The ayes were 37, nays 8.

Amendment S—3994 was adopted.

Senator Nolin offered amendment S—4169 filed by Senators Nolin, et al., and moved its adoption:

S—4169

Amend House File 450 as amended, passed and reprinted by the House, page 12, by inserting after line 6 the following new section:

"Sec. ..... Section three hundred twenty-one point thirty-four (321.34), Code 1975, as amended by Senate File 13 of the Sixty-sixth General Assembly, is amended by adding the following new paragraph:

NEW PARAGRAPH. Upon the transfer of ownership of a vehicle with registration plates which do not bear the designation of the county of the purchaser's or transferee's residence, the purchaser or transferee may, upon application to the county treasurer in accordance with section three hundred twenty-one point forty-six (321.46) of the Code, also apply for new registration plates for the vehicle, and upon surrender of the plates for such vehicle and payment of an additional registration fee

of five dollars, the county treasurer shall issue new registration plates for such vehicle bearing the designation of that county."

Amendment S—4169 was adopted.

Senator Norpel offered amendment S—4280, moved its adoption and requested a non-record roll call:

S—4280

Amend House File 450 as amended, passed and reprinted by the House, as follows:

1. Page 5, by inserting after line 26 the following new section:

"Sec. ..... Section three hundred twenty-one point thirty-nine (321.39), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Any registration not accomplished by February fifteenth following its expiration on the preceding December thirty-first, is delinquent."

2. By changing the remaining section numbers and correcting internal references in accordance with this amendment.

The ayes were 14, nays 31.

Amendment S—4280 lost.

Senator Nolin moved that the bill 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. 450) the vote was:

Ayes, 45:

Andersen	Gluba	Miller of Marshall	Ramsey
Bergman	Griffin	Murray	Redmond
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Gallagher		Rabedeaux	Willits
Glenn			Winkelman

Nays, none.

Absent or not voting, 5:

Hansen	Lamborn	Robinson	Shaff
Hill of Polk			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Kinley asked and received unanimous consent to take up for consideration House File 743.

House File 743

On motion of Senator Schwengels, House File 743, a bill for an act relating to the use of flashing amber lights on animal-drawn vehicles, 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. 743) the vote was:

Ayes, 40:

Andersen	Gluba	Murray	Ramsey
Bergman	Griffin	Nolin	Robinson
Burroughs	Hansen	Nolting	Rodgers
Carr	Heying	Norpel	Schwengels
Coleman	Hill of Jasper	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Lamborn	Plymat	Tieden
Doderer	Miller of Marshall	Priebe	Van Gilst
Gallagher		Rabedeaux	Willits
Glenn			

Nays, 6:

Kelly	Miller of Des Moines	Redmond	Winkelman
Merritt		Scott	

Absent or not voting, 4:

Briles	Hill of Polk	Hultman	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schwengels asked and received unanimous consent that **Senate File 393** be **withdrawn** from further consideration of the Senate.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senate File 566

Senator Sovern submitted the following report of the conference committee on Senate File 566 and moved its adoption:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 566

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 566, a bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue, respectfully make the following recommendations:

1. That the House recede from its amendment, H—4172, to Senate File 566 as amended and passed by the Senate.

2. That Senate File 566 as amended and passed by the Senate be amended as follows:

1. Page 1, by inserting after line 27 the following new section:

"Sec. 3. Section four hundred twenty-two point forty-three (422.43), unnumbered paragraph nine (9), Code 1975, is amended to read as follows:

The following enumerated services shall be subject to the tax herein imposed on gross taxable services: Alteration and garment repair; armored car; automobile repair; battery, tire and allied; investment counseling (excluding investment services of trust departments); bank service charges; barber and beauty; boat repair; car wash and wax; carpentry; roof, shingle, and glass repair; dance schools and dance studios; dry cleaning, pressing, dyeing, and laundering; electrical repair and installation; engraving, photography, and retouching; equipment rental; excavating and grading; farm implement repair of all kinds; flying service, *except agricultural aerial application services and aerial commercial and charter transportation services*; furniture, rug, upholstery repair and cleaning; fur storage and repair; golf and country clubs and all commercial recreation; house and building moving; household appliance, television, and radio repair; jewelry and watch repair; machine operator; machine repair of all kinds; motor repair; motorcycle, scooter, and bicycle repair; oilers and lubricators; office and business machine repair; painting, papering, and interior decorating; parking lots; pipe fitting and plumbing; wood preparation; private employment agencies; printing and binding; sewing and stitching; shoe repair and shoeshine; storage warehouse and storage locker; telephone answering service; test laboratories; termite, bug, roach, and pest eradicators; tin and sheet metal repair; turkish baths, massage, and reducing salons; vulcanizing, recapping, and retreading; warehouse; weighing; welding; well drilling; wrapping, packing, and packaging of merchandise other than processed meat, fish, fowl and vegetables; wrecking service; wrecker and towing."

2. Page 1, by inserting after line 33 the following new section:

"Sec. ..... The provisions of sections three (3) of this Act shall be retroactive to July 1, 1974."

3. Amend the title, line 2, by inserting after the word "revenue" the words "relating to the administrative duties of the department of revenue, and making certain provisions of the Act retroactive".

4. Renumber sections and correct internal references as may be necessary in accordance with this amendment.

On the Part of the House:	On the Part of Senate:
WILLIAM B. GRIFFEE, Chairman	STEVE SOVERN, Chairman
W. R. MONROE, JR.	BERL E. PRIEBE
JAMES D. WELLS	RICHARD J. NORPEL, SR.
LAVERNE W. SCHROEDER	CLIFF BURROUGHS
FRANK CRABB	E. KEVIN KELLY

The motion prevailed and the conference committee report and the recommendations and amendment contained therein were adopted.

Senator Sovern moved that the bill 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. 566) the vote was:

Ayes, 47:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Briles	Hill of Jasper	Nolting	Schwengels
Burroughs	Hultman	Norpel	Scott
Carr	Junkins	Nystrom	Shaw
Coleman	Kelly	Orr	Sovern
Culver	Kinley	Palmer	Taylor
Curtis	Lamborn	Plymat	Tieden
DeKoster	Merritt	Priebe	Van Gilst
Gallagher	Miller of Des Moines	Rabedeaux	Willits
Glenn		Ramsey	Winkelman
Gluba	Miller of Marshall	Redmond	
Griffin			

Nays, none.

Absent or not voting, 3:

Doderer	Hill of Polk	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Rodgers asked and received unanimous consent that **Senate File 171** be **withdrawn** from further consideration of the Senate.

Senator Glenn asked and received unanimous consent that **Senate Files 30 and 31** be **withdrawn** from further consideration of the Senate.

REPORT OF COMMITTEE

Senator Gluba submitted the following report:

MR. PRESIDENT: Your committee on human resources to which was referred House File 877, a bill for an act relating to the placement and

adoption of South Vietnamese children, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM E. GLUBA, Chairman

Ordered passed on file.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for immediate consideration House File 877.

House File 877

On motion of Senator Ramsey, House File 877, a bill for an act relating to the placement and adoption of South Vietnamese children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ramsey moved that the bill 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. 877) the vote was:

Rule 25 was invoked.

Ayes, 47:

Andersen	Griffin	Miller of Marshall	Redmond
Bergman	Hansen	Murray	Robinson
Briles	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Nystrom	Scott
Coleman	Junkins	Orr	Shaff
Culver	Kelly	Palmer	Shaw
Curtis	Kinley	Plymat	Sovern
DeKoster	Lamborn	Priebe	Taylor
Doderer	Merritt	Rabedeaux	Van Gilst
Gallagher	Miller of Des Moines	Ramsey	Willits
Glenn			Winkelman
Gluba			

Nays, 1:

Norpel

Absent or not voting, 2:

Hill of Polk Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kinley, the Senate recessed until 6:00 p.m.

EVENING SESSION

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

SENATE CONCURRENT RESOLUTION 63
By Committee on Rules and Administration

Whereas, other state employees will receive a pay increase pursuant to Senate File 555; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the officers and employees of the House and Senate whose salaries were established by the pay grades and steps contained in the Salary Schedule of House Concurrent Resolution 5, shall receive an increase in annual compensation over that authorized by House Concurrent Resolution 5, equal to the following percentage rounded to the nearest dollar:

1. For positions for which the annual compensation is less than seven thousand dollars, an increase of ten percent.

2. For positions for which the annual compensation is at least seven thousand dollars but less than fourteen thousand dollars, an increase of nine percent.

3. For positions for which the annual compensation is fourteen thousand dollars or more, an increase of seven percent; and

Be It Further Resolved, That the salary increases provided for in this resolution shall be paid out of funds appropriated by section two point twelve (2.12) of the Code and shall be retroactive to January 13, 1975.

Read first time and **placed on calendar.**

SENATE CONCURRENT RESOLUTION 64
By Willits, Miller of Des Moines, Shaw, Hill of Jasper, Redmond, Lamborn and Coleman

Whereas, there is overlapping of jurisdictions of various inspection agencies within the state; and

Whereas, there is overlapping in state, county and city inspection code requirements; and

Whereas, there is confusion as to what code state buildings will conform to when situated on county or city property; *Now Therefore*,

Be It Resolved by the Senate, the House of Representatives Concurring, That the Legislative Council is urged to make appointments to subcommittees of the Senate standing Committee on Cities and the House Committee on Cities and Towns to study in what ways the inspection laws overlap and in what ways the inspection code overlapping may be consolidated or eliminated.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 65
By Willits, Rodgers, Griffin, Andersen, and Curtis

Whereas, cities in Iowa are functionally hampered by artificial limitations on allowable levies for general city purposes; and

Whereas, statewide appropriations for aid to cities on a per capita basis overlook the fact that Iowa's various cities have different needs and each must operate as a unit and not as a reflection of the average Iowa city; and

Whereas, insufficiency in the cities' share of the road use tax fund have increased city reliance on special property tax assessment; and

Whereas, the Iowa General Assembly has declared as one of its objectives the normalization of and possibly decrease of property taxation; *Now Therefore*,

Be It Resolved by the Senate, the House of Representatives Concurring, That the Legislative Council create during the 1975 interim a bipartisan study committee, composed of members of both houses, to explore the area of municipal finance and to subsequently report to the Sixty-sixth General Assembly its recommendations, accompanied by proposed legislation, to allow cities in Iowa the fiscal flexibility to meet their own peculiar problems without placing increased property tax burdens on their citizens.

Read first time and passed on file.

SENATE CONCURRENT RESOLUTION 66
By Kinley and Lamborn

Whereas, it has come to the attention of the House and Senate that certain errors have been inadvertently incorporated into Senate File five hundred thirty-six (536) as passed by the Sixty-sixth General Assembly, 1975 Session; and

Whereas, Senate File five hundred thirty-six (536) has not yet been enrolled or presented to the Governor; and

Whereas, such errors must be corrected; *Now Therefore*

Be It Resolved by the Senate, the House Concurring, That House amendment to Senate File five hundred thirty-six (536), S—4184, which the Senate divided on June 13, 1975, and concurred in division A and refused to concur in division B, and to which division B the House receded on June 13, 1975, is amended as follows:

1. Page 1, line 3, by striking the number "17" and inserting in lieu thereof "12".

2. Page 1, line 5, by striking the words "*NEW SECTION.*".

3. Page 2, line 8, by striking *"NEW SECTION.* PROHIBITED ACTIVITIES.".

Read first time and **passed on file.**

SENATE RESOLUTION 16
By Heying

Whereas, the proposed construction of a lake and dam at Frog Hollow upon the Volga River by the state conservation commission has been pending since 1967; and

Whereas, four thousand nine hundred twenty acres of land have been purchased at a cost to the state of one million forty-two thousand five hundred dollars and this land has been withheld from agricultural production and removed from the tax rolls of Fayette county and the wells and buildings upon the land destroyed in anticipation of the project; and

Whereas, the feasibility of this project has been and continues to be questioned by the state conservation commission despite two engineering studies declaring the project to be feasible; *Now Therefore,*

Be It Resolved by the Senate, That if the state conservation commission determines prior to the construction of the dam that the building of the dam or the impounding of the water for the Volga River project is not feasible, then the funds which have been appropriated but not yet spent on the project ought not revert to the general fund of the state of Iowa but should be disbursed in the following manner: one-third should be disbursed to those whose land was purchased or taken for the project in proportion to the compensation received by them, of the remaining two-thirds, Fayette county should be reimbursed for lost property tax revenues and the balance should be disbursed to the cities in Fayette county in proportion to their populations to compensate for the loss of business resulting when some sixty landowners were removed from the proposed Volga Lake area in anticipation of the development of a lake and recreational complex.

Read first time and **passed on file.**

ADOPTION OF CONCURRENT RESOLUTIONS

Senator Kinley asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolution 63.

Senate Concurrent Resolution 63

Senator Junkins called up for consideration Senate Concurrent Resolution 63 and moved its adoption.

A record roll call was requested.

President pro tempore Doderer took the chair at 7:15 p.m.

On the question "Shall the resolution be adopted?" (S.C.R. 63) the vote was:

Ayes, 37:

Briles	Hansen	Miller of Marshall	Rabedeaux
Burroughs	Heying	Nolin	Redmond
Carr	Hill of Jasper	Nolting	Robinson
Coleman	Hultman	Norpel	Rodgers
Culver	Junkins	Nystrom	Scott
Doderer	Kelly	Orr	Shaw
Gallagher	Kinley	Palmer	Sovern
Glenn	Merritt	Plymat	Van Gilst
Gluba	Miller of Des Moines	Priebe	Willits
Griffin			

Nays, 10:

Andersen	Lamborn	Shaff	Tieden
Bergman	Murray	Taylor	Winkelman
DeKoster	Ramsey		

Voting present, 2:

Curtis Schwengels

Absent or not voting, 1:

Hill of Polk

The motion prevailed and the resolution was adopted.

Senator Junkins asked and received unanimous consent that **Senate Concurrent Resolution 63 be immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolution 66.

Senate Concurrent Resolution 66

Senator Curtis called up for consideration Senate Concurrent Resolution 66 and moved its adoption.

The motion prevailed and the resolution was adopted.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Lamborn presiding.

On motion of Senator Kinley, the Senate recessed until 9:00 p.m.

The Senate reconvened, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: Submitted herewith is House File 764, a bill for an Act relating to the Iowa income tax, which is messaged at your request for the purpose of considering the conference committee report thereon.

DAVID L. WRAY, Chief Clerk

ADOPTION OF SECOND CONFERENCE COMMITTEE REPORT

House File 764

Senator Rodgers called up the following report of the second conference committee on House File 764 and moved its adoption:

REPORT OF THE SECOND CONFERENCE COMMITTEE ON HOUSE FILE 764

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 differences between the Senate and the House of Representatives on House File 764, a bill for an act relating to the Iowa income tax by providing a simplified reporting form for Iowa individual income tax rates, exemptions, and administrative requirements, providing for reporting of additional corporate income tax information, adopting penalties, making necessary corrective amendments and making the Act retroactive, respectfully make the following report:

1. That the House concur in the Senate amendment, H—4079, to House File 764, as amended, passed, and reprinted by the House.

On the Part of the Senate:	On the Part of the House:
NORMAN RODGERS, Chairman	LOWELL E. NORLAND, Chairman
WILLIAM E. GLUBA	NEAL HINES
FRED W. NOLTING	KENNETH D. MILLER

President pro tempore Doderer took the chair at 9:38 p.m.

The motion prevailed and the second conference committee report and the recommendation contained therein were adopted.

Senator Rodgers moved that the bill 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. 764) the vote was:

Rule 25 was invoked.

Ayes, 28:

Andersen	Curtis	Gluba	Merritt
Carr	Doderer	Hill of Jasper	Miller of Des Moines
Coleman	Gallagher	Junkins	Murray
Culver	Glenn	Kinley	

Nolin	Palmer	Robinson	Sovern
Nolting	Priebe	Rodgers	Van Gilst
Norpel	Redmond	Scott	Willits
Orr			

Nays, 20:

Bergman	Heying	Nystrom	Shaw
Briles	Hultman	Plymat	Taylor
Burroughs	Kelly	Rabedeaux	Tieden
DeKoster	Lamborn	Ramsey	Winkelman
Griffin	Miller of Marshall	Schwengels	
Hansen			

Absent or not voting, 2:

Hill of Polk Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kelly asked and received unanimous consent that **House File 764** be **immediately messaged** to the House, which request was complied with.

Senator Kinley asked and received unanimous consent to take up for consideration House File 820.

House File 820

On motion of Senator Kelly, House File 820, a bill for an act relating to the authority of peace officers employed by the department of public safety, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kelly moved that the bill 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. 820) the vote was:

Ayes, 45:

Andersen	Hansen	Murray	Robinson
Bergman	Heying	Nolin	Rodgers
Burroughs	Hill of Jasper	Nolting	Schwengels
Carr	Hultman	Norpel	Scott
Coleman	Junkins	Nystrom	Shaw
Culver	Kelly	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Merritt	Plymat	Tieden
Doderer	Miller of Des Moines	Priebe	Van Gilst
Glenn	Miller of Marshall	Rabedeaux	Willits
Gluba		Ramsey	Winkelman
Griffin		Redmond	

Nays, none.

Absent or not voting, 5:

Briles	Hill of Polk	Lamborn	Shaff
Gallagher			

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 1:25 a.m., Friday, June 20, 1975.

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

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 on June 19, 1975, adopted the conference committee report on the following bill in which the concurrence of the House was asked:

Senate File 566, a bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue.

Also: That the House has on June 19, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 568, a bill for an act setting a salary range for certain state officials and designated employees of the state.

Also: That the House has on June 20, 1975, concurred in Senate amendment to, and passed the following bill in which the concurrence of the House was asked:

House File 450, a bill for an act relating to persons engaged in the buying and selling of certain motor vehicles and relating to vehicle registration.

Also: That the House has on June 19, 1975, concurred in Senate amendment to, and passed the following bill in which the concurrence of the House was asked:

House File 870, a bill for an act relating to the eradication of bovine brucellosis and making an appropriation.

DAVID L. WRAY, Chief Clerk

SENATE CONCURRENT RESOLUTION 67

By Gluba

Whereas, current economic conditions have contributed to an increase in the number of persons receiving assistance under the Iowa aid to dependent children program, and the recent decision of the United States Supreme Court as re-

gards eligibility for ADC assistance of unemployed workers who have not exhausted their unemployment compensation benefits may further accelerate this trend; and

Whereas, debate on the ADC appropriation for the coming fiscal year and other indicators have made it apparent that there is much dissatisfaction with the Iowa ADC program and its present operation; and

Whereas, it is desirable that every able-bodied individual earn the means of meeting his or her necessities by some form of useful work, and it is known that in some countries (specifically Russia and China) everyone has some specific job and everyone works; and

Whereas, there should be an effort to determine whether some type of work-related incentive program coupled with the ADC program can be developed and implemented in Iowa; and

Whereas, it is also desirable to review the adequacy of the present standard of need used in connection with the ADC program; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Legislative Council be requested to authorize the standing committees on Human Resources of the Senate and House of Representatives to establish a joint interim subcommittee to investigate and determine whether the aid to dependent children program can be restructured so as to make it more acceptable both to recipients and to the general public, and to report to the second session of the Sixty-sixth General

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Assembly, recommending any appropriate legislation necessary to implement the subcommittee's conclusions.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 68

By Gluba

Whereas, the Iowa juvenile justice system was studied during the 1974-75 legislative interim by the Penal and Correctional Systems Study Committee, which identified many areas of concern within that system and extensively discussed possible alternatives; and

Whereas, in addition to any other alternatives considered, it is desirable to consider the possible detachment of the relevant programs and facilities from the Department of Social Services in order to establish a separate Department of Youth Services as has been done in Massachusetts and Florida; and

Whereas, various other identified alternatives with respect to the future structure of the juvenile justice system in Iowa, and the relevant material already available from past study efforts, provide a basis for concrete recommendations to be formulated; and

Whereas, it is advisable that the information so gathered and the various identified alternatives be considered and recommendations formulated during the 1975-76 legislative

interim so that any necessary legislation may be considered expeditiously during the 1976 session; *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Legislative Council be requested to authorize the standing committees on Human Resources of the Senate and House of Representatives to establish a joint interim subcommittee to consider the possible establishment of a Department of Youth services and other alternatives for improvement of the equity and efficiency of the juvenile justice system in Iowa, and to report to the second session of the Sixty-sixth General Assembly, including with the report draft legislation necessary to implement any recommendations made by the subcommittee.

Read first time and **passed on file.**

HOUSE AMENDMENT CONSIDERED

Senate File 568

Senator Willits called up for consideration Senate File 568, a bill for an act establishing the method for setting salaries for certain state officials and setting a salary range for certain state officials and designated employees of the state and providing for the governor to set salaries within such ranges, amended by House amendment S—4281:

S—4281

Amend Senate File 568, as amended and passed by the Senate as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. The governor may establish a salary for persons in the executive branch of government holding the position within a range provided in this Act by considering among other things, whether the person receiving the salary is temporary or permanent, or acting full or part time, the experience of the individual in the position, changes in the duties of the position, the incumbent's performance of assigned duties, the availability of qualified candidates for the position, and subordinates' salaries.

Sec. 2. The following annual salary ranges shall be in effect for the fiscal year beginning July 1, 1975 and ending June 30, 1976 for the positions specified, the governor shall specify the salary to be paid to the person indicated at a rate within the salary ranges indicated from funds appropriated by the general assembly for such purposes:

	Range for 1975-76
1. COMMISSION ON AGING.	
Salary of executive secretary	$14,000 to $16,000

2. IOWA STATE ARTS COUNCIL.
Salary of the director $17,000 to $21,000
3. DEPARTMENT OF BANKING.
Salary of the superintendent of banking $20,000 to $27,500
4. IOWA BEER AND LIQUOR CONTROL DEPARTMENT.
Salary of the director $18,000 to $26,400
5. COMMISSION FOR THE BLIND.
Salary of the director $18,000 to $26,400
6. IOWA CIVIL RIGHTS COMMISSION.
Salary of the executive secretary $18,000 to $18,900
7. IOWA STATE COMMERCE COMMISSION.
a. Salary of the chairman of the Iowa state commerce commission $22,500 to $26,400
b. Salary of the members of the Iowa state commerce commission $22,500 to $26,400
c. Salary of the executive secretary $14,000 to $17,000
8. OFFICE OF THE STATE COMPTROLLER.
Salary of the state comptroller $25,000 to $31,300
9. STATE CONSERVATION COMMISSION.
Salary of the director $18,000 to $24,200
10. IOWA CRIME COMMISSION.
Salary of the executive director $17,800 to $21,000
IOWA DEVELOPMENT COMMISSION.

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Salary of the director $23,400 to $27,500
12. DRUG ABUSE AUTHORITY.
Salary of the director $16,000 to $20,400
13. EDUCATIONAL RADIO AND TELEVISION FACILITY BOARD.
Salary of the director $20,000 to $26,400
14. COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED.
Salary of the executive secretary $14,000 to $17,600
15. EMPLOYMENT SECURITY COMMISSION.
Salary of each commissioner $18,000 to $22,000
16. ENERGY POLICY COUNCIL.
Salary of the director $18,000 to $24,200
17. DEPARTMENT OF ENVIRONMENTAL QUALITY.
Salary of the executive director $20,000 to $26,400
18. STATE FAIR BOARD.
Salary of the secretary $16,200 to $18,700
19. DEPARTMENT OF GENERAL SERVICES.
Salary of the director $23,400 to $26,400
20. OFFICE OF STATE GEOLOGIST.
Salary of the state geologist $22,000 to $29,100
21. STATE DEPARTMENT OF HEALTH.
Salary of the commissioner of health $23,400 to $27,500
22. HIGHER EDUCATION FACILITIES COMMISSION.
Salary of the executive director $18,500 to $19,300
23. STATE HISTORICAL DEPARTMENT.
a. Salary of the director of historical society $16,000 to $24,800

b. Salary of the director of museum and archives $16,000 to $17,600

c. Salary of the director of historical **preservation** $14,400 to $15,400

24. OFFICE OF THE INDUSTRIAL COMMISSIONER.

Salary of the industrial commissioner $18,000 to $24,200

25. INSURANCE DEPARTMENT OF IOWA.

Salary of the commissioner of insurance $23,400 to $27,100

26. BUREAU OF LABOR.

Salary of the labor commissioner $18,900 to $19,800

27. IOWA LAW ENFORCEMENT ACADEMY.

Salary of the director $18,000 to $23,700

28. STATE LIBRARY COMMISSION.

Salary of the state librarian $17,000 to $20,400

29. IOWA MERIT EMPLOYMENT COMMISSION.

Salary of the director $23,400 to $24,800

30. IOWA NATURAL RESOURCES COUNCIL.

Salary of the director $17,000 to $20,900

31. PAROLE BOARD.

Salary of each member $ 9,000 to $10,700

32. OFFICE FOR PLANNING AND PROGRAMMING.

Salary of the director $23,400 to $25,300

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33. DEPARTMENT OF PUBLIC DEFENSE.

Salary of the director of civil defense $15,500 to $19,000

34. DEPARTMENT OF PUBLIC INSTRUCTION.

Salary of the superintendent of public instruction $28,800 to $31,900

35. DEPARTMENT OF PUBLIC SAFETY.

Salary of the commissioner of public safety $23,400 to $27,500

36. STATE BOARD OF REGENTS.

Salary of the executive secretary $24,000 to $27,500

37. DEPARTMENT OF REVENUE.

Salary of the director of revenue $22,000 to $29,700

38. DEPARTMENT OF SOCIAL SERVICES.

Salary of the commissioner of social services $24,000 to $34,100

39. DEPARTMENT OF SOIL CONSERVATION.

Salary of the director $18,000 to $22,000

40. DEPARTMENT OF TRANSPORTATION.

a. Salary of the director of transportation $28,750 to $38,500

b. Salary of each member of the transportation regulation board $17,800 to $24,200

c. Salary of each member of the transportation commission $ 9,000 to $10,100

Sec. 3. Notwithstanding any laws of this state, the provisions of this Act shall govern for the fiscal year 1975-1976. The salary rates established by the governor under this Act for the persons indicated shall be the total salary paid for the persons for whom established during the fiscal year 1975-1976. Any salary rates or adjustments to salaries provided

for by any other Act of the Sixty-sixth General Assembly, 1975 Session, shall not apply to the positions specified in this Act, however funds appropriated for salaries, salary increases or adjustments to salaries by any other Act of the Sixty-sixth General Assembly, 1975 Session, may be expended to fund salaries provided for by this Act if funds appropriated to the agencies represented by or employing the persons holding the positions specified in this Act are insufficient to pay salaries provided for in this Act.

Sec. 4. The governor shall report to the legislative council the salary rates established pursuant to the provisions of this Act.

Sec. 5. Funds appropriated by the general assembly may be used for the granting of an educational leave upon the approval of the director of the department and the governor. The state comptroller shall notify

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the legislative fiscal bureau of all educational leaves granted within fifteen days of the granting of the educational leave. Failure to notify the legislative fiscal bureau of an educational leave shall preclude use of funds appropriated by the general assembly for the educational leave.

Sec. 6. Section one hundred forty-seven point one hundred two (147.102), Code 1975, is amended to read as follows:

147.102 PHYSICIANS AND SURGEONS, PSYCHOLOGISTS, CHIROPRACTORS AND OSTEOPATHS. Notwithstanding the provisions of this title, every application for a license to practice medicine and surgery, psychology, chiropractic, osteopathy, or osteopathic medicine and surgery, shall be made directly to the secretary of the examining board of such profession, and every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession, and all examination, license, and renewal fees received from such persons licensed to practice any of such professions shall be paid to and collected by the secretary of the examining board of such profession, who shall transmit the fees to the treasurer of state who shall deposit the fees in the general fund of the state. The salary of the secretary shall be [set by the general assembly] *established by the governor with the approval of the executive council pursuant to section nineteen A point nine (19A.9), subsection two (2), of the Code under the pay plan for exempt positions in the executive branch of government.*

Sec. 7. Section one hundred forty-seven point one hundred five (147.105), Code 1975, is amended

to read as follows:

147.105 EXECUTIVE DIRECTOR. The board of nurse examiners may appoint a full-time executive director who shall not be a member of the board, and the provisions of section 147.22 shall not apply. The salary of the executive director shall be [set by the general assembly] *established by the governor with the approval of the executive council pursuant to section nineteen A point nine (19A.9), subsection two (2), of the Code under the pay plan for exempt positions in the executive branch of government.*"

2. Amend the title, line 3, by inserting after the word "ranges" the words "and expanding the use of funds appropriated by the general assembly".

Senator Griffin offered amendment S—4282 to House amendment S—4281:

S—4282

Amend S—4281, the House amendment to Senate File 568 as amended and passed by the Senate, as follows:

1. Page 4, by inserting after line 6 the following new section:

"Sec. ..... Annual salaries paid the governor, secretary of state, auditor of state, treasurer of state, secretary of agriculture, and attorney general shall be increased by eight percent over the annual salary paid for the fiscal year beginning July 1, 1974, and ending June 30, 1975. The annual salary as increased by this section shall be effective for the fiscal year beginning July 1, 1975, and ending June 30, 1976, and continue in effect for each year thereafter until otherwise provided by the general assembly."

2. Renumber the sections and correct internal references in conformance with this amendment.

Senator Willits raised the point of order that amendment S—4282 to House amendment S—4281 was not germane to the bill or the House amendment.

The Chair ruled the point well taken and amendment S—4282 to House amendment S—4281 out of order.

Senator Willits moved that the Senate concur in House amendment S—4281.

The motion prevailed and the Senate concurred in House amendment S—4281.

Senator Willits 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. 568) the vote was:

Ayes, 33:

Andersen	Glenn	Nolin	Redmond
Briles	Heying	Nolting	Robinson
Carr	Hill of Jasper	Norpel	Rodgers
Coleman	Hultman	Nystrom	Shaw
Culver	Junkins	Orr	Sovern
Curtis	Kinley	Palmer	Taylor
DeKoster	Miller of	Plymat	Van Gilst
Doderer	Des Moines	Priebe	Willits
Gallagher	Murray		

Nays, 13:

Bergman	Hansen	Miller of	Schwengels
Burroughs	Kelly	Marshall	Scott
Gluba	Lamborn	Ramsey	Winkelman
Griffin	Merritt		

Absent or not voting, 4:

Hill of Polk	Rabedeaux	Shaff	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

REPORT OF COMMITTEE

Senator Glenn submitted the following report:

MR. PRESIDENT: Your committee on judiciary to which was referred House File 826, a bill for an act relating to the employment of full-time public prosecutors in certain counties, begs leave to report it has had the same under consideration and recommends the same do pass.

GENE W. GLENN, Chairman

Ordered passed on file.

CONSIDERATION OF BILLS

Senator Kinley asked and received unanimous consent to take up for immediate consideration House File 826.

House File 826

On motion of Senator Willits, House File 826, a bill for an act relating to the employment of full-time public prosecutors in certain counties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Willits moved that the bill 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. 826) the vote was:

Rule 25 was invoked.

Ayes, 26 :

Andersen	Glenn	Norpel	Rodgers
Carr	Gluba	Orr	Schwengels
Culver	Hansen	Palmer	Shaw
Curtis	Junkins	Plymat	Sovern
DeKoster	Kinley	Ramsey	Van Gilst
Doderer	Lamborn	Robinson	Willits
Gallagher	Nolin		

Nays, 17:

Bergman	Hill of Jasper	Miller of	Priebe
Briles	Kelly	Marshall	Scott
Burroughs	Merritt	Murray	Taylor
Coleman	Miller of	Nolting	Winkelman
Heying	Des Moines	Nystrom	

Voting present, 1:

Redmond (under Rule 25)

Absent or not voting, 6:

Griffin	Hultman	Shaff	Tieden
Hill of Polk	Rabedeaux		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

Senator Scott called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Jean Braley, of Shenandoah, Page County, Iowa, for appointment as a member of the State Judicial Nominating Commission under the provisions of Section 46.1, Code 1975, for the regular six-year term beginning July 1, 1975 and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
LOUIS P. CULVER
JAMES M. REDMOND
LUCAS J. DeKOSTER
CALVIN O. HULTMAN

The motion prevailed and the report was adopted.

Senator Scott moved the appointment of Jean Braley as a member of the State Judicial Nominating Commission be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 25 was invoked.

Ayes, 18:

Andersen	DeKoster	Miller of	Schwengels
Bergman	Griffin	Marshall	Shaw
Briles	Hansen	Murray	Taylor
Burroughs	Kelly	Nystrom	Winkelman
Curtis	Lamborn	Plymat	

Nays, 27:

Carr	Heying	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Robinson
Culver	Junkins	Norpel	Rodgers
Doderer	Kinley	Orr	Scott
Gallagher	Merritt	Palmer	Sovern
Glenn	Miller of	Priebe	Van Gilst
Gluba	Des Moines	Ramsey	Willits

Absent or not voting, 5:

Hill of Polk	Rabedeaux	Shaff	Tieden
Hultman			

President Neu declared the appointment of Jean Braley as a member of the State Judicial Nominating Commission had failed to have been confirmed.

Senator Doderer called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Nancy Brown Showers of Waterloo, Black Hawk County, Iowa, for appointment as a member of the State Judicial Nominating Commission under the provisions of Section 46.1, 1975 Code of Iowa, for a regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

MINNETTE F. DODERER, Chairman
WILLIAM E. GLUBA

Senator Lamborn raised the point of order that the report was signed by only two members of the investigating committee.

The Chair ruled the point well taken and the report out of order.

The Senate stood at ease until 3:00 a.m.

The Senate resumed session, President Neu presiding.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

Senator Coleman called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Richard R. Ayres, of Spirit Lake, Dickinson County, Iowa, for appointment as a member of the Natural Resources Council pursuant to Section 455A.4, 1975 Code of Iowa, for a regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment not be confirmed.

C. JOSEPH COLEMAN, Chairman
ROBERT M. CARR
HILARIUS L. HEYING

A non-record roll call was requested.

Rule 25 was invoked.

The ayes were 26, nays 15.

The motion prevailed and the report was adopted.

Senator Junkins took the chair at 3:50 a.m.

President Neu took the chair at 4:15 a.m.

Senator Coleman moved the appointment of Richard R. Ayres as a member of the Natural Resources Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 18:

Andersen	Griffin	Murray	Schwengels
Bergman	Hansen	Nystrom	Shaw
Briles	Lamborn	Plymat	Taylor
Burroughs	Miller of Marshall	Ramsey	Winkelman
Curtis			
DeKoster			

Nays, 26:

Carr	Heying	Nolin	Robinson
Coleman	Hill of Jasper	Nolting	Rodgers
Culver	Junkins	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Priebe	Willits
Gluba		Redmond	

Absent or not voting, 6:

Hill of Polk	Kelly	Shaff	Tieden
Hultman	Rabedeaux		

President Neu declared the appointment of Richard R. Ayres as a member of the Natural Resources Council had failed to have been confirmed by the Senate.

Senator Scott called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Mabel E. Miller of Keosauqua, Van Buren County, Iowa, for reappointment as a member of the Natural Resources Council under the provisions of Section 455A.4, Code 1975, for the regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KENNETH SCOTT, Chairman
LUCAS J. DeKOSTER
GENE W. GLENN
JAMES M. REDMOND
FORREST V. SCHWENGELS

The motion prevailed and the report was adopted.

Senator Scott moved the appointment of Mabel E. Miller as a member of the Natural Resources Council be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 18:

Andersen	DeKoster	Miller of Marshall	Schwengels
Bergman	Griffin	Murray	Shaw
Briles	Hansen	Nystrom	Taylor
Burroughs	Kelly	Ramsey	Winkelman
Curtis	Lamborn		

Nays, 28:

Coleman	Hill of Jasper	Nolin	Robinson
Culver	Junkins	Nolting	Rodgers
Doderer	Kinley	Norpel	Scott
Gallagher	Merritt	Orr	Sovern
Glenn	Miller of Des Moines	Palmer	Van Gilst
Gluba		Priebe	Willits

Absent or not voting, 9:

Carr	Hultman	Rabedeaux	Shaff
Heying	Plymat	Redmond	Tieden
Hill of Polk			

President Neu declared the appointment of Mabel E. Miller as a member of the Natural Resources Council had failed to have been confirmed by the Senate.

Senator Hill of Jasper called up the following report and moved its adoption:

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Hugh A. Templeton of Knoxville, Marion County, Iowa, for reappointment to the Natural Resources Council pursuant to Section 455A.4, 1975 Code of Iowa, for a regular six-year term beginning July 1, 1975, and ending June 30, 1981, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
CLIFF BURROUGHS
MINNETTE DODERER
WILLIAM E. GLUBA
WILLIAM P. WINKELMAN

The motion prevailed and the report was adopted.

(Confirmation of Hugh A. Templeton pending.)

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President 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 on June 20, 1975, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 545, a bill for an act relating to the effective date of equalization orders issued by the director of revenue.

Also: That the House has on June 20, 1975, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 63 dealing with a pay increase for officers and employees of the House and Senate.

Also, That the House has on June 20, 1975, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 66 to correct errors in Senate File 536.

Also: That the House has on June 20, 1975, adopted the conference committee report on and passed the following bill in which the concurrence of the House was asked:

House File 764, a bill for an act relating to the Iowa income tax.

Also: That the House has on June 20, 1975, adopted the conference committee report and passed the following bill in which the concurrence of the Senate is asked:

House File 898, a bill for an act making appropriations to various state agencies for the purposes of providing for capital improvements.

Also: That the House has on June 20, 1975, passed the following bill in which the concurrence of the Senate is asked:

House File 918, a bill for an act making an appropriation to pay attorney fees and expenses for counsel for the parties in the election contest of Spradling v. Stephens.

Also: That the House has on June 20, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 65 relating to consideration by the legislative council of all resolutions calling for interim studies.

Also: That the House has on June 20, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 68 relating to policies incident to the details of closing the 1975 session of the Sixty-sixth General Assembly, interim staff and work and reconvening of the session.

Also: That the House has on June 20, 1975, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 69 regarding adjournment of the 1975 session of the Sixty-sixth General Assembly.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 65

By House Administration Committee

Whereas, large numbers of resolutions have been introduced in both the House of Representatives and Senate calling for interim studies of numerous state functions; and

Whereas, the time period between the First and Second Sessions of the Sixty-sixth General Assembly is not determined and there have been many resolutions submitted calling for studies which resolutions appear to have merit but which resolutions, because of their complexity and number, may call for studies which could not be properly conducted during the next interim period; and

Whereas, there will probably be subcommittees of standing committees which will be studying bills presently before the general assembly which will carry over to the Second Session of the Sixty-sixth General Assembly; and

Whereas, 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 House of Representatives, the Senate Concurring, That all resolutions calling for interim studies which have not been adopted in both houses be delivered to the Chief Clerk of the House, on the part of the House, and the Secretary of the

Senate, on the part of the Senate, 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.

Read first time and passed on file.

HOUSE CONCURRENT RESOLUTION 68

By House Administration Committee

Be It Resolved by the House of Representatives, the Senate Concurring: That the Speaker of the House, the President of the Senate, and the Majority Leader of the Senate are authorized to determine the policies incident to the details of closing the 1975 session of the Sixty-sixth General Assembly, interim staff and work, and the reconvening of the 1976 session and any special session which may be convened.

Be It Further Resolved: That the Chief Clerk of the House and the Secretary of the Senate shall make an inventory of all equipment and supplies on hand at the close of the session.

Be It Further Resolved: That the General Services Department, in accordance with section eighteen point three (18.3), Code 1975, shall provide all the supplies required for the Sixty-sixth General Assembly, both while in session and during the interim between sessions, upon requisition signed by the Chief Clerk of the House for the House and the Secretary of the Senate for the Senate.

Be It Further Resolved: That the Chief Clerk of the House and the Secretary of the Senate 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

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and for the purpose of storing supplies and equipment, as they may deem proper and advisable. The General Services Department shall not make assignments except with the consent of the Chief Clerk of the House or the Secretary of the Senate.

Be It Further Resolved: That the Chief Clerk of the House and the Secretary of the Senate shall make a complete survey of all equipment for the purpose of determining the advisability of replacing it, particularly the advisability of replacing manual typewriters with electric typewriters. The equipment to be replaced shall be appraised, and placed for sale by the Chief Clerk of the House and the Secretary of the Senate at amounts based on the appraisal. Any funds received shall be deposited in and credited to the Legislative General Fund. 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-sixth 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 by House Concurrent Resolution 5, adopted by the Sixty-sixth General Assembly, 1975 session.

Read first time and **passed on file.**

HOUSE CONCURRENT RESOLUTION 69
By Fitzgerald and Millen

Be It Resolved by the House of Representatives, the Senate Concurring: That when adjournment is had on Friday, June 20, 1975, it be the final adjournment of the 1975 Regular Session of the Sixty-sixth General Assembly.

Read first time and **passed on file.**

HOUSE MESSAGE CONSIDERED

House File 918, a bill for an act making an appropriation to pay attorney fees and expenses for counsel for the parties in the election contest of Spradling v. Stephens.

Read first time and **passed on file.**

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the nomination of Jean Braley as a member of the State Judicial Nominating Commission.

RICHARD R. RAMSEY

BILLS ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bills to committee:

S.R. 16	Rules and administration
S.C.R. 62	Rules and administration
S.C.R. 64	Rules and administration
S.C.R. 65	Rules and administration
S.C.R. 67	Rules and administration
S.C.R. 68	Rules and administration

ADOPTION OF CONFERENCE COMMITTEE REPORT

House File 898

Senator Junkins submitted the following report of the conference committee on House File 898:

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 898

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 898, a bill for an act making appropriations to various state agencies for the purpose of providing for capital improvements, clarifying the responsibility for determining compliance with the state building code of state owned capital improvements, buildings, and structures, providing for reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase of certain equipment, providing funds for sewage works purposes, creating a hospital schools revolving fund and providing for expenditures from such fund, providing for land acquisition, providing a memorial for medal of honor recipients, and providing for the reversion of funds, respectfully submit the following recommendations:

1. That the Senate recede from its amendment.

2. That House File 898 as amended, passed, and reprinted be amended as follows:

Amend House File 898 as amended, passed, and reprinted by the House, as follows:

1. Page 2, line 21, by striking the words "of which is" and inserting the words ", including the funds appropriated by this subsection, shall".

2. Page 2, line 22, by striking the word "to".

3. Page 3, by inserting after line 5 following:

"Prior to the expenditure of funds appropriated by this paragraph, an amount sufficient to pay school taxes on land acquired under the provisions of the Acts of the Sixty-fifth General Assembly, chapter seventy-four (74), 1973 Session, and land acquired pursuant to this Act, shall be deducted from the funds appropriated by this paragraph and shall be paid to the school districts in which such lands are located."

4. Page 3, line 10, by striking the figure "2,500,000" and inserting in lieu thereof the figure "3,000,000".

5. Page 3, lines 23, 24, and 25, by striking the words "automatic and new elevator cars for the capitol buildings;".

6. Page 4, line 1, by striking the figure "730,000" and inserting in lieu thereof the figure "700,000".

7. Page 4, line 19, by striking the words "Ansel Briggs".

8. Page 4, line 24, by striking the words "Ansel Briggs".

9. Page 4, line 30, by striking the words "Ansel Briggs".

10. Page 5, line 6, by striking the words "Ansel Briggs".

11. Page 7, by inserting after line 26 the following:

"b. For restoring the flags exhibited on the first floor of the state capitol ..... $ 50,000

c. For repair, replacement, alteration, equipment and rehabilitation of national guard armory facilities throughout the state, including the maintenance and repair of equipment required for use of such facilities ..... $ 130,000

d. For repair, replacement, alteration, equipment and rehabilitation

of buildings, grounds, roads and facilities located within the Camp Dodge military reservation .....$ 130,000"

12. Page 7, line 27, by striking the letter "b" and inserting the letter "f".

13. Page 8, by adding after line 16 the following:

"14. DEPARTMENT OF PUBLIC INSTRUCTION

For replacement of films, film strips, books, and other educational media material destroyed in the Ankeny, Iowa fire $1,000,000

Unobligated or unencumbered funds remaining on June 30, 1976 from funds appropriated by this subsection shall revert to the general fund on September 30, 1976."

14. Page 10, by inserting after line 13 the following:

"Sec. ..... Chapter one hundred seven (107), Code 1975, is amended by adding the following new section:

NEW SECTION. The state conservation commission shall make annual payments to school districts in such amounts sufficient to pay school taxes on lands acquired under the provisions of the Acts of the Sixty-fifth General Assembly, chapter seventy-four (74), 1973 Session, and under the authority of any other Act of the general assembly which authorizes the acquisition of land which would otherwise be subject to the levy of school taxes. There is appropriated annually from the general fund of the state from funds not otherwise appropriated to the state conservation commission an amount sufficient to make the payments provided for in this section. The state comptroller shall administer the funds appropriated by this Act and shall administer the program established by this section. The state conservation commission shall cooperate with the state comptroller in order to provide information necessary to carry out the provisions of this section."

15. Page 11, by striking lines 29 through 35.

16. Page 12, by striking lines 1 through 19.

17. Page 12, by inserting after line 19 the following:

"Sec. ..... If federal action eliminates or delays into future fiscal year periods certain federal funds previously anticipated as a part of various departmental receipts, there is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975, and ending June 30, 1976, to the state comptroller the sum of nine hundred thousand (900,000) dollars to be allocated to the departments to supplement existing appropriations for losses of such federal funds during the fiscal period. No funds shall be allocated under this section without the approval of the governor and the state comptroller.

It is intended that any funds allocated to the state board of regents in this Act to supplement existing appropriations for loss of federal funds during the fiscal year shall be

for federal funds lost which were related to educational and capitation grants to the institutions. It is not intended to supplement federal funds relating solely to sponsored research grants to the institutions.

Sec. ..... For any construction of new buildings or substantial modification of existing buildings under this Act the total estimated cost of fine arts elements included in the plans and specifications shall not be less than one-half of one percent of the total appropriation for such construction of new buildings or substantial modification of existing buildings. This section shall apply only to appropriations made pursuant to the following subsections of section one (1) of this Act:

1. Subsection two (2).
2. Subsection five (5).
3. Subsection seven (7).
4. Paragraph b of subsection eight (8).

Sec. ..... As used in this Act, 'fine arts' means sculpture, fountains, bas-reliefs, mosaics, frescoes, wall hangings, pictures, photographs or other enhancements to be integrated into the total environment of such construction. Fine arts does not include the incidental ornamental detail or functional structural elements or hardware and other accessories.

Sec. ..... The appropriate department, commission or board having authority over an appropriation to which the fine arts section applies shall coordinate with the Iowa arts council on matters relating to the inclusion of fine arts authorized by this Act.

Sec. ..... The appropriate department, commission or board must be assured, by the submission of a report by the architects or contractors before construction is begun on any new buildings or substantial modification of existing buildings pursuant to this Act, that the building design has been developed according to maximum energy conservation."

18. Page 13, by inserting after line 30 the following new section:

"Sec. ..... The capitol planning commission shall sponsor a statewide contest to name the new state office building provided for in section one (1), subsection eight (8), paragraph b of this Act. All public school classes in Iowa history will be eligible to submit entries accompanied by an essay supporting their selection. It shall be the intent of this contest to not only provide a suitable name for the building, but to stimulate interest in Iowa history and its citizens who have contributed to its growth, welfare, and progress.

The capitol planning commission shall select the winning entry and submit it to the second session of the Sixty-sixth General Assembly for approval.

A suitable prize or award, not to exceed fifty dollars in cost, will be presented to the winning class.

Expenses for this contest shall be paid from funds appropriated to the capitol planning commission for planning."

19. Title page, by striking lines 3 through 5, and on line 15 after the comma insert the words "restoring flags exhibited in the state capitol,".

20. By renumbering sections and internal references as required by this amendment.

On the Part of the Senate:	On the Part of the House:
LOWELL JUNKINS, Chairman	KEITH DUNTON, Chairman
EUGENE HILL	NORMAN JESSE
EARL WILLITS	WILLIAM GRIFFEE
	GLEN BORTELL
	ELMER DEN HERDER

Senator Murray offered amendment S—4283 by Senators Murray, et al.:

S—4283

Amend the conference committee report on House File 898 as follows:

1. Page 1, by inserting after line 25 the following:

"..... **Page 1, by striking lines 27 through 34 and** inserting in lieu thereof the following:

'b. For detailed architectural plans for and construction of a seeds laboratory facility at Iowa state university there is appropriated.....$1,200,000

In addition to funds appropriated under this paragraph, the state board of regents may accept funds which are available from other sources for construction of the seeds laboratory facility.' "

2. Page 1, by inserting after line 29 the following:

"..... **Page 3, line 5, by striking '$3,700,000' and inserting in lieu thereof '$4,800,000'.**"

3. Page 2, by striking lines 11 through 14 and inserting in lieu thereof the following:

"..... **Page 4, line 19, by striking the words 'Ansel Briggs' and inserting in lieu thereof the words 'the Carolyn Pendray building,'.**

..... **Page 4, line 24, by striking the words 'Ansel Briggs' and inserting in lieu thereof the words 'Carolyn Pendray'.**

..... **Page 4, line 30, by striking the words 'Ansel Briggs' and inserting in lieu thereof the words 'Carolyn Pendray'.**

..... **Page 5, line 6, by striking the words 'Ansel Briggs' and inserting in lieu thereof the words 'Carolyn Pendray'.**"

4. Page 3, lines 32 and 33, by striking the words and figure "nine hundred thousand (900,000)" and inserting in lieu thereof the words "one million eight hundred thousand (1,800,000)".

Senator Junkins raised the point of order that under Mason's Manual of Legislative Procedure, rules governing conference committees, amendment S—4283 was out of order.

The Chair ruled the point well taken and amendment S—4283 out of order.

Senator Griffin raised the point of order that the conference committee report was out of order under Sec. 770.2 of Mason's Manual of Legislative Procedure.

The Chair ruled the point well taken and that a suspension of the rule would be required to take up the report of the conference committee.

Senator Junkins moved that Sec. 770.2 of Mason's Manual of Legislative Procedure be suspended for the purpose of taking up the report of the conference committee.

On the question "Shall the motion to suspend Sec. 770.2, Mason's Manual of Legislative Procedure, be adopted?" (H.F. 898) the vote was:

Ayes, 34:

Andersen	Glenn	Miller of Des Moines	Rabedeaux
Bergman	Gluba	Murray	Redmond
Carr	Griffin	Nolin	Rodgers
Coleman	Hansen	Nolting	Scott
Culver	Hill of Jasper	Norpel	Shaw
Curtis	Junkins	Nystrom	Sovern
DeKoster	Kinley	Palmer	Van Gilst
Doderer	Merritt	Priebe	Willits
Gallagher			Winkelman

Nays, 9:

Briles	Hultman	Lamborn	Schwengels
Burroughs	Kelly	Ramsey	Taylor
Heying			

Absent or not voting, 7:

Hill of Polk	Orr	Robinson	Tieden
Miller of Marshall	Plymat	Shaff	

The motion prevailed and the report of the conference committee was taken up for consideration.

Senator Heying moved that Sec. 770 of Mason's Manual of Legislative Procedure be suspended for the purpose of taking up amendment S—4283.

A record roll call was requested.

On the question "Shall the motion to suspend Sec. 770 of Mason's Manual of Legislative Procedure for the purpose of tak-

ing up amendment S—4283 be adopted?" (H.F. 898) the vote was:

Ayes, 22:

Andersen	Doderer	Lamborn	Ramsey
Bergman	Griffin	Murray	Schwengels
Briles	Hansen	Nystrom	Shaw
Burroughs	Heying	Plymat	Taylor
Curtis	Hultman	Rabedeaux	Winkelman
DeKoster	Kelly		

Nays, 24:

Carr	Junkins	Nolting	Robinson
Coleman	Kinley	Norpel	Rodgers
Culver	Merritt	Orr	Scott
Gallagher	Miller of	Palmer	Sovern
Glenn	Des Moines	Priebe	Van Gilst
Gluba	Nolin	Redmond	Willits
Hill of Jasper			

Absent or not voting, 4:

Hill of Polk	Miller of Marshall	Shaff	Tieden

The motion lost and amendment S—4283 was out of order.

Senator Junkins moved the adoption of the conference committee report.

A record roll call was requested.

On the question "Shall the conference committee report be adopted?" (H.F. 898) the vote was:

Ayes, 30:

Andersen	Gluba	Miller of	Plymat
Carr	Griffin	Des Moines	Priebe
Coleman	Hill of Jasper	Nolin	Redmond
Culver	Hultman	Nolting	Robinson
Curtis	Junkins	Norpel	Rodgers
Doderer	Kinley	Nystrom	Sovern
Gallagher	Merritt	Orr	Van Gilst
Glenn		Palmer	Willits

Nays, 15:

Bergman	Heying	Rabedeaux	Shaw
Burroughs	Kelly	Ramsey	Taylor
DeKoster	Lamborn	Schwengels	Winkelman
Hansen	Murray	Scott	

Absent or not voting, 5:

Briles	Miller of	Shaff	Tieden
Hill of Polk	Marshall		

The motion prevailed and the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Junkins moved that the bill 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. 898) the vote was:

Ayes, 38:

Andersen	Gluba	Murray	Redmond
Bergman	Griffin	Nolin	Robinson
Carr	Hansen	Nolting	Rodgers
Coleman	Hill of Jasper	Norpel	Schwengels
Culver	Hultman	Nystrom	Scott
Curtis	Junkins	Orr	Shaw
DeKoster	Kinley	Palmer	Sovern
Doderer	Merritt	Plymat	Van Gilst
Gallagher	Miller of	Priebe	Willits
Glenn	Des Moines	Rabedeaux	

Nays, 7:

Burroughs	Kelly	Ramsey	Winkelman
Heying	Lamborn	Taylor	

Absent or not voting, 5:

Briles	Miller of	Shaff	Tieden
Hill of Polk	Marshall		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ADOPTION OF CONCURRENT RESOLUTION

Senator Kinley asked and received unanimous consent to take up **House Concurrent Resolution 65** and moved its adoption.

The motion prevailed and the resolution was adopted.

DISTINGUISHED VISITOR

President Neu welcomed the Honorable Fred Schwengel, former United States Congressman and former member of the House of Representatives from Scott County.

HOUSE AMENDMENT CONSIDERED

Senate File 545

Senator Rodgers called up for consideration Senate File 545, a bill for an act relating to the effective date of equalization orders issued by the director of revenue, amended by House amendment S—4284:

S—4284
1 Amend Senate File 545, as amended and passed by
2 the Senate, as follows:
Division S—4284A

1. Page 1, by inserting before line 1, the following new sections:

"Sec. ..... Section four hundred twenty-one point twenty (421.20), Code 1975, is amended to read as follows:

421.20 ACTIONS. The director of revenue may bring actions of mandamus or injunction or any other proper actions in the district court to compel the performance of any order made by the director or to require any board of equalization or any other officer or person to perform any duty required by this chapter. The director shall [select] *commence an action only in* the district court in the county [which is most accessible to the subject matter, and] *in which* the defendant or defendants in [any such] *the* action[; but no removal of the question to any other county shall be had by any defendant in consequence of his not being a resident of the county where the action is brought or because the subject matter shall not be located in the county in which said action may be brought] *perform their official duties.*

Upon the filing of an action in the county required by this section the director may move to change the action to another county, and the motion shall be granted upon a showing of good cause. As used in this section, good cause shall mean those grounds for change specified in rule one hundred sixty-seven (167) of the Rules of Civil Procedure: However, the director shall not be required to submit affidavits of disinterested persons in order to prevail in the motion.

Sec. ..... Section four hundred forty-one point twenty-one (441.21), subsection one (1), Code 1975, is amended by inserting after unnumbered paragraph two (2) the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In assessing and determining the actual value of special purpose industrial real and tangible personal property having an actual value of five million dollars or more, the assessor shall equalize the values of such property with the actual values of other comparable special purpose industrial property in other counties of the state. Such special purpose industrial property includes, but is not limited to chemical plants. If a variation of ten percent or more exists between the actual values of comparable industrial property having an actual value of five million dollars or more located in separate counties, the assessors of

Page 2

such counties shall consult with each other and with the department of revenue to determine if adequate reasons exist for such variation. If no such reasons exist, the assessors shall make adjustments in such actual values to provide for a variation of ten percent

or less. For the purposes of this paragraph, special purpose industrial property includes structures which are designed and erected for operation of a unique and special use, are not rentable in existing condition and are incapable of conversion to ordinary commercial or industrial use except at a substantial cost."

2. Page 1, by inserting after the period in line 19H the words "However, a county may request the director to permit the use of an alternative method of applying the ordered increase to the property values in the county, provided that the final valuation shall be equivalent to the increase ordered by the director. The request to use an alternative method of applying the ordered increase including procedures for appealing valuation adjustments shall be made within ten days from the date the county auditor receives the equalization order and the valuation adjustments shall be completed by December thirty-first of the year of the equalization order. The grounds that compliance with the provisions of section four hundred forty-one point twenty-one (441.21) of the Code shall be sufficient grounds for the director to permit the use of an alternative method of applying the increases required by the equalization order."

3. Page 1, line 19J, by striking the word "market" and inserting in lieu thereof the word "actual".

4. Page 1, line 19AI, by striking the word "ten" and inserting in lieu thereof the word "fifteen".

5. Page 1, by inserting after line 19AT the following new section:

"Sec. ..... Chapter four hundred forty-one (441), Code 1975, is amended by adding the following new section:

NEW SECTION. REPORTING OF AGRICULTURAL LAND VALUATION. Each county assessor shall, not later than February first of each year, report to the department of revenue the following information:

1. Proposed changes in the valuation of agricultural land in the county.

2. The total increase or decrease in agricultural land valuations which will result from the proposed changes.

3. Specific changes proposed in the valuations of agricultural land located adjacent to boundaries of the county."

Page 3

Division S—4284B

6. Page 2, by inserting after line 19BT following new section:

"NEW SECTION. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975 and ending June 30, 1976 the sum of fifty thousand (50,000) dollars, or so much thereof as is necessary, for computation of an Iowa consumer

price index for use in calculating the state percent of growth in the state school foundation program under the provisions of chapter four hundred forty-two (442) of the Code. The state comptroller may contract with organizations having knowledge in the field of economic research as deemed necessary. The state comptroller may accept and expend federal funds or other grants for the purpose of carrying out the provisions of this Act."

7. Amend the title page, line 2 by inserting after the word "revenue" the words "and providing for an appropriation for the Iowa consumer price index".

Division S—4284A (Cont'd)

8. Renumber sections and correct internal references as may be necessary in accordance with this amendment.

Senator Winkelman offered amendment S—4286 to House amendment S—4284 by Senators Winkelman and Taylor:

S—4286

Amend the House amendment S—4284 to Senate File 545 as amended and passed by the Senate, page 2, by inserting after line 11 the following new sections:

Sec. ..... Section four hundred forty-one point twenty-one (441.21), unnumbered paragraph four (4), Code 1975, is amended to read as follows:

In assessing and determining the actual value of agricultural property fifty percent consideration shall be given to each of the following factors:

a. The productivity and net earning capacity determined on the basis of the use for agricultural purposes capitalized at a rate [representing a fair return on the investment, such rate to be established by the state board of tax review] *of nine percent per* annum and applied uniformly among counties and among classes of property.

b. The fair and reasonable market value of such property as defined herein, but such market value shall be based only on its current use and not on its potential value for other uses.

Sec. ..... Section four hundred forty-one point forty-seven (441.47), Code 1975, is amended to read as follows:

441.47 ADJUSTED VALUATIONS. The director of revenue on or about the third Monday of September in each year shall adjust the valuation of property in the several counties adding to or deducting from the valuation of each kind or class of property such percentage in each case as will bring the same to its taxable value as fixed in this chapter and chapters 427 and 443, inclusive. The director shall also adjust the valuations as between each kind or class of property in any city assessed by a city assessor and

each kind or class of property in the same county assessed by the county assessor. The director shall order the equalization of the levels of assessment of each class of property in the first and third year of the quadrennial assessment period. *The director shall, when equalizing the level of assessments of agricultural property in 1975 and subsequent years, apply the rate of nine percent per annum to adjust the level of assessment for agricultural property in assessing and determining the actual value of agricultural property in accordance with section four hundred forty-one point twenty-one (441.21) of the Code.* For purposes of such value adjustments and before such equalization the director shall adopt, in the manner prescribed by chapter 17A, such rules as may be necessary to determine the level of

Page 2

assessment for each class of property in each county. The rules shall cover: (1) the proposed use of the assessment-sales ratio study set out in section 421.17, subsection 6; (2) the proposed use of any state-wide income capitalization studies; (3) the proposed use of other methods that would assist the director in arriving at the accurate level of assessment of each class of property in each assessing jurisdiction."

Senator Redmond took the chair at 12:45 p.m.

Senator Kelly raised the point of order that amendment S—4286 to House amendment S—4284 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4286 to House amendment S—4284 out of order.

Senator Winkelman offered amendment S—4285 to House amendment S—4284:

S—4285

Amend the House amendment S—4284 to Senate File 545 as amended and passed by the Senate, page 3, by inserting after line 17 the following new paragraph:

..... **Page 1, line 3, by inserting after the** period the following: *"In adjusting the value of the property of any person the director shall not increase the valuation of such property in excess of six percent annually. However, the provisions of this section shall not apply to new improvements to such property, or such property subject to an equalization order."*

Senator Rodgers raised the point of order that amendment S—4285 to House amendment S—4284 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4285 to House amendment S—4284 in order.

Senator Winkelman moved the adoption of amendment S—4285 to House amendment S—4284 and **requested a record roll call.**

On the question "Shall amendment S—4285 to House amendment S—4284 be adopted?" (S.F. 545) the vote was:

Ayes, 19:

Andersen	Curtis	Lamborn	Schwengels
Bergman	DeKoster	Merritt	Scott
Briles	Heying	Priebe	Taylor
Burroughs	Hultman	Rabedeaux	Winkelman
Culver	Junkins	Ramsey	

Nays, 25:

Carr	Hansen	Nolin	Redmond
Coleman	Hill of Jasper	Nolting	Robinson
Doderer	Kelly	Norpel	Rodgers
Gallagher	Kinley	Orr	Sovern
Glenn	Miller of Des Moines	Palmer	Van Gilst
Gluba	Murray	Plymat	Willits
Griffin			

Absent or not voting, 6:

Hill of Polk	Miller of Marshall	Nystrom	Shaw
		Shaff	Tieden

Amendment S—4285 to House amendment S—4284 lost.

President Neu took the chair at 1:15 p.m.

Senator Hansen called for a division of House amendment S—4284, pages 1 and 2, and lines 21, 22 and 23 on page 3 to be considered as division S—4284A; page 3, lines 1 through 20 to be considered as division S—4284B.

On motion of Senator Rodgers, the Senate concurred in division S—4284A of the House amendment.

Senator Ramsey raised the point of order that the subject matter contained in division S—4284B of the House amendment had previously been rejected by the Senate.

The Chair ruled the point not well taken.

Senator Willits moved that the Senate concur in division S—4284B of the House amendment.

A record roll call was requested.

On the question "Shall the motion to concur in division S—4284B of the House amendment be adopted?" (S.F. 545) the vote was:

Rule 25 was invoked.

Ayes, 25:

Andersen	Hill of Jasper	Murray	Robinson
Carr	Junkins	Nolin	Rodgers
Culver	Kelly	Norpel	Scott
Doderer	Kinley	Orr	Sovern
Gallagher	Merritt	Palmer	Van Gilst
Glenn	Miller of Des Moines	Redmond	Willits
Gluba			

Nays, 16:

Bergman	DeKoster	Hultman	Ramsey
Briles	Griffin	Lamborn	Schwengels
Burroughs	Hansen	Nolting	Taylor
Curtis	Heying	Plymat	Winkelman

Absent or not voting, 9:

Coleman	Miller of Marshall	Priebe	Shaw
Hill of Polk	Nystrom	Rabedeaux	Tieden
		Shaff	

The motion prevailed and the Senate concurred in division S—4284B of the House amendment.

Senator Rodgers 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. 545) the vote was:

Ayes, 31:

Andersen	Glenn	Murray	Rodgers
Bergman	Gluba	Nolin	Schwengels
Carr	Hansen	Nolting	Scott
Culver	Hill of Jasper	Norpel	Sovern
Curtis	Junkins	Orr	Van Gilst
DeKoster	Kelly	Palmer	Willits
Doderer	Kinley	Plymat	Winkelman
Gallagher	Merritt	Redmond	

Nays, 8:

Briles	Heying	Miller of Des Moines	Ramsey
Burroughs	Lamborn		Taylor
Griffin			

Absent or not voting, 11:

Coleman	Miller of Marshall	Priebe	Shaff
Hill of Polk	Nystrom	Rabedeaux	Shaw
Hultman		Robinson	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

ADOPTION OF RESOLUTION

Senator Kelly called up **Senate Resolution 15**, found on page 2074 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF CONCURRENT RESOLUTION

Senator Kinley asked and received unanimous consent to take up for immediate consideration **House Concurrent Resolution 69**, and moved its adoption.

The motion prevailed and the resolution was adopted.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was absent from the Senate chamber when the votes were taken on House Files 799 and 914 and Senate Files 184, 192, 358, 511 and 541. Had I been present I would have voted "aye" on these bills. I would have voted "nay" on Senate File 427.

FRED W. NOLTING

MR. PRESIDENT: I was absent from the Senate chamber when the votes were taken on several bills and amendments because I was serving on the conference committee on House File 898.

Had I been present I would have voted "aye" on amendment S—4261 to Senate File 525, amendment S—4272 to Senate File 541 and final passage of Senate Files 184, 192, 358, 427 and House File 870.

EARL M. WILLITS

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Larry Z. Lindemann, D.C., of Jewell, Hamilton County, Iowa, for appointment as a member of the State Board of Chiropractic Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

KARL NOLIN, Chairman
FRED W. NOLTING
JOHN N. NYSTROM
WILLIAM P. WINKELMAN

REPORT OF INVESTIGATING COMMITTEE

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Milton F. Schlein, D.C., of Postville, Allamakee County, Iowa, for appointment to the State Board of Chiropractic Examiners pursuant to Section 147.12, 1975 Code of Iowa, for an initial term commencing July 1, 1975, and ending June 30, 1978, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EUGENE M. HILL, Chairman
WARREN E. CURTIS
JAMES V. GALLAGHER
DALE L. TIEDEN
EARL M. WILLITS

AMENDMENT FILED

S—4275

Amend House File 188, as amended and passed by the House, as follows:

1. Page 1, line 14 by striking the words "one hundred thousand (100,000)" and inserting in lieu thereof "fifty thousand (50,000)".

2. Page 1, by striking lines 18 through 22.

WARREN E. CURTIS
WILLIAM D. PALMER

On motion of Senator Kinley, the Senate recessed at 1:50 p.m. until the fall of the gavel.

The Senate reconvened, President Neu 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 on May 5, 1975, passed the following bill in which the concurrence of the House was asked:

Senate File 18, a bill for an act relating to the reporting of vehicle accidents.

DAVID L. WRAY, Chief Clerk

COMMUNICATION FROM THE SECRETARY OF STATE

June 19, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 44 was published in The Swea City Herald, Swea City, Iowa, June 12, 1975, and in The Forest City Summit, Forest City, Iowa, June 12, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following joint resolutions and bills have been examined and found correctly enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 20th day of June, 1975: Senate Joint Resolutions 6 and 13; Senate Files 18, 38, 100, 154, 167, 184, 189, 192, 282, 289, 296, 303, 308, 353, 358, 364, 378, 427, 456,

485, 491, 494, 496, 504, 511, 518, 525, 526, 536, 541, 544, 545, 550, 555, 562, 563, 564, 565, 566, 567, 568, 571, 572, 573, 575, 579, 580, 581, 582, 583 and 584.

CLARK R. RASMUSSEN
Secretary of the Senate

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

THE STATE OF INDIANA

A concurrent resolution, adopted by the State of Indiana on April 15, 1975, supporting continued undiluted sovereignty of the United States and jurisdiction by the United States over the Panama Canal and the Panama Canal Zone on the Isthmus of Panama.

ANNOUNCEMENT OF INVESTIGATING COMMITTEES FOR GOVERNOR'S APPOINTMENTS

President Neu, in accordance with Section 2.32, 1975 Code of Iowa, announced the appointment of the following Senators to investigating committees:

As members of the State Board of Regents:

Ray V. Bailey, Milford, Dickinson County, Iowa, for reappointment to a six-year term commencing July 1, 1975, and ending June 30, 1981.

Senator Carr, Chairman
Senator Bergman
Senator Kelly
Senator Merritt
Senator Willits

Mary Louise Petersen, Harlan, Shelby County, Iowa, for reappointment to a six-year term commencing July 1, 1975, and ending June 30, 1981.

Senator DeKoster, Chairman
Senator Culver
Senator Curtis
Senator Hill of Jasper
Senator Orr

Donald H. Shaw, Davenport, Scott County, Iowa, for reappointment to a six-year term commencing July 1, 1975, and ending June 30, 1981.

Senator Junkins, Chairman
Senator Burroughs
Senator Coleman
Senator Rodgers
Senator Tieden

As members of the State Board of Cosmetology Examiners:

Willie Glanton, Des Moines, Polk County, Iowa, for appointment as a public member to an initial one-year term commencing July 1, 1975, and ending June 30, 1976.

Senator Hansen, Chairman
Senator Gallagher
Senator Miller of Marshall
Senator Nolting
Senator Willits

Marian Lokken, Ames, Story County, Iowa, for appointment to an initial one-year term commencing July 1, 1975, and ending June 30, 1976.

Senator Miller of Des Moines, Chairman
Senator Murray
Senator Norpel
Senator Rabedeaux
Senator Sovern

Helen Mefferd, Laurens, Pocahontas County, Iowa, for appointment as a public member to an initial three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Hultman, Chairman
Senator Curtis
Senator Glenn
Senator Palmer
Senator Scott

Carole Tracy, Dubuque, Dubuque County, Iowa, for appointment to an initial two-year term commencing July 1, 1975, and ending June 30, 1977.

Senator Orr, Chairman
Senator Carr
Senator Griffin
Senator Plymat
Senator Van Gilst

Nancy E. Welter, Cedar Rapids, Linn County, Iowa, for appointment to an initial three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Nystrom, Chairman
Senator Coleman
Senator Junkins
Senator Redmond
Senator Schwengels

As members of the State Board of Funeral Directors and Embalmers Examiners:

Donna P. Gabriel, Clinton, Clinton County, Iowa, for appointment as a public member to an initial one-year term commencing July 1, 1975, and ending June 30, 1976.

Senator Robinson, Chairman
Senator DeKoster
Senator Gallagher
Senator Nolting
Senator Shaff

Robert E. McKone, Carroll, Carroll County, Iowa, for appointment as a public member to an initial three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Griffin, Chairman
Senator Andersen
Senator Merritt
Senator Nolin
Senator Sovern

Gary L. Sliefert, Storm Lake, Buena Vista County, Iowa, for appointment to an initial three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Doderer, Chairman
Senator Curtis
Senator Hultman
Senator Miller of Des Moines
Senator Palmer

Maurice J. Tierney, Dubuque, Dubuque County, Iowa, for appointment to an initial two-year term commencing July 1, 1975, and ending June 30, 1977.

Senator Shaw, Chairman
Senator Carr
Senator Gluba
Senator Heying
Senator Winkelman

Dwight K. Wagler, Griswold, Cass County, Iowa, for appointment to an initial one-year term commencing July 1, 1975, and ending June 30, 1976.

Senator Coleman, Chairman
Senator Briles
Senator Hill of Jasper
Senator Nystrom
Senator Rodgers

As members of the State Board of Landscape Architectural Examiners:

Thomas A. Barton, Ames, Story County, Iowa, for appointment to an initial one-year term commencing July 1, 1975, and ending June 30, 1976.

Senator Andersen, Chairman
Senator Junkins
Senator Murray
Senator Priebe
Senator Scott

David L. Dahlquist, Des Moines, Polk County, Iowa, for appointment to an initial three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Van Gilst, Chairman
Senator Burroughs
Senator Culver
Senator Nolting
Senator Plymat

N. Earl Ferris, Hampton, Franklin County, Iowa, for appointment as a public member to an initial two-year term commencing July 1, 1975, and ending June 30, 1977.

Senator Bergman, Chairman
Senator Gallagher
Senator Merritt
Senator Orr
Senator Taylor

Milford A. Fjare, Council Bluffs, Pottawattamie County, Iowa, for appointment to an initial two-year term commencing July 1, 1975, and ending June 30, 1977.

Senator Heying, Chairman
Senator Griffin
Senator Hansen
Senator Norpel
Senator Willits

Nancy Seiberling, North Liberty, Johnson County, Iowa, for appointment as a public member to an initial three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Rabedeaux, Chairman
Senator Redmond
Senator Glenn
Senator Kelly
Senator Priebe

James B. Sinatra, Ames, Story County, Iowa, for appointment to an initial three-year term commencing July 1, 1975, and ending June 30, 1978.

Senator Palmer, Chairman
Senator Hultman
Senator Miller of Des Moines
Senator Murray
Senator Van Gilst

Herman W. Thompson, Cedar Rapids, Linn County, Iowa, for appointment to an initial one-year term commencing July 1, 1975, and ending June 30, 1976.

Senator Taylor, Chairman
Senator Hill of Jasper
Senator Norpel
Senator Redmond
Senator Tieden

As a member of the Natural Resources Council:

Joyce Repp, Minburn, Dallas County, Iowa, for appointment to an unexpired term ending June 30, 1977.

Senator Nolin, Chairman
Senator DeKoster
Senator Junkins
Senator Robinson
Senator Shaw

APPOINTMENTS BY PRESIDENT OF THE SENATE

President Neu announced the appointment of the following Senators to commissions, committees, councils and advisory board:

LEGISLATIVE COUNCIL

Senators James E. Briles, Willard R. Hansen, Eugene M. Hill, Steve Sovern and Bass Van Gilst for regular two-year terms in accordance with Section 2.41, Code 1975.

LEGISLATIVE FISCAL COMMITTEE

Senators John N. Nystrom, Earl M. Willits and Bass Van Gilst for regular two-year terms in accordance with Section 2.45(2), Code 1975.

ADMINISTRATIVE RULES REVIEW COMMITTEE

Senators Minnette F. Doderer, E. Kevin Kelly and Berl E. Priebe for regular four-year terms ending April 30, 1979, in accordance with Section 17A.8, Code 1975.

ADVISORY INVESTMENT BOARD OF THE IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Senator James W. Griffin, Sr., for a regular two-year term ending June 30, 1977, in accordance with Section 97B.8, Code 1975.

CAPITOL PLANNING COMMISSION

Senator Karl Nolin for a regular four-year term ending April 30, 1979, in accordance with Section 18A.1, Code 1975.

COMMISSION ON THE AGING

Senator Louis P. Culver for a regular four-year term ending June 30, 1979, in accordance with Section 249B.1, Code 1975.

EDUCATION COMMISSION OF THE STATES

Senator Joan Orr for a regular four-year term ending June 30, 1979, in accordance with Section 272B.2, Code 1975.

HIGHER EDUCATION FACILITIES COMMISSION

Senator Milo Merritt for a regular four-year term ending June 30, 1979, in accordance with Section 261.1(4), Code 1975.

MEDICAL ASSISTANCE COUNCIL

Senators C. Joseph Coleman and Philip B. Hill for regular two-year terms ending June 30, 1977, in accordance with Section 249A.4(8), Code 1975.

POLICE COMMUNICATIONS REVIEW COMMITTEE

Senators James V. Gallagher, Fred W. Nolting and William P. Winkelman for terms ending upon the convening of the Sixty-seventh General Assembly in accordance with Section 750.8, Code 1975.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Kinley moved that a committee of five be appointed by the President of the Senate to notify the Governor that the Senate was ready to adjourn in accordance with House Concurrent Resolution 69.

The motion prevailed and the President appointed as such committee Senators Kinley, Doderer, Hansen, Hill of Jasper and Plymat.

COMMITTEE TO NOTIFY THE HOUSE

Senator Van Gilst moved that a committee of five be appointed by the President of the Senate to notify the House that the Senate was ready to adjourn in accordance with House Concurrent Resolution 69.

The motion prevailed and the President appointed as such committee Senators Van Gilst, Briles, Gallagher, Nolting and Redmond.

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 Van Gilst 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 Kinley 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:

The Honorable Arthur A. Neu
President of the Senate
Sixty-sixth General Assembly
State Capitol
Des Moines, Iowa

Honorable Members of the General Assembly:

When this legislative session began 166 days ago, I presented to you a Condition of the State Message pursuant to my Constitutional responsibility as Governor.

Today I deliver to you another message as you adjourn—one that is not required by either Code or Constitution, but which is a traditional communication between the executive and the legislative branches.

I have held this office long enough to realize that a legislature considers a Governor's messages somewhat differently than does the chief executive. We feel fortunate if some attention is paid to our initial communication and pleased if any attention at all is given to the message presented at the close.

In the Condition of the State Message I told you that Iowans of the future will best remember what is accomplished by this legislature, not necessarily who it was who did it. It will be deeds, not names, which will make lasting Iowa history.

Further, I expressed to you that a successful session would provide enough credit for all the politicians and that those seeking to win favor in the eyes of their constituents would best serve their political parties by best serving Iowa.

This is the seventh time that I, as Governor, have delivered such a closing message to a General Assembly. I hope to continue with this one what has been my practice in earlier messages—to emphasize the positive accomplishments and to avoid undue negativism or blame-placing.

During this lengthy session you confronted some extremely complex issues and resolved several. Others must wait your return.

Hopefully, in your second meeting this unfinished business can be handled without the necessity of a marathon close-down, free of the extreme stress and strain of an all-night session. Solutions come much easier with clearness of mind and in a reasonable working day.

As in earlier meetings, this session began with a flurry of priority lists. The Governor had a program and budget; the Democratic Party had a subject list. The majority leadership of this body had their priorities. While these lists are sometimes used as a template to judge performance, I am more concerned with the substance of bills than with scorecards.

There are several substantive measures in which representatives of both political parties can have a great pride of achievement. One especially stands out—the creation of an Iowa Housing Authority.

This Act is an outstanding example of what can be achieved when a legislature works in bipartisan concert with the executive. You used information developed by people on our Task Force on Housing who worked hard and long to give you their best thinking on the needs of our people and the ways in which you could best respond.

There are other positive accomplishments of this session. You recognized persons with hearing disabilities by establishing a Division for the Deaf in our Health Department. The new and innovative Energy Policy Council

was further strengthened. You broadened the elderly property tax relief program. Unemployment benefits will be increased. Our gambling laws were tightened. Additional state assistance was made available to local units of government. You passed a strong packer-bonding bill, a tougher strip-mining act and improved our securities law.

You responded to concerns about corporate farming in Iowa, passed a wage collection law, authorized some increased funding for the highly successful tuition grant program and modernized the mental health commitment statutes, to cite some examples.

As is usually the case when legislative bodies meet, this session saw some gubernatorial concepts and recommendations stretched both in scope and dollar amounts.

Another example is the income tax plan that you adopted. When you convened, I submitted a plan to provide greater equity in our state income tax. The bill which evolved from the sharp differences between separate plans in the House and Senate incorporates several good features but goes beyond what we originally proposed in shifting the burden of taxation.

You made some improvements in the school foundation program, though I must note again that you spent more than what was presented to you in the Governor's budget and your action did impose additional burdens upon property taxpayers—the very people that the school foundation plan was originally designed to relieve.

You addressed yourselves to the need to upgrade our Iowa Public Employees Retirement System (IPERS). And while you actually appropriated less money for additional IPERS benefits this year than we recommended, the future obligations which you have locked into the program cause concern about the financing of the increased costs in the years ahead.

Because this was a budget-making session, money matters demanded much of your attention. Our comptroller's analysis of your action indicates that while the total amount appropriated by the General Assembly for the first year of the 1975-77 biennium is less than the amount recommended in the Governor's budget, the amount of recurring expenses actually exceeded our recommendations by some $8 million.

Of additional concern is the matter of capital appropriations. We have been fortunate in Iowa to be in a position of surplus. And with that comes a special responsibility to use such a surplus in a way so as to not obligate future legislatures unduly. In times of surplus, one-time expenditures can be made and capital improvements can be accomplished. Delaying capital needs carries with it a double danger. First, costs continue to rise. Second, when it comes time to pay the bills the funds on hand now might well become committed elsewhere.

The desire of this legislature to move towards annual budgeting leaves you with some unfinished business in your next meeting which previous legislatures have not had to confront. I hope this will not lead to the frustration and uncertainty which characterize the annual budgets of the federal Congress.

Also on your agenda when you convene again are the extremely high priority matters of land use and completion of the act to revise the Iowa Criminal Code. These were not completed in this session, but the opportunity for good legislation in these areas will still be open to you.

There are other matters left pending including such items as reorganiza-

tion of the Iowa Employment Security Commission, enactment of a competitive bidding law and establishment of a Washington Office, just to name a few.

A legislature can serve people well sometimes by not taking action. In this session 1,501 bills were introduced; only 262 won final approval. Iowa citizens can be thankful that not all the bills introduced achieved the status of law.

One disappointing aspect of this session was the refusal to confirm some excellent appointees who were well qualified and competent and who were willing to offer their services to state government in an unselfish way.

It is one thing to attack an elected public official or reject a person because of lack of qualifications. It is an entirely different situation to beat down good, capable people because the majority party did not like their party affiliation. I would urge that in future deliberations you keep uppermost the impact your actions have on the lives and reputations of individuals who seek nothing more than to be considered on their merits, not on their political allegiances.

We can learn from experiences of this session. And we can look ahead now to a second session of this General Assembly, one in which we will have many opportunities for further accomplishments for the people we all have been elected to serve.

It is not an easy task to be a member of the General Assembly. Often the actions and words of a very few frustrate the hard work of the many. Often the lighter moments receive emphasis beyond their importance and it is easy to be left with a feeling that what you do is not fully understood and appreciated.

It is then that perspective is needed, the perspective that comes at a time of adjournment when you can look back with satisfaction over the positive achievements. For the good work that was done I commend you. For that which is still to be done I can tell you that I offer to you my help and cooperation.

Sincerely,
ROBERT D. RAY
Governor

The report was received and the committee discharged.

FINAL ADJOURNMENT

By virtue of House Concurrent Resolution 69, duly adopted, the day of June 20, 1975, having arrived, President Neu declared the 1975 Regular Session of the Sixty-sixth General Assembly adjourned.

SUPPLEMENT TO THE SENATE JOURNAL

RESOLUTIONS AND BILLS APPROVED, VETOED OR ITEM VETOED SUBSEQUENT TO ADJOURNMENT

Resolutions and bills approved, vetoed or item vetoed by the Governor and transmitted to the Secretary of State after the close of the 1975 Regular Session:

S.J.R. 6—Continuing the governor's task force on early childhood development and making an appropriation. Approved July 14, 1975.

S.J.R. 13—Providing for an interim study of the structure and performance of the department of social services. Approved July 19, 1975.

S. F. 18—Relating to the reporting of vehicle accidents. Approved July 19, 1975.

S. F. 38—Relating to the maintenance and improvement of cemetery property and permitting the levy of a tax. Approved July 3, 1975.

S. F. 100—Relating to the advertisement, letting, and approval of secondary road contracts. Approved July 16, 1975.

S. F. 154—Relating to the employment and duties of public school principals. Approved July 14, 1975.

S. F. 167—Relating to licensing and regulating restaurants and food establishments. Approved July 14, 1975.

S. F. 184—Increasing the mileage rate and certain fees paid to jurors and the witness fees and mileage paid to witnesses. Approved July 3, 1975.

S. F. 189—Relating to investment reports submitted to the auditor of state. Approved July 3, 1975.

S. F. 192—Relating to age requirements of applicants for marriage licenses, and to legitimacy of children born of certain marriages. Approved July 14, 1975.

S. F. 282—Making an appropriation to the commission on the status of women and the board of parole and relating to the creation of a parolee security fund. Approved July 9, 1975.

S. F. 289—Creating an energy research and development fund within the energy policy council and making an appropriation. Approved July 15, 1975.

S. F. 296—To establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties. Disapproved July 19, 1975. See Governor's veto message.

S. F. 303—Relating to the composition and appointment of members of the Iowa crime commission. Approved July 14, 1975.

S. F. 308—Relating to the definition of finance charge in consumer credit transactions and providing an exception thereto. Approved July 3, 1975.

S. F. 353—Making an appropriation from the general fund of the state to the Iowa American revolution bicentennial commission. Approved July 15, 1975.

S. F. 358—Relating to neglected, dependent, and delinquent children. Approved July 19, 1975.

S. F. 364—Relating to the practice of accountancy. Approved July 3, 1975.

S. F. 378—Providing for identification of boars, sows and stags designated for slaughter. Approved July 11, 1975.

S. F. 427—Making an appropriation to the Iowa state civil rights commission. Approved July 3, 1975.

S. F. 456—Relating to furnishing discharged inmates of the women's reformatory, men's reformatory, and state penitentiary with clothing, money and transportation. Approved July 14, 1975.

S. F. 485—Relating to employment security. Approved June 30, 1975.

S. F. 491—Relating to the licensing and registration of child day care facilities and providing a penalty. Approved July 17, 1975.

S. F. 494—Authorizing the county recorder to combine separate index books. Approved July 3, 1975.

S. F. 496—Relating to gambling, and providing penalties. Approved July 17, 1975.

S. F. 504—Making an appropriation to continue a study of the problems of Spanish-speaking persons. Approved July 9, 1975.

S. F. 511—Relating to vessels. Approved July 3, 1975.

S. F. 518—Creating a child support recovery unit within the department of social services, prescribing the powers and duties thereof, and providing for the assignment of rights to child support payments by any person who receives public assistance and providing a penalty. Approved July 17, 1975.

S. F. 525—Relating to the licensing and regulation of health care facilities, and prescribing penalties for violations. Approved July 14, 1975.

S. F. 526—Relating to city government by correcting references to electors, modifying provisions for administrative agencies, municipal support of industrial projects, joint transit agencies, interest rates for city bonds, officers' bonds, federal agreements, annexation and severance, forms of city government, compensation and removal of officers, passage of ordinances and amendments, the mayor's right to veto, adoption of codes by reference, city utility and city budgets, essential and general corporate purpose bonds, special assessments, revenue bonds and pledge orders, and providing for liens for service charges and restricted residence districts. Approved July 19, 1975.

S. F. 536—Relating to the use of electronic facilities and electronic transfers of funds by banks, credit unions and savings and loan associations. Approved June 27, 1975.

S. F. 541—Relating to the probate code. Approved July 14, 1975.

S. F. 544—Abolishing the state advisory committee on area schools. Approved July 3, 1975.

S. F. 545—Relating to the effective date of equalization orders issued by the director of revenue and providing for an appropriation for the Iowa consumer price index. Approved July 14, 1975.

S. F. 550—Making supplementary appropriations to designated boards. Approved July 3, 1975.

S. F. 555—Relating to benefits for public employees and retired public employees providing for salary adjustments and certain retirement benefits for public employees and certain elected officials and retired public employees and to make appropriations. Approved July 13, 1975.

S. F. 562—Relating to the funding of certain employment positions. Approved July 14, 1975.

S. F. 563—Appropriating funds to the office of the citizens' aide. Approved July 3, 1975.

S. F. 564—Establishing salary rates for members of the judicial branch of government and members of the public employment relations board. Approved June 30, 1975.

S. F. 565—Relating to administration of chapter three hundred twenty-four (324) of the Code and the motor vehicle use tax program and appropriating funds from the motor vehicle fuel tax fund to the department of revenue for such purposes. Approved July 9, 1975.

S. F. 566—Appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue relating to the administrative duties of the department of revenue, and making certain provisions of the Act retroactive. Approved July 11, 1975.

S. F. 567—Making an appropriation to the Iowa American revolution bicentennial commission to finance the participation of Iowa musical groups in honor of Iowa statehood at the Kennedy Center for the Performing Arts in Washington, D. C. Approved July 15, 1975.

S. F. 568—Establishing the method for setting salaries of certain state officials and setting a salary range for certain state officials and designated employees of the state and providing for the governor to set salaries within such ranges and expanding the use of funds appropriated by the general assembly. Approved June 30, 1975.

S. F. 571—Relating to the reimbursement for property taxes paid and rent constituting property taxes paid by claimants. Approved June 30, 1975.

S. F. 572—Making an appropriation for and relating to social service programs including aging, drug abuse, and alcoholism programs. Approved June 30, 1975.

S. F. 573—Relating to progress for elderly, handicapped, and lower income persons and persons in need of health care and making appropriations. Approved July 14, 1975.

S. F. 575—Making appppropriations for increased employer contributions resulting because of changes in the employees' retirement systems and providing funds for school districts, area education agencies, and area schools, and the department of transportation; and providing supplemental authorization to expend funds from certain departmental revolving, trust or special funds. Approved July 13, 1975.

S. F. 579—Making an appropriation for the state's contribution for the support of the Missouri River riverfront project. Approved July 14, 1975.

S. F. 580—Making appropriations from the general fund and reimbursement fund of the state to certain persons in settlement of claims made against the state of Iowa. Approved July 14, 1975.

S. F. 581—Making an appropriation to provide funds to certain state agencies for increased employer contributions resulting because of of changes in the Iowa public employees' retirement system. Approved July 13, 1975.

S. F. 582—Making an appropriation from the general fund of the state to Iowa state university of science and technology for research on dust explosions related to grain elevators. Approved July 3, 1975.

S. F. 583—Amending the rules of civil procedure proposed by the supreme court. Approved July 3, 1975.

S. F. 584—Making an appropriation for per diem and expenses of the legislative council, legislative fiscal committee, and special interim study committees and providing for administration of the funds appropriated. Approved July 9, 1975.

H. F. 12—Relating to the indemnification of county officers and employees. Approved July 14, 1975.

H. F. 38—Exempting the sale of medically prescribed oxygen from the sales and use tax. Approved July 15, 1975.

H. F. 66—Imposing a maximum fifty-five mile per hour speed limit on the public highways of this state, subject to penalties provided by law. Approved June 28, 1975.

H. F. 77—Relating to the installation of automatic fire extinguishing systems in high-rise buildings, and providing penalties. Approved July 15, 1975.

H. F. 185—Relating to the transporting of livestock, and providing penalties. Approved July 11, 1975.

H. F. 215—Prohibiting any processor or limited partnership with certain exceptions from owning, controlling or operating a feedlot in Iowa, providing for divestment of prohibited operations, providing a moratorium on acquisition of agricultural land by certain corporations, requiring reports from corporations, limited partnerships, fiduciaries, nonresident aliens and nonresident alien corporations, and providing penalties. Approved July 11, 1975.

H. F. 386—Relating to the issuance of high school equivalency diplomas, including changes in fees. Approved June 29, 1975.

H. F. 431—Making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state. Approved July 15, 1975, with the exception of a portion of Sec. 14, numbered paragraph 1. See Governor's item veto message.

H. F. 450—Relating to persons engaged in the buying and selling of certain motor vehicles and relating to vehicle registration by revising the registration application form and the registration filing system, requiring a bond to be posted in situations where vehicle ownership is not established, providing for publication of notice regarding vehicle registration renewals, increasing mo-

torcycle and hearse registration fees, providing for receipt of new registration for all vehicles transferred in December, relating to braking and hitching requirements for certain travel trailers and semitrailers operated on the highways, relating to the width of vehicles carrying hay, straw or stover, and relating to the base price of a vehicle for registration purposes, subject to penalties provided by law. Approved July 17, 1975.

H. F. 502—Relating to vehicle inspection and issuing inspection orders by authorized employees. Approved July 17, 1975.

H. F. 623—Providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions of the state which regulate the operation of railroad trains within the political subdivisions of the state. Approved June 29, 1975.

H. F. 723—Correcting, amending and clarifying provisions in the city code of Iowa and increasing the allowable levy for support of a symphony orchestra. Approved June 30, 1975.

H. F. 724—Relating to motor vehicles providing for registration of trailers and semitrailers for a three-year period and trip permits for commercial vehicles and the authority of the state department of transportation to negotiate vehicle registration apportionment agreements and providing a penalty. Approved July 14, 1975.

H. F. 725—Relating to the issuance of permits for the sale of cigarettes. Approved July 8, 1975.

H. F. 743—Relating to the use of flashing amber lights on animal-drawn vehicles. Approved July 8, 1975.

H. F. 764—Relating to individual income tax rates and deductions and making the act retroactive. Approved July 16, 1975.

H. F. 766—To establish an office of prosecuting attorneys training coordinator and to prescribe the functions and duties. Approved June 29, 1975.

H. F. 776—Permitting the commissioner of social services to grant an easement for sewage lines across certain land belonging to the state. Approved July 14, 1975.

H. F. 792—Relating to the legal specifications for gasoline volatility. Approved June 29, 1975.

H. F. 799—Relating to liability protection for state employees. Approved June 30, 1975.

H. F. 801—Relating to education programs and services. Approved July 17, 1975.

H. F. 802—To create a county compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers. Approved June 30, 1975.

H. F. 803—Relating to the compensation of persons suffering loss as a result of medical malpractice. Approved June 30, 1975.

H. F. 811—Relating to the military service tax exemption and making the act retroactive. Approved July 14, 1975.

H. F. 814—Relating to the purchase and use of state motor vehicles and the use of private motor vehicles for state business. Approved June 29, 1975.

H. F. 816—Relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations and corporations not for pecuniary profit. Approved July 19, 1975.

H. F. 820—Relating to the authority of peace officers employed by the department of public safety. Approved June 30, 1975.

H. F. 825—Relating to the regulation of securities, and providing for the registration of securities and broker-dealers, prohibiting certain deceptive and manipulative transactions in securities, regulating broker-dealers, and providing civil remedies and criminal penalties for violations. Approved July 19, 1975.

H. F. 826—Relating to the employment of full-time public prosecutors in certain counties. Approved July 8, 1975.

H. F. 844—Relating to the filing of consolidated returns for corporation income tax purposes and making the act retroactive. Approved July 14, 1975.

H. F. 848—Making appropriations to the Iowa crime commission and the department of public safety and providing for the administration and use of funds and personnel of such departments. Approved July 15, 1975 with the exception of Sec. 5. See Governor's item veto message.

H. F. 870—Relating to the eradication of bovine brucellosis and making an appropriation. Approved July 14, 1975.

H. F. 877—Relating to the placement and adoption of South Vietnamese children. Approved July 8, 1975.

H. F. 880—Appropriating funds to the Iowa state historical department, the Iowa library department, the Iowa state arts council and the academy of science and establishing a military library division within the Iowa library department. Approved July 11, 1975.

H. F. 883—Relating to and appropriating funds to judicial courts and agencies and appropriating funds to the attorney general. Approved July 11, 1975.

H. F. 887—Making an appropriation to the state department of health to finance programs subject to administration by the department. Approved July 11, 1975.

H. F. 889—Appropriating funds to the governor, lieutenant governor, office for planning and programming and the council of state governments. Approved July 9, 1975.

H. F. 890—Appropriating funds for the financing of programs under the administration of the Iowa employment security commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor. Approved July 11, 1975.

H. F. 891—Relating to fees collected by sheriffs and certain other police authorities. Approved June 29, 1975.

H. F. 892—Appropriating from the road use tax fund, the primary road fund, the aeronautics fund, and the general fund of the state to the state department of transportation for administration and other purposes, clarifying administrative duties of the state department of transportation, and funding the state depart-

ment of transportation's share for administration of the state merit system. Approved June 29, 1975.

H. F. 894—Relating to correcting erroneous, inconsistent and obsolete sections of the Code. Approved July 17, 1975.

H. F. 895—Making an appropriation to the department of social services and divisions of the department for the purpose of funding social service programs and providing for their administration. Approved July 11, 1975.

H. F. 896—Making an appropriation to the Iowa housing finance authority. Approved June 29, 1975.

H. F. 897—Relating to the salaries of area school superintendents. Approved June 29, 1975.

H. F. 898—Making appropriations to various state agencies for the purposes of providing for capital improvements, reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase of certain equipment, providing funds for sewage works purposes, creating a hospital schools revolving fund and providing for expenditures from such fund, providing for land acquisition, providing a memorial for medal of honor recipients, restoring flags exhibited in the state capitol, and providing for the reversion of funds. Approved July 18, 1975, with the exception of Sec. 7. See Governor's item veto message.

H. F. 899—Relating to the printing and custody of cigarette and little cigar tax stamps. Approved July 8, 1975.

H. F. 900—To make an appropriation from the motor vehicle fuel tax fund to the state comptroller. Approved July 9, 1975.

H. F. 901—To make a supplemental appropriation from the general fund of the state to the municipal assistance fund and to appropriate from the general fund of the state to the county government assistance fund created by this Act. Approved July 19, 1975.

H. F. 903—To appropriate from the general fund of the state to the municipal assistance fund. Approved June 29, 1975.

H. F. 904—Relating to the railroad grade crossings on public highways and increasing funds allocated for such purposes. Approved July 14, 1975.

H. F. 907—Relating to a fruit-tree and forest reservation which may qualify for a tax exemption. Approved July 8, 1975.

H. F. 908—To amend chapter three hundred ninety (390) of the Code relating to the authority of cities to participate in and finance jointly-owned facilities for the generation, acquisition, or transmission of electric energy, making its provisions retroactive and providing for the validity of contracts executed under said chapter. Approved July 8, 1975.

H. F. 910—Making an appropriation to the department of transportation to be used to reimburse nonprofit civic leagues or organizations for towing expenses incurred in the collection of abandoned motor vehicles. Approved July 8, 1975.

H. F. 911—Appropriating funds for certain legal fees. Approved July 14, 1975.

H. F. 913—Creating an employment opportunity board authorized to grant funds for the creation of employment and making an appropriation. Approved July 14, 1975.

H. F. 916—Relating to employment security. Approved June 30, 1975.

GOVERNOR'S VETO MESSAGE

July 19, 1975

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby enclose Senate File 296, an Act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties, which in accordance with Article III, Section 16, Constitution of the State of Iowa, I hereby disapprove and transmit to the Secretary of State.

While I fully support the need for health standards, the licensing of persons practicing professions which serve the public, and proper supervision of schools which give training in these areas, I cannot approve this particular legislation which sets up artificial classifications for barbers and cosmetologists and protects certain classes in a manner that has little relationship to the protection of the public.

Our courts have recognized that it is wrong to use licensing statutes to limit competition. Particularly they have advised that a classification that serves the purpose of restricting competition is improper. This legislation tends to set up different standards for the education and practice of barbering and cosmetology both of which basically deal with the same subject, that of providing hair services to the public.

In addition, I specifically question five items contained in this legislation:

1. Training restrictions in the bill provide that a school of cosmetology cannot give more than 210 hours of hair cutting instruction and that a barber school cannot allow more than 300 hours of hair styling instruction. One can find little rationale for either the limitation on the number of hours of training a student may pursue or the difference between the two courses. The restriction on cosmetology training would also appear to be a disadvantage to the cosmetology student. These limitations might hamper students of Iowa schools in obtaining maximum skills in their profession and possibly obtaining a license in other states. Furthermore, these limitations would tend to prohibit or prevent continuing education in these practices at the same time other professions are instituting mandates and programs for continuing education in their areas of expertise.

2. The advertising restrictions, while calling to the attention of the public the fact that a student would be providing service, will have the effect of limiting competition and the number of persons available for the clinical training of the students. This could also reduce the availability of lower cost service to our less affluent citizens.

3. The procedure provided in this legislation for injunctive relief after an alleged violation report to the Commissioner of Public Health might well tend to restrict trade and competition and give to those who desire it a hunting license against their competitors. There would need to be an

overriding threat to the public welfare before this kind of relief should be made available over and above normal channels afforded to a citizen who complains of a violation of a statute. No convincing argument of such overriding need has been advanced in this case.

4. Senate File 296 provides that the owners of licensed schools of cosmetology and barber schools are not authorized to own and/or operate a beauty salon or barber shop except for those owned prior to July 1, 1975. Grandfathering in existing shops or salons and thereby sealing off competition from newcomers is not in the best interest of the public. This bill can be interpreted to go so far as to prevent the owner of a shop from ever relocating to another site. This is not reasonable or realistic.

5. This bill would prevent a person from managing a shop or salon unless he or she were a licensed operator. Such a restriction again is beyond the boundary of fairness and reasonableness. Capable people are not deprived of positions of management in hospitals because they do not qualify as practicing doctors or in drugstores because they are not pharmacists.

A close reading of Senate File 296 reveals a conglomeration of special interest protections for those now practicing the professions with very little relationship to public health. It is improper to give unfair advantage to limited groups of people by authority of state legislation in the name of consumer protection. For this reason and the other reasons listed, I must disapprove this bill.

There remains a legitimate interest in regulating these concerns in a manner consistent with public health and consumer protection interests. I urge the General Assembly to take action during the 1976 session to enact new legislation that is in the best interests of all Iowans.

Sincerely,
ROBERT D. RAY,
Governor

GOVERNOR'S ITEM VETO MESSAGES

July 15, 1975

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit House File 431, an Act making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state.

House File 431 is approved July 15, 1975, with the following exception which I hereby disapprove:

> That portion of Section 14, numbered paragraph one (1) thereof, which reads as follows: "Review *the contents of all disclosure* reports and *organization* statements filed under the provisions of this chapter and *promptly advise each committee of errors found.*"

If fully complied with, this item would require that the Campaign Finance Disclosure Commission review the contents of all disclosure reports and organization reports filed at the state *and* county levels. Because the item makes no distinction between technical and substantive errors, the Commission would be required to advise each reporting committee of all errors found, regardless of how minor or unimportant they might be. After advising the committees of errors found, the Commission would be obligated to follow-up their action to check on compliance.

Although no exact estimate can be made in the number of reports and statements filed in a year, one can get an idea of the immensity of this task by looking at the number of elections to be held during the remainder of 1975 and during 1976. With local, county, state and special elections, the number of individual elections during the next 18 months probably will exceed 3,600. In most of these elections there will be at least two opposing candidates who are required to file a minimum of two reports. In addition approximately 500 additional statutory political committees also will file reports in support of or in opposition to the candidates or ballot issues. The total number of disclosure reports filed during the next 18 months will be enormous.

I have been informed by the Campaign Finance Disclosure Commission that based on past experiences with disclosure reports, at least 40 percent of all disclosure reports show errors of one type or another. These errors are in varying degrees of severity and complexity with a number being relatively inconsequential. A very large staff would be required to find *all* errors in these reports and to follow them up for compliance.

When one examines the resources in terms of staff personnel, travel and other expense money available to the Campaign Finance Disclosure Commission, it becomes apparent that the Commission would not be able to meet the requirements of this item. The Commission has only three full-time employees with a total budget of $49,500, of which less than $1,200 is available for travel expenses. Even if the Commission staff were to ignore its other responsibilities and give its sole attention to the requirements of this item, they undoubtedly could not meet this single requirement.

This item was included in House File 431 because of the concern of some legislators that the commission has not been pursuing adequately errors discovered in past disclosure reports. It was felt that perhaps the best way to respond to this concern was to require the commission to review the disclosure reports and then follow-up on the mistakes found. Yet, there is reason to believe that the legislators did not intend for the Campaign Finance Disclosure Commission to review *all* disclosure reports filed at the state and county level and pursue *all* errors, whether substantive or technical.

The commission has indicated to me that they are committed to a more thorough review and closer scrutiny of the disclosure reports that are filed at the state level. Within their limitations of budget and staff, I am sure the commission will try to improve the quality of the disclosure reports. This is within reason.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 431 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

July 15, 1975

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit House File 848, an Act making appropriations to the Iowa crime commission and the department of public safety and providing for the administration and use of funds and personnel of such departments.

House File 848 is approved July 15, 1975, with the following exception which I hereby disapprove.

I am unable to approve Item 5 designated in the Act as Section 5 which reads as follows:

> "Sec. 5. *NEW SECTION.* The department of public safety and the state department of transportation shall not make available to persons other than the named driver or a person authorized by the named driver, or a court or a peace officer, an individual's manual or automated traffic record relating to an individual's involvement in a motor vehicle accident unless such involvement resulted in the person's conviction of a violation of a motor vehicle law or ordinance or unless such person failed to comply with the provisions of chapter three hundred twenty-one A (321A) of the Code."

This item would restrict the departments of public safety and transportation from releasing information on motor vehicle accidents on a driver's record unless that driver first authorized the release of that information.

I am not doubting that this provision was inserted in House File 848 with good intent—that of protecting an individual's right of privacy. I share that same concern. Yet, there are several other concerns in this case which convince me that this is an inappropriate effort and does not accomplish the desired result.

The purpose of this item was to prevent insurance companies from securing information on motor vehicle accidents that do not result in a conviction. Apparently it was felt by some legislators that insurance companies do not need this type of information to write insurance policies. However, this restriction would not accomplish the desired intent.

To properly rate and classify a policyholder, an insurance company needs as complete a record of information as possible. Since this item provides that a driver may authorize another person to secure his complete driving record, the insurance companies would be forced into the position of requiring that before any new policy is issued or an existing policy is renewed, that the driver authorize the insurance company to secure his or her complete driving record including all motor vehicle accidents.

While this can be accomplished, it will not be done so without cost and delay. In insuring Iowa's 1.9 million drivers, insurance companies will have considerably more paper work. The costs involved in securing authorization from drivers, processing them, and keeping them on file will mean increased expenses for the insurance companies. In all likelihood these increased expenses will be passed on to the consumer in the form of higher premium costs.

Since this section speaks to individual drivers, it is probable that insur-

ance companies would require authorization from each driver who is covered under a specific policy. That would mean that in a family, each spouse and child who drives would have to provide their individual authorization. This might be difficult to secure in some families whose members are away from home. The delays and additional expenses experienced by insurance companies would be similarly passed on to the consumer.

Drivers who enjoy good driving records and are free of accidents should not be placed in the position of subsidizing bad drivers who may have numerous traffic citations and accidents on their record. This restriction on the dissemination of information could help protect the bad drivers at the expense of the good drivers.

I would be more receptive to this approach if I were aware of abuses that have occurred under the present system. Yet we have not learned of any. Rather the present system seems to do an effective job of keeping the departments of public safety and transportation informed of a person's driving performance. By maintaining complete driving records, departmental personnel continue to improve driver safety habits.

Another concern of mine is the question of whether this item would be effective for only the one-year lifespan of this appropriation bill or be incorporated into the permanent language of the Code. If it were to be effective for only one year, insurance companies would have to go to the expense of printing up new forms at ultimate cost to the consumer that would be used only one year. If it were to be made a permanent part of law, then it raises a constitutional question. The Attorney General has suggested that second subject matters in a bill (including this matter in this bill) make the entire bill unconstitutional. Whether this is so or not, this is a good illustration of what does not belong in an appropriation bill. Section 5 of House File 848 should stand on its own merits in an individual bill.

For these reasons I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 848 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

July 18, 1975

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit House File 898, an Act making appropriations to various state agencies for the purposes of providing for capital improvements, reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase of certain equipment, providing funds for sewage works purposes, creating a hospital schools revolving fund and providing for expenditures from such fund, providing for land acquisition, pro-

viding a memorial for medal of honor recipients, restoring flags exhibited in the state capitol, and providing for the reversion of funds.

House File 898 is approved July 18, 1975, with the following exception which I hereby disapprove.

I am unable to approve Item 7 designated in the Act as Section 7 which reads as follows:

> "Sec. 7. Chapter one hundred seven (107), Code 1975, is amended by adding the following new section:
>
> *NEW SECTION.* The state conservation commission shall make annual payments to school districts in such amounts sufficient to pay school taxes on lands acquired under the provisions of the Acts of the Sixty-fifth General Assembly, chapter seventy-four (74), 1973 Session, and under the authority of any other Act of the general assembly which authorizes the acquisition of land which would otherwise be subject to the levy of school taxes. There is appropriated annually from the general fund of the state from funds not otherwise appropriated to the state conservation commission an amount sufficient to make the payments provided for in this section. The state comptroller shall administer the funds appropriated by this Act and shall administer the program established by this section. The state conservation commission shall cooperate with the state comptroller in order to provide information necessary to carry out the provisions of this section."

This item provides a standing unlimited appropriation to the State Conservation Commission to make annual payments to school districts for reimbursement of property taxes lost on lands taken off the property tax rolls under the Open Spaces program and any other Act of the General Assembly. The apparent intent of this is to prevent a change in the property tax rate for the remaining property holders.

Section 7 of House File 898 directs the State Comptroller to administer the reimbursement program. Unfortunately this item goes no further than that. The item does not indicate what evaluation should be used; nor does it affect assessments; no method or direction is provided for computation of the payment to school districts; no instructions are given for what millage rates might be used. In short it is an inoperable section.

Even if one could determine the procedure to be used to administer this program, it seems apparent that the reimbursement of property taxes would not secure any reduction in existing property taxes. Under the school aid formula, this reimbursement would be treated as "miscellaneous income" and would be considered as an addition to all other school income funds. This payment would not replace any property taxes that are already levied, but just provide new dollars in the form of a special bonus to select and favored school districts. No reduction in property taxes would be accomplished.

Section 7 specifically states that the property tax reimbursement is to be provided for lands acquired under the Open Spaces program and "under the authority of any other Act of the General Assembly which authorizes the acquisition of land which would otherwise be subject to the levy of school taxes." This language carries no past or future limitations. One must assume that it is intended to include all other conservation land, the property of the Regents' universities, our highways, our Social Services institutions, and even the State Capitol. One of the consequences of such an ex-

tensive reimbursement program might be that the residents of the school districts where open space land is located would end up paying more than they would receive.

While one can assume that the cost of such a far-ranging reimbursement program would be enormous, it is impossible to provide any accurate cost figure. Data is unavailable as to the number of acres that would be involved, what they would be valued at, or what the total cost of reimbursement would be.

If research were done on this section as to costs, my office, the Department of Revenue, the Comptroller, and the Department of Public Instruction are unaware of it. Neither do I believe that the Legislative Fiscal Director or his staff are aware of the cost, for I find nothing in their budget to reflect the reimbursement program.

Even if Section 7 of House File 898 were designed to be functional and its scope and funding implications understood, I strongly doubt the overall soundness of this type of reimbursement for school districts or any other taxing district. The specter of several deleterious effects is raised by this item.

If schools are to be reimbursed for the property taxes they forego on state land, one must ask why not then reimburse schools for all other government-owned lands in the district. That would mean federal, county, and the city governments would reimburse school districts also.

If it is consistent for other government agencies to reimburse schools, then is it not consistent for schools to reimburse other government agencies for the property tax exempt land they own? It actually makes more sense for schools to reimburse city and county government for the basic services they receive (e.g. police and fire protection) than for the state and its other subdivisions to reimburse schools when no direct service is being provided.

To begin a program of property tax reimbursement triggers the related question of how property, ownership, and local services provided ought to relate. The concept of reimbursement for tax exempted land could easily be extended to other than government land. Conceivably, charitable institutions, such as churches and lodges, might be asked to pay taxes for the basic services provided to them by government.

The Iowa Open Spaces program since its inception in 1973, has been a successful effort to preserve scenic Iowa countryside for future generations. One of the key parts of the Open Spaces program is that land is purchased only from willing sellers. Never does the state condemn land to force a sale for this program.

The state has used its money for Open Spaces to purchase the land where local government agencies either could not or would not. With acquisition of land by the state, direct benefits usually accrue to the local community. In addition to preserving and improving the aesthetic value of the countryside, state land purchases in most cases result in more money spent in the surrounding area, other improvements, and a broader tax base.

While the legislators who supported this item were legitimately concerned with the decline of the property tax base of school districts, it should be pointed out that the state is making a massive effort through the school foundation plan to move the burden of school financing from property taxes to state taxes. Since FY 1971, state aid for local schools has increased from $226 million to $458 million in FY 1976. The state has increased its share of the funding of school budgets from 38 percent in 1971 to 52 percent for this next school year.

This influx of state aid is reflected at the local level. In one of the school districts that has a large share of the Open Spaces land in it, state aid has increased from $120,000 in FY 1971 to $342,000 in FY 1976, an 186 percent increase.

House File 898 (in subsection 5 of section 1) also provides for a one-year property tax reimbursement program for school districts. This item, which is estimated to cost up to $15,000, could be removed also, but in light of the recent Supreme Court decision limiting my item veto authority, we believe it would necessitate removing the $3.7 million capital appropriation to the Conservation Commission as well. It is important that these capital funds be retained to make necessary improvements and acquisitions. Reluctantly, therefore, I am not affecting this one-year reimbursement program.

For these reasons I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 898 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE

June 23, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 486 was published in The Sigourney News-Review, Sigourney, Iowa, June 11, 1975, and in The Wellman Advance, Wellman, Iowa, June 12, 1975.

I further certify that Senate File 522 was published in the Emmetsburg Reporter, Emmetsburg, Iowa, June 10, 1975, and in the Lee Town News, Des Moines, Iowa, June 12, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

July 2, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 475 was published in The Chariton Leader, Chariton, Iowa, June 3, 1975, and in The Dysart Reporter, Dysart, Iowa, June 5, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

July 3, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 742 was published in the Logan Herald-

Observer, Logan, Iowa, June 26, 1975, and in The Missouri Valley Times, Missouri Valley, Iowa, June 26, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

July 17, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 550 was published in the Quad-City Times, Davenport, Iowa, July 10, 1975, and in The Bancroft Register, Bancroft, Iowa, July 9, 1975.

I further certify that House File 814 was published in The Woodbine Twiner, Woodbine, Iowa, July 10, 1975, and in The Washington Evening Journal, Washington, Iowa, July 9, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

July 18, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 723 was published in The Mount Vernon Hawkeye and The Lisbon Herald, Mount Vernon, Iowa, July 10, 1975, and in The Fairfield Daily Ledger, Fairfield, Iowa, July 5, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

August 14, 1975

Mr. Clark R. Rasmussen
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 776 was published in The Anamosa Journal, Anamosa, Iowa, July 22, 1975, and in The Maquoketa Community Press, Maquoketa, Iowa, July 22, 1975.

I further certify that House File 811 was published in the Marion County News, Pleasantville, Iowa, July 24, 1975, and in the Sioux Rapids Bulletin-Press, Sioux Rapids, Iowa, July 23, 1975.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

SUBCOMMITTEE APPOINTMENTS ANNOUNCED AFTER CLOSE OF SESSION

Senator Palmer, chairman of the appropriations committee, announced the appointment of the following members of the subcommittees as minority ranking members:

APPROPRIATIONS SUBCOMMITTEES

EDUCATION

Senator Lucas J. DeKoster**

HUMAN RESOURCES

Senator John S. Murray**

NATURAL RESOURCES

Senator Calvin O. Hultman**

STATE DEPARTMENTS

Senator Elizabeth Shaw**

TRANSPORTATION

Senator William P. Winkelman**

**Minority Ranking Member

LEGISLATIVE COUNCIL

(Section 2.41—Code 1975)

Lieutenant Governor Arthur A. Neu, ex officio
Speaker of the House Dale M. Cochran*
Senator Minnette F. Doderer, President Pro Tempore**
Senator George R. Kinley, Senate Majority Floor Leader
Representative Jerome Fitzgerald, House Majority Floor Leader
Senator Clifton C. Lamborn, Senate Minority Floor Leader
Representative Floyd H. Millen, House Minority Floor Leader
Senator William D. Palmer, Chairman of the Senate Committee on Appropriations
Representative Keith H. Dunton, Chairman of the House Committee on Appropriations
Senator Lucas J. DeKoster, Minority Ranking Member of the Senate Committee on Appropriations
Representative Elmer H. Den Herder, Minority Ranking Member of the House Committee on Appropriations
Senator James E. Briles
Senator Willard R. Hansen
Senator Eugene M. Hill
Senator Steve Sovern
Senator Bass Van Gilst
Representative Donald V. Doyle
Representative William J. Hargrave
Representative James I. Middleswart
Representative Delwyn Stromer
Representative Andrew Varley

*Chairman
**Vice-Chairwoman

COMMITTEES OF THE LEGISLATIVE COUNCIL

1. LEGISLATIVE SERVICE COMMITTEE

Senator Minnette F. Doderer, Chairwoman
Senator James E. Briles
Senator Steve Sovern
Representative Jerome Fitzgerald
Representative James I. Middleswart
Representative Delwyn Stromer

2. LEGISLATIVE FISCAL COMMITTEE

Senator William D. Palmer, Chairman of the Senate Committee on Appropriations*
Representative Keith H. Dunton, Chairman of the House Committee on Appropriations*
Senator Lucas J. DeKoster, Minority Ranking Member of the Senate Committee on Appropriations
Representative Elmer H. Den Herder, Minority Ranking Member of the House Committee on Appropriations
Senator Bass Van Gilst
Senator John N. Nystrom
Senator Earl M. Willits
Representative Norman Jesse
Representative Richard W. Welden
Representative James I. Middleswart
*Cochairmen

3. LEGISLATIVE ADMINISTRATION COMMITTEE

Speaker Dale Cochran, Chairman
Senator Eugene M. Hill
Senator George R. Kinley
Senator Clifton C. Lamborn
Representative Donald V. Doyle
Representative Andrew Varley

ADMINISTRATIVE RULES REVIEW COMMITTEE

(Section 17A.8—Code 1975—4-Year Term)

Senator Minnette F. Doderer .....(Term ending April 30, 1979)
Senator E. Kevin Kelly .....(Term ending April 30, 1979)
Senator Berl E. Priebe .....(Term ending April 30, 1979)
Representative Donald V. Doyle .....(Term ending April 30, 1979)
Representative W. R. Monroe, Jr. .....(Term ending April 30, 1979)
Representative Laverne Schroeder .....(Term ending April 30, 1979)

CAPITOL PLANNING COMMISSION

(Section 18A.1—Code 1975—4-Year Term)

Senator Warren E. Curtis .....(Term ending April 30, 1977)
Senator Karl Nolin .....(Term ending April 30, 1979)
Representative Glenn F. Brockett .....(Term ending April 30, 1977)
Representative John Brunow .....(Term ending April 30, 1979)

COMMISSION ON THE AGING
(Section 249B.1—Code 1975—4-Year Term)

Senator Leonard C. Andersen .....(Term ending June 30, 1977)
Senator Louis P. Culver .....(Term ending June 30, 1979)
Representative Ingwer L. Hansen .....(Term ending June 30, 1977)
Representative Gregory D. Cusack .....(Term ending June 30, 1979)

CONFIDENTIAL RECORDS COUNCIL
(Section 749B.19—Code 1975)

Senator James M. Redmond
Senator Ray Taylor
Representative Laverne Schroeder
Representative Arthur A. Small, Jr.

EDUCATION COMMISSION OF THE STATES
(Section 272B.2—Code 1975—4-Year Term)

Senator Elizabeth Shaw .....(Term ending June 30, 1977)
Senator Joan Orr .....(Term ending June 30, 1979)
Representative Sonja Egenes .....(Term ending June 30, 1977)
Representative John Patchett .....(Term ending June 30, 1979)

ENERGY POLICY COUNCIL
(Section 93.2—Code 1975)

Senator Calvin O. Hultman
Senator James V. Gallagher
Representative Brice C. Oakley
Representative Gregory D. Cusack

HIGHER EDUCATION FACILITIES COMMISSION
(Section 261.1—Code 1975—4-Year Term)

Senator Milo Merritt .....(Term ending June 30, 1979)
Representative Charles Poncy .....(Term ending June 30, 1979)

INTERSTATE COOPERATION COMMISSION
(Section 28B.1—Code 1975—2-Year Term)

Senator James W. Griffin, Sr. .....(Term ending April 30, 1977)
Senator Lowell L. Junkins .....(Term ending April 30, 1977)
Senator William D. Palmer .....(Term ending April 30, 1977)
Senator W. R. Rabedeaux .....(Term ending April 30, 1977)
Senator Norman G. Rodgers .....(Term ending April 30, 1977)
Representative James T. Caffrey .....(Term ending April 30, 1977)
Representative William B. Griffee .....(Term ending April 30, 1977)
Representative Robert A. Krause .....(Term ending April 30, 1977)
Representative Robert M. Kreamer .....(Term ending April 30, 1977)
Representative Mattie Harper .....(Term ending April 30, 1977)

IOWA AMERICAN REVOLUTION BICENTENNIAL COMMISSION
(Section 28H.1—Code 1975)

Senator Forrest V. Schwengels
Senator Norman G. Rodgers
Representative Richard L. Byerly
Representative Lillian McElroy

IOWA COUNCIL ON CHILD ABUSE INFORMATION
(Section 235A.24—Code 1975)

Senator E. Kevin Kelly
Senator Steve Sovern
Representative John Connors
Representative Joan Lipsky

IOWA LAW ENFORCEMENT ACADEMY COUNCIL
(Section 80B.6—Code 1975—4-Year Term)
2-Year Term)

Senator Robert M. Carr .....(Term ending August 14, 1978)
Senator Richard R. Ramsey .....(Term ending August 14, 1978)
Representative Roger A. Halvorson .....(Term ending August 14, 1976)
Representative Russell L. Wyckoff .....(Term ending August 14, 1976)

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM ADVISORY INVESTMENT BOARD
(Section 97B.8—Code 1975)

Senator James W. Griffin, Sr. .....(Term ending June 30, 1977)
Representative Richard L. Byerly .....(Term ending June 30, 1976)

MEDICAL ASSISTANCE COUNCIL
(Section 249A.4—Code 1975—2-Year Term)

Senator C. Joseph Coleman .....(Term ending June 30, 1977)
Senator Philip B. Hill .....(Term ending June 30, 1977)
Representative Reid W. Crawford .....(Term ending June 30, 1977)
Representative James D. Jordan .....(Term ending June 30, 1977)

POLICE COMMUNICATIONS REVIEW COMMITTEE
(Section 750.8—Code 1975)

Senator James V. Gallagher .....(Term ending January 9, 1977)
Senator Fred W. Nolting .....(Term ending January 9, 1977)
Senator William P. Winkelman .....(Term ending January 9, 1977)
Representative Donald V. Doyle .....(Term ending January 9, 1977)
Representative LaVern Harvey .....(Term ending January 9, 1977)
Representative James Wells .....(Term ending January 9, 1977)

IN MEMORIAM

Senate

COLBURN, JAY C.	Aug.	6,	1893—	Oct.	24, 1974
HAGEDORN, MERLE W.	March	14,	1911—	Feb.	17, 1975
NICHOLSON, EDWARD E.	Jan.	15,	1904—	July	23, 1974
SCOTT, GEORGE LINDSAY	July	21,	1887—	April	18, 1975

JAY C. COLBURN

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Jay C. Colburn, begs leave to submit the following memorial:

Jay C. Colburn was born August 6, 1893, on a farm west of Harlan, Iowa, the son of pioneer parents, William K. Colburn of Greigsville, New York, and Hattie R. Bowerman of Hillsdale, Michigan. He attended schools in Harlan, Iowa, and was graduated from Simpson College.

On September 1, 1915, Mr. Colburn was married to Alvah Ruth Anderson of Kirkman, Iowa, and moved to a farm in Harlan, Iowa, the same year. They had two children, one son, Jay Colburn, Jr., and one daughter, Norma. His first wife, Alvah, predeceased him on July 6, 1950. On December 15, 1951, he married Marie Hufford-Randall, who survives.

Mr. Colburn was a member of the Masonic orders: Parion Lodge A. F. and A. M., Royal Arch, Knights Templar of Harlan, Za-Ga-Zig Shrine of Des Moines; the Elks, and Alpha Tau Omega Fraternity. He was a director of the Iowa Fund, Inc. Mr. Colburn farmed for thirty years and owned and operated three farms near Harlan. He was a lifetime member of the Harlan Methodist Church. From 1957 to July 1, 1961, Mr. Colburn was a deputy director of the continuity of government program for Federal Civil Defense Mobilization, under the Executive Office of the President. Former Governor Norman A. Erbe appointed him to the Iowa Liquor Control Commission and he served one term beginning July 1, 1961.

Mr. Colburn was elected to the Iowa House of Representatives from Shelby County in 1941 and served during the Forty-ninth, Fiftieth, Fiftieth Extra, Fifty-first and Fifty-sixth General Assemblies, and was elected to the Iowa Senate in 1947 from Shelby and Cass Counties and served in the Fifty-second, Fifty-second Extra, Fifty-third, Fifty-fourth and Fifty-fifth General Assemblies. He served as chairman of the Senate committees on Appropriations, Way and Means, Insurance and Motor Vehicles; and from 1951 to 1957 was chairman of the powerful Legislative Interim Committee. Mr. Colburn passed away on October 24, 1974, at the age of 81 years. He is survived by his wife, Marie; one son, one daughter and seven grandchildren.

Therefore, Be It Resolved by the Senate of the Sixty-sixth General Assembly of Iowa: That in the passing of Jay C. Colburn, 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.

LOUIS P. CULVER, Chairman
WILLIAM E. GLUBA
ELIZABETH SHAW
Committee

The resolution was unanimously adopted.

MERLE W. HAGEDORN

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Merle W. Hagedorn, begs leave to submit the following memorial:

Merle W. Hagedorn was born March 14, 1911, on a farm near Royal, Iowa, the son of George Hagedorn and Clara Christensen. He graduated from high school in Rossie, Iowa, and attended Dana College.

On November 30, 1932, Mr. Hagedorn was married to G. Lucile Weik. They had three children: one son, Dean, and two daughters, Macel and Pauline.

Mr. Hagedorn's lifetime occupation was that of a farmer and real estate broker. He was a former Lincoln Township Assessor, a former member of the Clay County Board of Education and former member of the Iowa District Board of the Lutheran Church. He was a lifetime member of the Royal Lutheran Church.

Mr. Hagedorn was elected to the Iowa House of Representatives from Clay County in 1954 and served during the Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth and Sixtieth General Assemblies and was elected to the Iowa Senate in 1964 from Dickinson and Clay Counties and served in the Sixty-first General Assembly. In 1967, due to reapportionment of the Iowa Senate, he represented Buena Vista and Clay Counties in the Sixty-second General Assembly. He served as a Minority Floor Leader and as Assistant Majority Floor Leader in the House.

Mr. Hagedorn passed away on February 17, 1975, at the age of 63 years. He is survived by his wife, G. Lucile, one son, two daughters, his father, a brother and nine grandchildren.

Therefore, Be It Resolved by the Senate of the Sixty-sixth General Assembly of Iowa: That in the passing of Merle W. Hagedorn, 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 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.

WARREN E. CURTIS, Chairman
LOUIS P. CULVER
WILLIAM GLUBA
ELIZABETH SHAW

Committee

The resolution was unanimously adopted.

EDWARD E. NICHOLSON

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Edward E. Nicholson, begs leave to submit the following memorial:

Edward E. Nicholson was born in Elkhart, Illinois, January 15, 1904. He attended and was graduated from Millikin University, Decatur, Illi-

nois, in 1929, after serving as a school principal at Beacon, Illinois, before graduating. He married Helen Kay at Decatur, Illinois, in 1931. They had one daughter and one son. A flood in 1939 forced him out of the bakery which he operated in Lawrenceburg, Indiana, whereupon he entered into partnership in the Warren Nicholson Company in Davenport, Iowa, a paper box manufacturing company.

Senator Nicholson was a prominent citizen and public servant in Davenport from 1938 until his retirement in 1968. He served on the Board and for three years as Board president of the YMCA and worked untiringly toward the creation of the present Family Y facility. He was elected to the Davenport School Board in 1958. He also served on the Board of Directors and as President of the Davenport Chamber of Commerce, as President of the Board of Directors of the Davenport Country Club, a Director of the Kiwanis Club, Chairman of the I Club, President of the Quad-City Navy League Council, and was active in the Community Chest. Other organizations counting him among their members were Trinity Episcopal Cathedral, Davenport; Rock Island Arsenal Country Club; Davenport Outing Club; Iowa and Illinois Farm Bureaus and Kaaba Temple.

Edward E. Nicholson was elected to the Senate from Scott County and served during the Sixty-third and Sixty-fourth General Assemblies during which time he served on the Ways and Means, Constitutional Amendments and Reapportionment Committees and was Ranking Member of the Higher Education Committee. He also served on several study panels including taxation, collective bargaining for public employees, tax exemptions and educational problems.

He died July 23, 1974. Survivors include his widow, Helen, a daughter, Mrs. Charles E. Buchheit, Green Bay, Wisconsin, and a son, James E. Nicholson, Akron, Ohio, and four grandchildren.

Therefore, Be It Resolved by the Senate of the Sixty-sixth General Assembly of Iowa: That, in the passing of the Honorable Edward E. Nicholson, 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.

LOUIS P. CULVER, Chairman
ELIZABETH SHAW
WILLIAM E. GLUBA
WARREN E. CURTIS
Committee

The resolution was unanimously adopted.

GEORGE LINDSAY SCOTT

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable George Lindsay Scott, begs leave to submit the following memorial:

George Lindsay Scott was born July 21, 1887, on a farm near Waucoma, Iowa, one of four sons of Alexander and Margaret Scott, attended public schools in the area, and farmed near West Union until his retirement in 1945.

On November 26, 1910, Mr. Scott was married to Merle Saltsgiver at West Union, Iowa, to whom two children, J. Donald Scott of West Union and Robert Scott of Dubuque, were born.

Mr. Scott was a member of the Fayette County Farm Bureau, a member of the Masonic Lodge of West Union A. F. and A. M., the Za-Ga-Zig Shrine, the Rotary, and the Bethel United Presbyterian Church where he served as an Elder.

Mr. Scott was elected to the Iowa House of Representatives from Fayette County and served in the Forty-sixth, Forty-seventh, Forty-eighth, Forty-ninth, and Fiftieth General Assemblies. He was elected to the Iowa Senate from Allamakee, Fayette and Winneshiek Counties and served in the Fifty-fifth, Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, and Sixtieth General Assemblies.

Governor Robert D. Blue appointed him to the Iowa Liquor Control Commission and he served in that capacity from 1945 to 1951.

Mr. Scott passed away on April 18, 1975, at the age of 87 years. He is survived by his two sons, Donald and Robert.

Now Therefore, Be It Resolved by the Senate of the Sixty-sixth General Assembly of Iowa: That in the passing of George Lindsay Scott, 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 entered 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.

HILARIUS L. HEYING, Chairman
JAMES E. BRILES
C. JOSEPH COLEMAN
Committee

The resolution was unanimously adopted.

SENATE-HOUSE COMPANION BILLS

"S" indicates the bills are Similar and/or Similar Subject Matter

S.J.R.	H.J.R.
3	13
5	10
8	22 S

S.F.	H.F.
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12	28
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16	88
19, 424	141, 865 S
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27	87
33	47
34	122
41	92, 614 S
46	219
47	48
48	43
49	135
50	34
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60	76
61	67
62	4, 716 S
65	309, 754 S
67	79
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70	102
71, 186	226, 869 S
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74	57, 297 S
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87	119
88	283 S
89	878 S
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94	322 S
95	132
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153	318
154	257, 784 S
155, 211	177 S
156	202
160	520
162, 239	291, 466 S
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166	251
170	315
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174	317
176	692 S
177	279
178	37, 336 S
179	252
180	24 S
181	380
182	358 S
184	339
185, 297	83, 484 S
186, 71	226, 869 S
188	788 S
189	886 S
190	330
192	367
194	830 S
195	255
198	192
199	225
200	483
201	165
203	402 S
204, 519	137 S
208	268, 627 S
211, 155	177 S
216	94, 434 S
218	408, 769
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227	418, 827
228	346, 425 S

S.F.	H.F.
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232	293, 752 S
235	369, 790
236	609
237	588
238	352
239, 162	291, 466 S
240	397
241, 504	382 S
242	384
245	55
251, 362	524, 806 S
252	436
255	655
257	121
264	567
265	427
267	387
268	200
269	84
270	652 S
272	356, 809 S
273	489
274	511
275	413, 797
280	411, 587 S
281	578
286	433 S
290	152
294, 520	448, 823 S
296	470
297, 185	83, 484 S
301	570
302	362
305	605, 768
306	554
307	643 S
309	568
310	495
312	337
314	476
318	509
319	519
321	410
323	726 S
324, 525	462, 866 S
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326	685 S
332, 473	622, 772 S
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344	95 S
347	585, 819 S
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349	548
351	559
352	616
354	552
355	375
357	487
358	474
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370, 453	422
371	598, 778
372	530
374	723 S
375	599
380	560
383	779
385	331
386	586
387	821
389	659
390	638
393	635, 743 S
397	791 S
399	281 S
400	732
402	718
406	799 S
407	250
408	550
411	637
412	697
415	686
421	625
422	517, 777
424, 19	141, 865 S
429	731
430	345
432	621
434	699
435	633 S
436	727
438	705
442	648
443	645
444	650
445	674
447, 348	803 S
450	475
451	657 S
453, 370	422
457	217 S
458	757
459	822
460	758
463	864 S
468	579
470	856
472	623
473, 332	622, 772 S
475	818
476	642, 695 S
477	348
478	696
481	802 S
490, 334	626, 804 S
493	360 S
498	858
499	815 S
502	873
504, 241	382 S
506	871
507	828 S
516	747 S
519, 204	137 S
520, 294	448, 823 S
525, 324	462, 866 S
526	872 S
528	162 S
539	231, 504 S
553	885
554	846 S
569	128, 174 S
574	46, 66 S
576	557, 607 S

SENATE RECORD OF SENATE BILLS

SENATE JOINT RESOLUTIONS AND SENATE FILES PASSED AND APPROVED—113

S.J.R.
6, 12, 13.
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13, 14, 18, 33, 38, 39, 40, 44, 70, 75, 78, 82, 90, 92, 100, 107, 109, 114, 115, 116, 119, 121, 123, 132, 133, 134, 147, 149, 150, 153, 154, 165, 167, 184, 189, 192, 193, 214, 230, 231, 233, 282, 283, 289, 303, 308, 309, 313, 314, 329, 351, 353, 358, 364, 371, 378, 383, 397, 418, 419, 422, 425, 426, 427, 456, 464, 475, 485, 491, 494, 496, 499, 504, 505, 506, 511, 518, 521, 522, 523, 525, 526, 536, 541, 544, 545, 548, 549, 550, 555, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 571, 572, 573, 575, 579, 580, 581, 582, 583, 584.

BILLS VETOED BY THE GOVERNOR

S.F. 77, 285, 296, 338

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1 By Redmond. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the terms of office of elected state officials.
Introduced, passed on file 139
Referred to State Government .. 144
Subcommittee, Glenn, Gluba, Schwengels 187

2 By Murray and Hill of Polk. A joint resolution proposing an amendment to the Constitution of the State of Iowa to lower the age for serving in the General Assembly to eighteen years of age.
Introduced, passed on file 301
Referred to Judiciary 319
Subcommittee, Coleman, DeKoster, and Miller of Des Moines 436

3 By Gluba (Small). A joint resolution prposing an amendment to the Constitution of the State of Iowa relating to the use of motor vehicle registration fees and licenses and excise taxes on motor vehicle fuel.
Introduced, passed on file 475
Referred to Transportation 509

4 By Miller of Des Moines. A joint resolution proposing an amendment to the Constitution of the State of Iowa to provide that if the governor resigns with twenty-four months or more remaining in the term of office a new governor shall be elected.
Introduced, passed on file 476
Referred to State Government ... 509
Subcommittee, Glenn, Doderer, and Andersen 594

5 By Shaw and Hill of Polk. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the general assembly, the basis for apportionment of members, and the time when reapportionment is required.
Introduced, passed on file 483
Referred to State Government .. 509
Subcommittee, Glenn, Redmond, and Andersen 594

6 By Doderer, Murray, Hill of Polk, Hansen, Kelly, Carr and Orr. A joint resolution to continue the governor's task force on early childhood development and making an appropriation.
Introduced, passed on file 605
Referred to Appropriations 622
Subcommittee, DeKoster, Robinson, and Nolln 738
Committee report 1179
Recommended amendment, passage 1179
Committee amendment S. 3677 ...1179
Committee report adopted 1210
Committee amendment S. 3677 adopted 1210
Passed Senate, ayes 42, nays none 1210
Explanation of vote 1265
Message from House, with amendment S. 4018 1698
Senate concurred 1799
Passed Senate, ayes 41, nays none 1799
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

7 By Hill of Jasper. A joint resolution rescinding ratification of the proposed amendment to the Constitution of the United States relating to equal rights for men and women.
Introduced, passed on file 622
Referred to Judiciary 629
Subcommittee, Carr, Coleman, and Shaw 663

8 By County Government. A joint resolution proposing an amendment to the Constitution of the State of Iowa to allow

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counties to adopt charters and provide home rule.
Introduced, placed on calendar .. 686
Committee amendment S. 3356 filed 690
Amendment S. 4038 filed 1756

9 By Willits, Taylor, Carr, Tieden, Sovern, Redmond and Culver. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to privilege from arrest.
Introduced, passed on file 780
Referred to Judiciary 806
Subcommittee, DeKoster, Miller of Des Moines, and Doderer 830

10 By Redmond. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to vacancies on the supreme court, the district courts and other courts as may be established by the general assembly.
Introduced, passed on file 819
Referred to Judiciary 829
Subcommittee, Coleman, DeKoster, and Rodgers 914

11 By Griffin. A joint resolution proposing an amendment to the Constitution of the State of Iowa to strike the requirement that the senior judge of a district shall be chairman of the district nominating commission.
Introduced, passed on file 838
Referred to Judiciary 865
Subcommittee, DeKoster, Doderer, and Coleman 914

12 By Commerce. A joint resolution to provide for an interim study of the causes and effects of and solutions to the unavailability and high cost of malpractice insurance to health care providers and to provide for an appropriation.
Introduced, referred to Appropriations 1142
Subcommittee, Junkins, Plymat, and Sovern 1333
Committee report 1366
Recommended passage 1366
Committee report adopted 1395
Passed Senate, ayes 43, nays none 1395
Explanation of vote 1468
Message from House 1625
Reported correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2186

13 By Appropriations. A joint resolution to provide for an interim study of the structure and performance of the department of social services.
Introduced, placed on calendar ..1700
Amendment S. 4036 filed 1731
Amendment S. 4036 adopted 1732

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Passed Senate, ayes 48, nays none 1732
Message from House 1993
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

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1 By Griffin. A bill for an act relating to operators' and chauffeurs' licenses.
Introduced, passed on file 21
Referred to Transportation 130
Subcommittee, Doderer, Nolin, and Rabedeaux 187
Fiscal Note SCS

2 By Rodgers. A bill for an act to prohibit the underground storage of gas within the corporate limits of a city.
Introduced, passed on file 21
Referred to Commerce 130
Subcommittee, Priebe, Briles, and Gallagher 187
Committee report 312
Recommended amendment, passage 312
Committee amendment S. 3092 ... 312
Committee report adopted 521
Committee amendment S. 3092A adopted 522
Committee amendment S. 3092B adopted 522
Amendment S. 3253 filed 522
Amendment S. 3253 adopted 522
Placed on calendar under unfinished business 524
Amendment S. 3289 filed 601
Amendment S. 3295 filed 601
Amendment S. 3295 adopted 601
Amendment S. 3296 filed 602
Amendment S. 3296 lost 603
Amendment S. 3289 as amended, adopted 603
Amendment S. 3299 filed 603
Amendment S. 3301 filed 603
Amendment S. 3301 adopted 603
Amendment S. 3299 as amended, adopted 603
Passed Senate, ayes 36, nays 13 .. 603
Motion filed to reconsider vote .. 604
Amendment S. 3460 filed 823
Amendment S. 3461 filed 823
Motion to reconsider vote prevailed 861
Motion to reconsider vote 862
Motion to reconsider vote prevailed 862
Amendment S. 3461 adopted 862
Amendment S. 3289 as amended, adopted 862
Motion to reconsider vote 862
Motion to reconsider vote prevailed 863
Amendment S. 3460 adopted 863
Amendment S. 3299 as amended, adopted 863
Passed Senate, ayes 31, nays 19 .. 863

3 By Shaw. A bill for an act relating to unemployment compensation coverage for certain state employees.

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Introduced, passed on file 22
Referred to State Government .. 130
Subcommittee, Kinley, Coleman, and Winkelman 216

4 By Shaw (Higgins). A bill for an act authorizing counties to provide facilities and services for handicapped persons.
Introduced, passed on file 22
Referred to Human Resources .. 130
Subcommittee, Palmer, Scott, and Hill of Polk 187
Withdrawn 974

5 By Curtis. A bill for an act relating to the membership of the board of review.
Introduced, passed on file 73
Referred to County Government .. 130
Committee report 160
Recommended passage 161
Amendment S. 3048 filed 173
Amendment S. 3050 filed 173
Subcommittee, Heying, Scott, and Ramsey 187
Committee report adopted 192
Amendment S. 3050 adopted 193
Amendment S. 3048A adopted ... 193
Amendment S. 3048B lost 193
Amendment S. 3054 filed 194
Amendment S. 3054 adopted 194
Passed Senate, ayes 27, nays 20 .. 194
Fiscal Note SCS
Message from House, with amendment S. 3188 406
Senate refused to concur 543
Message from House 864
Conference committee appointed.. 964
Conference committee report 1264
Conference committee report adopted 1327
Passed Senate, ayes 28, nays 9 ..1329
Explanation of vote 1355

6 By Norpel. A bill for an act relating to reporting of vehicle accidents.
Introduced, passed on file 73
Referred to State Government .. 130
Subcommittee, Redmond, Coleman, and Winkelman 187
Withdrawn 993

7 By Norpel (Hennessey). A bill for an act relating to the use of reflectorized materials on bicycles.
Introduced, passed on file 73
Referred to Transportation 130
Subcommittee, Miller of Marshall, Orr, and Norpel 187
Amendment S. 3182 filed 400

8 By Hill of Polk. A bill for an act changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts.
Introduced, passed on file 73
Referred to Agriculture 130
Subcommittee, Priebe, Taylor, and Merritt 187
Withdrawn 894

9 By Hultman and Tieden. A bill for an act relating to the retirement qualifications of members of the peace officers' retirement system.
Introduced, passed on file 73
Referred to State Government .. 130
Subcommittee, Nolin, Coleman, and Miller of Marshall 187

10 By Hultman and Tieden. A bill for an act relating to the age of retirement for policemen and firemen.
Introduced, passed on file 73
Referred to Cities 130
Subcommittee, Willits, Griffin, and Miller of Des Moines 187

11 By Norpel. A bill for an act relating to motor vehicle accident records.
Introduced, passed on file 114
Referred to State Government .. 130
Subcommittee, Redmond, Coleman, and Winkelman 187
Withdrawn 2024

12 By Priebe (Krause). A bill for an act relating to the use of weed seed in commercial feed.
Introduced, passed on file 114
Referred to Agriculture 130
Subcommittee, Heying, Tieden, and Van Gilst 187

13 By Van Gilst. A bill for an act relating to the issuance of special registration plates to owners of vehicles holding amateur radio licenses and the issuance of personalized license plates for motor vehicles.
Introduced, passed on file 114
Amendment S. 3255 filed 526
Subcommittee, Gallagher, Murray, and Orr 187
Committee report 217
Recommended passage 217
Amendment S. 3064 filed 230
Committee report adopted 234
Amendment S. 3064 lost 234
Passed Senate, ayes 42, nays 6 .. 234
Message from House, with amendment S. 3247 507
Senate concurred 556
Passed Senate, ayes 42, nays 4 .. 557
Motion filed to reconsider vote ... 557
Motion to reconsider vote withdrawn 590
Reported correctly enrolled 663
Signed by President 663
Signed by Speaker 663
Sent to Governor 663
Signed by Governor 703

14 By Tieden (Halvorson). A bill for an act relating to the issuance of trapping licenses to aliens or nonresidents and making provisions of this act retroactive.
Introduced, passed on file 114
Referred to Natural Resources .. 130
Subcommittee, Norpel, Miller of Marshall, and Culver 187
Committee report 200
Recommended amendment, passage 200
Committee amendment S. 3055 .. 200

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Committee amendment S. 3056 .. 200
Amendment S. 3058 filed 206
Committee report adopted 222
Amendment S. 3058 adopted 222
Committee amendment S. 3055 adopted 222
Committee amendment S. 3056 adopted 222
Passed Senate, ayes 43, nays 4 .. 223
Message from House 361
Message from House 398
Returned from Senate requested.. 398
Return to House 404
Message from House, with amendment S. 3196 433
Senate concurred 555
Passed Senate, ayes 46, nays 2 .. 555
Reported correctly enrolled 663
Signed by President 663
Signed by Speaker 663
Sent to Governor 663
Signed by Governor 703
Became Law by Publication 1022

15 By Norpel. A bill for an act to allow persons sixty-five years of age or older to fish without a license.
Introduced, passed on file 114
Referred to Natural Resources .. 130
Subcommittee, Priebe, Winkelman, and Hultman 187
Withdrawn 590

16 By Kelly. A bill for an act to repeal bounties on certain wild animals.
Introduced, passed on file 115
Referred to Natural Resources .. 130
Subcommittee, Sovern, Bergman, and Priebe 187

17 By Kelly. A bill for an act relating to a motor vehicle involved in an accident and providing a penalty.
Introduced, passed on file 115
Referred to Judiciary 130
Subcommittee, Miller of Des Moines, Carr, and Hill of Polk.. 187

18 By Priebe. A bill for an act relating to the reporting of vehicle accidents.
Introduced, passed on file 139
Referred to Transportation 144
Subcommittee, Murray, Shaff, and Doderer 187
Committee report 822
Recommended passage 822
Steering recommends calendar .. 894
Committee report adopted 894
Amendment S. 3503 filed 900
Amendment S. 3503 lost 993
Passed Senate, ayes 35, nays 5 .. 993
Explanation of vote 1053
Message from House 2257
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

19 By Culver. A bill for an act making an appropriation from the general fund of the state to the state conservation commission for the dredging of certain specified lakes.

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Introduced, passed on file 139
Referred to Appropriations 144
Subcommittee, Hill of Jasper, Van Gilst, and Winkelman 216

20 By Griffin, Norpel and Tieden. A bill for an act relating to the establishment of minimum prices for the retail sale of beer.
Introduced, passed on file 140
Referred to State Government .. 144
Subcommittee, Kinley, Glenn, and Curtis 187

21 By Griffin, Norpel, Tieden and Carr. A bill for an act relating to the location of the Iowa beer and liquor control department.
Introduced, passed on file 140
Referred to State Government .. 144
Subcommittee, Kinley, Glenn, and Curtis 187
Fiscal Note SCS

22 By Griffin, Gluba, Tieden and Norpel. A bill for an act relating to the hours during which alcoholic beverages and beer may be sold, and to the fees required for the issuance of certain liquor control licenses and beer permits.
Introduced, passed on file 140
Referred to State Government .. 144
Subcommittee, Kinley, Glenn, and Curtis 187
Fiscal Note SCS

23 By Redmond. A bill for an act relating to the office of Code editor and the publication of the Code of Iowa and the Iowa administrative code.
Introduced, passed on file 140
Referred to Judiciary 144
Subcommittee, Willits, Ramsey, and Coleman 187

24 By Priebe, Scott, Culver, Norpel, Tieden, Bergman, Curtis, Heying, Nolin, Coleman, Rodgers, Hultman, Schwengels, Junkins, Gallagher, and Carr. A bill for an act relating to the registration fees for special trucks.
Introduced, passed on file 140
Referred to Transportation 144
Subcommittee, Nolin, Norpel, and Miller of Marshall 187
Committee report 321
Recommended passage 321
Amendment S. 3192 filed 422
Fiscal Note SCS
Amendment S. 3267 filed 550
Committee report adopted 557
Amendment S. 3192 withdrawn ... 558
Amendment S. 3267 adopted 558
Amendment S. 3273 filed 558
Point of order raised 559
Amendment S. 3273 lost 559
Passed Senate, ayes 40, nays 9 .. 559
Motion filed to reconsider vote .. 560
Motion to reconsider vote withdrawn 591

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25 By Norpel, Gallagher, Culver, Rodgers, Tieden, Carr, Scott, Sovern, Nolting, Priebe, Nolin and Merritt. A bill for an act relating to liability insurance to cover the use of public buildings.
Introduced, passed on file 140
Referred to County Government.. 144
Subcommittee, Taylor, Scott, and Robinson 187

26 By Griffin and Norpel. A bill for an act establishing a maximum civil liability for losses caused by the distribution of beer or intoxicating liquor to a person while the person is intoxicated, or which results in his intoxication.
Introduced, passed on file 140
Referred to Judiciary 144
Subcommittee, DeKoster, Hill of Polk and Carr 187

27 By Griffin, Norpel, Tieden and Gluba. A bill for an act to repeal the special fifteen percent tax imposed on retail liquor licensees.
Introduced, passed on file 140
Referred to Ways and Means 144
Subcommittee, Junkins, Nolting, and Schwengels 187
Fiscal Note SCS

28 By Griffin, Norpel, Tieden and Carr. A bill for an act repealing the prohibition which disallows a person to hold more than one class of beer permit.
Introduced, passed on file 141
Referred to State Government .. 144
Subcommittee, Kinley, Glenn, and Curtis 187

29 By Palmer, Glenn and Kinley. A bill for an act to provide for a lifetime fishing license for resident senior citizens.
Introduced, passed on file 141
Referred to Natural Resources .. 144
Withdrawn 590

30 By Glenn, Kinley and Palmer. A bill for an act reducing the maximum amount a participant may win or lose in a twenty-four hour period when participating in gambling activities permitted under section seven hundred twenty-six point twelve (726.12) of the Code.
Introduced, passed on file 141
Referred to Judiciary 144
Subcommittee, Shaw, Hill of Polk, and Rodgers 188
Withdrawn 2220

31 By Glenn, Kinley and Palmer. A bill for an act prohibiting gambling in the form of games of skill, games of chance, bingo games and raffles, and games lawful under section seven hundred twenty-six point twelve (726.12) of the Code at premises for which a liquor control license or retail beer permit has been issued, and providing penalties.
Introduced, passed on file 141
Referred to Judiciary 144
Amendment S. 3049 filed 173
Subcommittee, Willits, Kelly, and Doderer 188
Amendment S. 3264 filed 550
Amendment S. 3390 filed 740
Withdrawn 2220

32 By Robinson, Redmond and Sovern. A bill for an act relating to mufflers on motor buses.
Introduced, passed on file 143
Referred to Transportation 152
Subcommittee, Orr, Shaff, and Gallagher 188

33 By Murray (Crawford and Hines). A bill for an act relating to sanitary disposal bonds.
Introduced, passed on file 143
Referred to Cities 152
Committee report 173
Recommended passage 173
Subcommittee, Carr, Hansen, and Nystrom 188
Committee report adopted 195
Passed Senate, ayes 46, nays 1 .. 195
Message from House 224
Reported correctly enrolled 263
Signed by President 263
Signed by Speaker 263
Sent to Governor 282
Signed by Governor 292
Became Law by Publication 421

34 By Kelly. A bill for an act to prohibit discrimination in education.
Introduced, passed on file 151
Referred to Judiciary 160
Subcommittee, Shaw, DeKoster, and Willits 188
Amendment S. 3181 filed 400

35 By Shaff. A bill for an act authorizing county boards of supervisors to provide ambulance service to all or portions of their counties, and to impose a surcharge on motor vehicle registrations in order to pay for the ambulance service.
Introduced, passed on file 151
Referred to Ways and Means ... 160
Subcommittee, Van Gilst, Lamborn, and Nolting 216

36 By Andersen. A bill for an act establishing area agencies on aging and making an appropriation.
Introduced, passed on file 152
Referred to Appropriations 160
Subcommittee, Van Gilst, Hill of Jasper, and Junkins 216
Withdrawn 1976

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37 By Griffin. A bill for an act relating to elections for school bond issues.
Introduced, passed on file 152
Referred to Education 160
Subcommittee, Griffin, Carr, and Sovern 216
Committee report 237
Recommended passage 237
Referred to Ways and Means ... 237
Subcommittee, Hill of Jasper, Kinley, and Curtis 319
Amendment S. 3239 filed 512

38 By Lamborn. A bill for an act relating to the maintenance and improvement of cemetery property and permitting the levy of a tax.
Introduced, passed on file 152
Referred to Ways and Means ... 160
Subcommittee, Shaff, Junkins, and Culver 216
Committee report 579
Recommended amendment, passage 579
Committee amendment S. 3281 .. 579
Committee report adopted 636
Committee amendment S. 3281 adopted 636
Passed Senate, ayes 47, nays none 636
Message from House, with amendment S. 4019 1698
Senate concurred 1895
Passed Senate, ayes 46, nays none 1895
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

39 By Robinson and Curtis. A bill for an act relating to the organization, powers and duties of credit unions.
Introduced, passed on file 152
Referred to Commerce 185
Subcommittee, Rabedeaux, Carr, and Rodgers 216
Committee report 243
Recommended passage 243
Committee report adopted 265
Passed Senate, ayes 49, nays none 281
Message from House 717
Reported correctly enrolled 829
Signed by President 829
Signed by Speaker 829
Sent to Governor 829
Signed by Governor 865

40 By Shaw. A bill for an act relating to fair trade practices.
Introduced, passed on file 159
Referred to Commerce 173
Committee report 206
Recommended passage 206
Subcommittee, Glenn, Rabedeaux, and Carr 216
Committee report adopted 227
Passed Senate, ayes 49, nays none 227
Message from House 364
Reported correctly enrolled 468
Signed by President 468
Signed by Speaker 468

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Sent to Governor 468
Signed by Governor 535

41 By Shaw, Hansen and Hultman (Oakley, Danker, Hargrave, Lipsky, Daggett, Harvey, Mennenga, Schroeder and Rinas). A bill for an act relating to termination of parental rights and adoption and providing penalties.
Introduced, passed on file 159
Referred to Judiciary 173
Subcommittee, Ramsey, Miller of Des Moines, and Rodgers 188

42 By Andersen. A bill for an act authorizing the withholding of money from assistance payments to aid to dependent children recipients, to be used to pay certain costs for the recipients.
Introduced, passed on file 159
Referred to Human Resources .. 173
Subcommittee, Gluba, Hill of Polk, and Scott 216
Committee report 229
Recommended passage 229
Committee report adopted 242
Point of order raised 242
Referred to Appropriations 250
Fiscal Note SCS
Subcommittee, Norpel, Winkelman, and Nolin 319
Withdrawn 476

43 By Rabedeaux. A bill for an act relating to the theft of copper and brass material and providing penalties.
Introduced, passed on file 160
Referred to Judiciary 173
Subcommittee, Miller of Des Moines, Carr, and Doderer 188

44 By Priebe, Coleman, Tieden and Rodgers (Krause, Harper, Brunow, Baker, Bortell, Daggett, Gilloon, Hansen, Hennessey, Horn, Husak, Koogler, McElroy, Middleswart, Pavich, Schroeder, Varley, West and Wulff). A bill for an act relating to the registration of relating to certain trailers and semitrailers which are not for hire and making the act retroactive.
Introduced, passed on file 160
Referred to Ways and Means ... 173
Committee report 201
Recommended amendment, passage 201
Committee amendment S. 3057 ... 201
Committee report adopted 213
Amendment S. 3060 filed 214
Point of order raised 214
Subcommittee, Junkins, Culver, and Curtis 216
Amendment S. 3062 filed 217
Amendment S. 3060 withdrawn .. 225
Amendment S. 3065 filed 225
Amendment S. 3065 lost 225
Amendment S. 3062 withdrawn .. 225
Amendment S. 3066 filed 226
Amendment S. 3066 lost 226
Committee amendment S. 3057 adopted 226

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Fiscal Note SCS
Passed Senate, ayes 45, nays 4 .. 226
Message from House, with amendment S. 3187 406
Amendment S. 3265 filed 545
Amendment S. 3265 adopted 546
Senate concurred 546
Passed Senate, ayes 38, nays 6 .. 546
Explanations of vote 569
Message from House 755
Senate insisted 847
Conference committee appointed.. 891
Message from House 904
Conference committee report 1021
Amendment S. 3598 filed 1055
Conference committee report adopted 1088
Amendment S. 3598 withdrawn ..1089
Passed Senate, ayes 45, nays 4 ..1090
Message from House 1560
Reported correctly enrolled 1680
Signed by President 1680
Signed by Speaker 1680
Sent to Governor 1680
Signed by Governor 1793
Became Law by Publication 2258

45 By Redmond. A bill for an act to allow emergency vehicles to drive to the left of the center of the roadway under certain conditions.
Introduced, passed on file 161
Referred to Transportation 185
Subcommittee, Gallagher, Orr, and Shaff 216
Withdrawn 997

46 By Redmond. A bill for an act to permit the display of certain political signs, otherwise in violation of chapter 306C of the Code, during specified periods of time before and after the date of an election.
Introduced, passed on file 161
Referred to State Government .. 185
Subcommittee, Doderer, Redmond, and Nystrom 216
Withdrawn 1535

47 By Gluba, Heying, Culver, Rodgers, Junkins, Merritt, Scott, Carr, Nystrom, Sovern, Nolting, Miller of Des Moines, Redmond, Lamborn, Norpel, Gallagher, Kinley, Orr, Griffin, Andersen, Briles, Murray, Plymat and Palmer (Avenson, Small, Harper, Cusack, Wyckoff, O'Halloran, Wells, Horn, Newhard, Connors, Hargrave, Fitzgerald, Poncy, Higgins, Krause, Byerly, Hines, Dyrland, Miller of Cerro Gordo, Miller of Buchanan, Husak, Patchett, Brunow, Norland, Mennenga, Nielsen of Polk, Rinas, Jesse, Woods, Brandt, Dunton, Hinkhouse, Hutchins, Perkins, Baker, Miller of Calhoun and Griffee). A bill for an act relating to lifetime fishing and hunting licenses for resident senior citizens.
Introduced, passed on file 172
Referred to Natural Resources .. 185
Subcommittee, Priebe, Miller of Marshall, and Culver 217
Withdrawn 590

48 By Norpel (Wells). A bill for an act permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks.
Introduced, passed on file 172
Referred to State Government .. 185
Subcommittee, Kinley, Glenn, and Curtis 217
Withdrawn 1006

49 By Norpel. A bill for an act to allow the board of supervisors to call for a public referendum on county zoning.
Introduced, passed on file 172
Referred to County Government.. 185
Subcommittee, Briles, Robinson, and Heying 217
Committee report 229
Recommended passage 229
Amendment S. 3070 filed 243
Committee report adopted 250
Amendment S. 3070 withdrawn .. 250
Amendment S. 3072 filed 250
Amendment S. 3074 filed 250
Points of order raised 251
Amendment S. 3074 lost 251
Amendment S. 3072 adopted 252
Failed to pass Senate, ayes 22, nays 26 252

50 By Norpel (Wyckoff). A bill for an act relating to office facilities for county conservation boards.
Introduced, passed on file 172
Referred to County Government.. 185
Subcommittee, Gallagher, Miller of Des Moines, and Hill of Polk 217
Committee report 548
Recommended passage 548
Committee report adopted 577
Amendment S. 3284 filed 580
Amendment S. 3284 adopted 604
Failed to pass Senate, ayes 25, nays 23 604
Motion filed to reconsider vote .. 622
Motion to reconsider vote prevailed 767
Amendment S. 3422 filed 783
Amendment S. 3423 filed 783
Motion to reconsider vote 905
Motion to reconsider vote prevailed 905
Amendment S. 3422A adopted 906
Amendment S. 3422B adopted ... 906
Amendment S. 3423 withdrawn ... 906
Passed Senate, ayes 41, nays none 907

51 By Norpel. A bill for an act relating to the location of the Iowa beer and liquor control department.
Introduced, passed on file 172
Referred to State Government .. 185
Withdrawn 191

52 By Norpel. A bill for an act relating to filing requirements for state income tax returns.
Introduced, passed on file 172
Referred to Ways and Means ... 185
Subcommittee, Gluba, Lamborn, and Nolting 319

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53 By Gluba, Griffin, Norpel, Schwengels and Hansen (Cusack, Wulff, Harper, Fullerton and Junker). A bill for an act to establish the license and qualifications of real estate apprentice salesmen.
Introduced, passed on file 172
Referred to Commerce 185
Subcommittee, Carr Bergman, and Gallagher 217
Committee report 269
Recommended passage 269
Amendment S. 3086 filed 294
Committee report adopted 316
Amendment S. 3103 filed 316
Amendment S. 3086 adopted 317
Amendment S. 3113 filed 317
Amendment S. 3113 adopted 317
Amendment S. 3103 withdrawn .. 317
Amendment S. 3116 filed 318
Amendment S. 3116 adopted 318
Amendment S. 3117 filed 318
Point of order raised 318
Point of order raised 319
Ruled out of order S. 3117 319
Amendment S. 3292 filed 611
Amendment S. 3294 filed 611
Amendment S. 3439 filed 807
Amendment S. 3450 filed 807
Amendment S. 3439 adopted 1126
Motion to reconsider vote 1126
Motion to reconsider vote prevailed 1126
Amendment S. 3116 withdrawn ..1126
Amendment S. 3450 adopted 1126
Amendment S. 3292 as amended, adopted 1126
Amendment S. 3294 adopted 1126
Passed Senate, ayes 35, nays 2 ..1127

54 By Robinson and Rabedeaux. A bill for an act relating to the establishment and operation of an agency for the regulation of credit unions, and providing penalties.
Introduced, passed on file 172
Referred to State Government .. 185
Subcommittee, Nolin, Coleman, and Andersen 254

55 By Van Gilst. A bill for an act relating to the establishment of requirements for the sanitary production and processing of milk used for manufacturing purposes.
Introduced, passed on file 185
Referred to Agriculture 195
Subcommittee, Heying, Tieden, and Taylor 217
Withdrawn 1787

56 By Norpel. A bill for an act relating to purchase of real estate by political subdivisions of the state.
Introduced, passed on file 189
Referred to County Government.. 198
Subcommittee, Gallagher, Hill of Polk, and Ramsey 254

57 By Norpel. A bill for an act to make an appropriation from the general fund of the state to the road use tax fund.
Introduced, passed on file 189

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Referred to Appropriations 198
Subcommittee, Coleman, Bergman, and Nolin 254

58 By Norpel. A bill for an act relating to the vehicle safety standards and providing a penalty.
Introduced, passed on file 189
Referred to Transportation 198
Subcommittee, Miller of Marshall, Shaff, and Orr 217

59 By Norpel. A bill for an act relating to the collection of collector's bottles of alcoholic liquor and providing a penalty.
Introduced, passed on file 189
Referred to State Government .. 198
Subcommittee, Kinley, Glenn, and Curtis 254

60 By Redmond (Wells). A bill for an act relating to the signature of persons with physical disabilities.
Introduced, passed on file 190
Referred to Judiciary 198
Subcommittee, Ramsey, Miller of Des Moines, and Doderer 217
Withdrawn 1321

61 By Hultman. A bill for an act to remove certain species from the list of noxious weeds.
Introduced, passed on file 190
Referred to Agriculture 198
Subcommittee, Merritt, Burroughs, and Van Gilst 254
Committee report 268
Recommended passage 269
Committee report adopted 303
H.F. 67 Substituted 305
Withdrawn 306

62 By Hultman and Tieden (Harper, Stromer and Brunow). A bill for an act relating to a sales tax credit.
Introduced, passed on file 190
Referred to Ways and Means .. 198
Subcommittee, Junkins, Nolting, and Taylor 254

63 By Gallagher, Norpel, Miller of Marshall, Nolting, Priebe and Culver. A bill for an act to increase penalties for the unlawful hunting or taking of protected species of wildlife.
Introduced, passed on file 190
Referred to Natural Resources ... 198
Subcommittee, Norpel, Bergman, and Sovern 217
Amendment S. 3185 filed 400
Committee report 512
Recommended amendment, passage 512
Committee amendment S. 3240 .. 512
Committee report adopted 576
Committee amendment S. 3240 adopted 576
Amendment S. 3185 withdrawn ... 576
Passed Senate, ayes 27, nays 21 .. 576
Motion filed to reconsider vote .. 577
Motion to reconsider vote prevailed 660
Rereferred to Natural Resources. 660

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64 By Gallagher, Priebe, Orr, Norpel and Rodgers. A bill for an act relating to the placement of fertilizer storage tanks.
Introduced, passed on file 190
Referred to Agriculture 198
Subcommittee, Tieden, Shaff, and Scott 254

65 By Gallagher, Nolting, Miller of Des Moines, Robinson, Orr, Gluba, Merritt, Murray, Heying, Norpel, Coleman, and Redmond. A bill for an act relating to the award of annual rental charges to a landowner in addition to other damages in eminent domain proceedings by pipeline companies.
Introduced, passed on file 191
Referred to Commerce 198
Subcommittee, Rodgers, Glenn, and Briles 217
Amendment S. 3063 filed 230

66 By Hill of Jasper. A bill for an act to repeal the authority of the state transportation commission to establish by rule the maximum lengths on vehicles and combinations of vehicles.
Introduced, passed on file 191
Referred to Transportation 198
Subcommittee, Nolin, Doderer, and Coleman 436

67 By Shaw and Orr (Bittle). A bill for an act relating to the regulation of the practice of massage, the establishment of a massage technicians examining board, and standards for massage establishments and providing a penalty for violation of the Act.
Introduced, passed on file 192
Referred to State Government .. 198
Subcommittee, Hill of Jasper, Miller of Marshall, and Nystrom .. 254

68 By Ways and Means. A bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and the franchise tax.
Introduced, placed on calendar .. 192
Fiscal Note SCS
H.F. 56 Substituted 212
Withdrawn 212

69 By Rodgers. A bill for an act relating to the use of turn signals.
Introduced, passed on file 192
Referred to Transportation 198
Subcommittee, Shaff, Rabedeaux, and Nolin 217

70 By County Government (County Government). A bill for an act relating to road machinery.
Introduced, placed on calendar .. 192
Passed Senate, ayes 49, nays none 221
Message from House, with amendment S. 3080 265
Amendment S. 3104 filed 321
Amendment S. 3104 adopted 335
Senate concurred 335
Passed Senate, ayes 35, nays none 335
Explanation of votes 350
Explanation of vote 377
Explanation of vote 399
Message from House 484
Reported correctly enrolled 567
Signed by President 567
Signed by Speaker 567
Sent to Governor 567
Signed by Governor 593

71 By Hansen. A bill for an act relating to claims for reimbursement for property taxes paid and rent constituting property taxes paid by persons sixty-five years of age and older or totally disabled.
Introduced, passed on file 197
Referred to Ways and Means ... 205
Fiscal Note SCS
Subcommittee, Gluba, Hill of Jasper, and Burroughs 254

72 By Miller of Marshall (Brockett, West, Small and Branstad). A bill for an act relating to public school employees' sick leave.
Introduced, passed on file 197
Referred to Labor and Industrial Relations 205
Subcommittee, Redmond, Nolting, and Andersen 254

73 By Tieden. A bill for an act relating to the development of a program by the state conservation commission in regard to persons who have moved or constructed dwellings on land owned by the state.
Introduced, passed on file 198
Referred to Natural Resources .. 205
Subcommittee, Culver, Norpel, and Winkelman 254
Amendment S. 3126 filed 350
Committee report 1265
Recommended amendment, passage 1266
Committee amendment S. 3723 ...1266

74 By Briles. A bill for an act relating to the use of tax money for purchase and improvement of schoolhouse sites.
Introduced, passed on file 198
Referred to Education 205
Subcommittee, Norpel, Shaw, and Carr 254
Committee report 350
Recommended passage 350
Committee report adopted 524
Amendment S. 3254 filed 525
Amendment S. 3254 adopted 525
Passed Senate, ayes 35, nays 5 .. 525
Explanation of votes 569

75 By Ways and Means (Ways and Means). A bill for an act relating to the date for notifi-

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cation of changes in valuation of property.
Introduced, placed on calendar .. 203
Passed Senate, ayes 47, nays none 221
Explanation of vote 229
Message from House 232
Reported correctly enrolled 468
Signed by President 468
Signed by Speaker 468
Sent to Governor 468
Signed by Governor 535

76 By Plymat, Shaff, Hill of Jasper, Miller of Marshall, Van Gilst, Andersen, Bergman, Rodgers, Priebe, Heying, Robinson, Nystrom, Scott, Taylor, Willits, Schwengels, Gluba and Curtis. A bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol and the penalties provided therefor; making certain acts illegal and providing a penalty for their commission; and relating to procedures required in the application of the implied consent law.
Introduced, passed on file 204
Referred to Judiciary 216
Subcommittee, Miller of Des Moines, Redmond, and Kelly .. 254

77 By County Government (County Government). A bill for an act relating to county contracts requiring bids.
Introduced, placed on calendar .. 204
Passed Senate, ayes 43, nays 3 .. 238
Message from House, with amendment S. 3075 258
Explanation of vote 268
Amendment S. 3093 filed 313
Amendment S. 3093 lost 517
Senate concurred 517
Passed Senate, ayes 36, nays 4 .. 517
Explanation of vote 569
Reported correctly enrolled 663
Signed by President 663
Signed by Speaker 663
Sent to Governor 663
Vetoed by Governor 674

78 By County Government (County Government). A bill for an act relating to claims for the reimbursement for property taxes paid by persons sixty-five years of age and older or totally disabled.
Introduced, placed on calendar .. 204
Amendment S. 3069 filed 241
Amendment S. 3069 adopted 241
Passed Senate, ayes 34, nays 15 .. 241
Message from House 362
Reported correctly enrolled 468
Signed by President 468
Signed by Speaker 468
Sent to Governor 468
Signed by Governor 535

79 By Norpel, Carr, Gallagher, Tieden, Curtis, Miller of Marshall, Merritt, Culver, Taylor, Miller of Des Moines, Coleman, Scott, Andersen, Heying, Hill of Jasper, Sovern and Nystrom.

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A bill for an act to allow a veteran to file only once for the military service tax credit.
Introduced, passed on file 204
Referred to Ways and Means .. 216
Subcommittee, Culver, Junkins, and Lamborn 254
Amendment S. 3089 filed 295
Amendment S. 3252 filed 537

80 By Winkelman. A bill for an act relating to the payment of the costs of administering tests to determine if a person is affected by the use of an alcoholic beverage.
Introduced, passed on file 204
Referred to Judiciary 216
Subcommittee, DeKoster, Coleman, and Shaw 254
Fiscal Note SCS

81 By Shaff, Lamborn, Andersen, Gluba, Hill of Polk, Redmond, Willits, Plymat and Carr. A bill for an act to establish regulation of lobbyists and to provide a penalty. (See SF 542—Committee Bill)
Introduced, passed on file 209
Referred to Judiciary 228
Amendment S. 3068 filed 237
Subcommittee, Rodgers, Ramsey, and Redmond 254

82 By Miller of Marshall, Schwengels, Bergman, Gallagher, Tieden and Merritt. A bill for an act relating to civil damages for unlawfully taking certain protected species of wildlife.
Introduced, passed on file 209
Referred to Natural Resources .. 228
Subcommittee, Norpel, Culver, and Winkelman 254
Committee report 579
Recommended passage 579
Committee report adopted 682
Amendment S. 3352 filed 682
Amendment S. 3352 adopted 682
Passed Senate, ayes 41, nays 6 .. 682
Message from House 1067
Reported correctly enrolled 1099
Signed by President 1099
Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146

83 By Winkelman. A bill for an act relating to the maximum limits of tort liability of government agencies.
Introduced, passed on file 209
Referred to Judiciary 228
Subcommittee, Doderer, Willits, and DeKoster 254

84 By Murray. A bill for an act to establish and prescribe the powers and duties of the Iowa research foundation, and making an appropriation for the Iowa research foundation fund.
Introduced, passed on file 209
Referred to State Government .. 228
Subcommittee, Kinley, Coleman, and Andersen 254

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85 By Judiciary. A bill for an act relating to a complete revision of the substantive criminal laws, criminal procedure laws, and sentencing and post-conviction procedure laws of this state; providing rules of criminal procedure; providing classifications of public offenses and their consequent penalties; and providing penalties for violations of laws of the state to accord with the revised classifications.

Introduced, placed on calendar .. 210
Made special order, Feb. 17, 1975. 242
Amendment S. 3090 filed 294
Committee amendment S. 3098 filed 313
Amendment S. 3094 filed 313
Committee amendment S. 3095 filed 313
Committee amendment S. 3097 filed 314
Committee amendment S. 3099 filed 314
Committee amendment S. 3100 filed 314
Committee amendment S. 3096 filed 314
Committee amendment S. 3120 filed 321
Amendment S. 3114 filed 322
Committee amendment S. 3110 filed 327
Committee amendment S. 3112 filed 328
Committee amendment S. 3121 filed 328
Amendment S. 3115 filed 329
Committee amendment S. 3108 filed 329
Committee amendment S. 3109 filed 329
Committee amendment S. 3106 filed 329
Committee amendment S. 3119 filed 329
Committee amendment S. 3111 filed 330
Committee amendment S. 3105 filed 330
Committee amendment S. 3118 filed 332
Special Order 338
Committee amendment S. 3098 adopted 339
Amendment S. 3094A withdrawn.. 339
Amendment S. 3094B adopted 340
Amendment S. 3094C adopted 340
Amendment S. 3141 filed 340
Amendment S. 3134 filed 340
Amendment S. 3134 withdrawn ... 340
Committee amendment S. 3095 adopted 341
Amendment S. 3143 filed 341
Point of order raised 342
Committee amendment S. 3112 adopted 343
Committee amendment S. 3121 adopted 343
Amendment S. 3127 filed 343
Amendment S. 3127 lost 344
Amendment S. 3090 adopted 344
Committee amendment S. 3108 adopted 344
Committee amendment S. 3099 adopted 344

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Committee amendment S. 3109 adopted 344
Motion filed to reconsider vote .. 345
Amendment S. 3130 filed 350
Amendment S. 3140 filed 351
Amendment S. 3144 filed 351
Amendment S. 3133 filed 351
Amendment S. 3131 filed 351
Amendment S. 3135 filed 351
Amendment S. 3148 filed 351
Amendment S. 3137 filed 352
Amendment S. 3149 filed 352
Amendment S. 3129 filed 355
Amendment S. 3132 filed 355
Amendment S. 3142 filed 356
Amendment S. 3122 filed 356
Amendment S. 3138 filed 356
Amendment S. 3136 filed 357
Amendment S. 3145 filed 357
Amendment S. 3150 filed 357
Amendment S. 3128 filed 358
Amendment S. 3123 filed 358
Amendment S. 3147 filed 359
Amendment S. 3146 filed 359
Amendment S. 3124 filed 359
Amendment S. 3125 filed 359
Amendment S. 3139 filed 360
Amendment S. 3129 adopted 365
Committee amendment S. 3100 adopted 365
Amendment S. 3142 lost 366
Amendment S. 3150A adopted ... 367
Amendment S. 3150B adopted ... 368
Amendment S. 3150C adopted ... 368
Amendment S. 3150D adopted ... 368
Committee amendment S. 3119 as amended, adopted 368
Committee amendment S. 3111 adopted 368
Amendment S. 3122A adopted ... 369
Amendment S. 3122B adopted ... 369
Amendment S. 3122C lost 370
Amendment S. 3122D lost 370
Amendment S. 3138A withdrawn. 370
Amendment S. 3138B lost 370
Committee amendment S. 3105 adopted 372
Committee amendment S. 3096 adopted 372
Amendment S. 3136 lost 372
Amendment S. 3145 lost 373
Amendment S. 3171 filed 374
Amendment S. 3155 filed 377
Amendment S. 3159 filed 378
Amendment S. 3160 filed 378
Amendment S. 3169 filed 378
Amendment S. 3161 filed 378
Amendment S. 3151 filed 378
Amendment S. 3164 filed 378
Amendment S. 3156 filed 379
Amendment S. 3153 filed 379
Amendment S. 3157 filed 379
Amendment S. 3152 filed 380
Amendment S. 3158 filed 380
Amendment S. 3154 filed 380
Amendment S. 3168 filed 380
Amendment S. 3166 filed 380
Amendment S. 3172 filed 380
Amendment S. 3163 filed 381
Amendment S. 3173 filed 381
Amendment S. 3167 filed 381
Amendment S. 3174 filed 385
Amendment S. 3130 adopted 391
Amendment S. 3169 adopted 391
Amendment S. 3140 lost 391
Amendment S. 3171 adopted 394
Committee amendment S. 3118 lost 395

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Committee amendment S. 3120A adopted 395
Amendment S. 3128 adopted 396
Committee amendment S. 3120C as amended, adopted 396
Amendment S. 3167 lost 397
Amendment S. 3176 filed 400
Amendment S. 3184 filed 401
Amendment S. 3179 filed 401
Amendment S. 3183 filed 401
Amendment S. 3178 filed 401
Amendment S. 3175 filed 401
Amendment S. 3180 filed 402
Amendment S. 3177 filed 402
Amendment S. 3174 withdrawn .. 410
Amendment S. 3190 filed 410
Amendment S. 3190 lost 414
Amendment S. 3193 filed 415
Amendment S. 3193 lost 419
Amendment S. 3177 withdrawn .. 419
Committee amendment S. 3120B adopted 419
Ruled out of order S. 3114 419
Ruled out of order S. 3143 419
Ruled out of order S. 3124 419
Ruled out of order S. 3125 419
Ruled out of order S. 3139 419
Amendment S. 3186 filed 422
Amendment S. 3189 filed 423
Committee amendment S. 3110A withdrawn 426
Amendment S. 3195 filed 426
Amendment S. 3195 withdrawn .. 426
Amendment S. 3175 adopted 426
Committee amendment S. 3110B as amended, adopted 426
Amendment S. 3147 adopted 427
Amendment S. 3189 adopted 427
Amendment S. 3146 withdrawn .. 427
Amendment S. 3180 withdrawn .. 427
Ruled out of order S. 3123 427
Committee amendment S. 3110C as amended, adopted 428
Amendment S. 3132 withdrawn .. 428
Amendment S. 3133 withdrawn .. 428
Amendment S. 3160 adopted 430
Amendment S. 3155A as amended, adopted 430
Amendment S. 3155B adopted ... 430
Amendment S. 3155C withdrawn. 430
Amendment S. 3159 adopted 430
Amendment S. 3155D lost 431
Amendment S. 3155F lost 431
Amendment S. 3155E adopted ... 431
Amendment S. 3131 adopted 431
Amendment S. 3151 adopted 431
Motion to reconsider vote withdrawn 431
Amendment S. 3135 adopted 432
Amendment S. 3164 adopted 432
Amendment S. 3148 lost 432
Amendment S. 3176 lost 432
Amendment S. 3161 lost 433
Explanation of vote 435
Amendment S. 3194 filed 438
Amendment S. 3156 adopted 444
Amendment S. 3137 lost 444
Amendment S. 3115 adopted 444
Amendment S. 3201 filed 445
Amendment S. 3201 adopted 445
Amendment S. 3184 as amended, adopted 445
Amendment S. 3157 adopted 445
Amendment S. 3152 lost 446
Amendment S. 3199 filed 446
Amendment S. 3200 filed 446
Amendment S. 3200 adopted 446
Amendment S. 3199A lost 447
Amendment S. 3199B as amended, adopted 447
Amendment S. 3203 filed 447
Amendment S. 3203 adopted 447
Amendment S. 3149A lost 451
Amendment S. 3149B adopted ... 452
Amendment S. 3149C adopted ... 452
Amendment S. 3149D lost 452
Amendment S. 3149E adopted ... 452
Amendment S. 3149F lost 452
Amendment S. 3149G adopted ... 452
Amendment S. 3149H adopted ... 452
Amendment S. 3149L adopted ... 452
Amendment S. 3202 filed 455
Amendment S. 3204 filed 455
Amendment S. 3205 filed 455
Amendment S. 3149N adopted ... 460
Amendment S. 3149O adopted ... 460
Amendment S. 3149R lost 460
Amendment S. 3149S withdrawn. 460
Amendment S. 3149T withdrawn. 460
Amendment S. 3149U adopted ... 460
Amendment S. 3149V withdrawn. 460
Amendment S. 3149W adopted ... 460
Point of order raised 460
Ruled out of order S. 3149X 460
Amendment S. 3144 adopted 461
Committee amendment S. 3097 withdrawn 461
Amendment S. 3179 adopted 461
Amendment S. 3212 filed 461
Amendment S. 3212 adopted 461
Amendment S. 3186 lost 462
Amendment S. 3153 withdrawn . 462
Amendment S. 3206 filed 463
Point of order raised 463
Amendment S. 3213 filed 463
Amendment S. 3213 withdrawn.. 463
Amendment S. 3215 filed 463
Amendment S. 3215 adopted 464
Amendment S. 3206 as amended, lost 464
Amendment S. 3202 withdrawn .. 464
Amendment S. 3183 lost 465
Amendment S. 3158 adopted 465
Committee amendment S. 3106 withdrawn 465
Amendment S. 3154 adopted 465
Amendment S. 3178 adopted 466
Amendment S. 3168 adopted 466
Point of order raised 466
Ruled out of order S. 3204 466
Amendment S. 3166 lost 467
Explanation of vote 469
Amendment S. 3219 filed 470
Amendment S. 3218 filed 470
Amendment S. 3217 filed 470
Amendment S. 3209 filed 471
Amendment S. 3210 filed 472
Amendment S. 3211 filed 472
Amendment S. 3229 filed 477
Amendment S. 3229 adopted 478
Amendment S. 3225 filed 478
Amendment S. 3225 adopted 478
Amendment S. 3205 as amended, adopted 478
Ruled out of order S. 3172 479
Amendment S. 3233 filed 479
Amendment S. 3233 lost 479
Amendment S. 3163 lost 480
Amendment S. 3173 withdrawn .. 480
Amendment S. 3194 withdrawn .. 480
Amendment S. 3209 adopted 480
Amendment S. 3235 filed 480
Amendment S. 3235 adopted 481
Amendment S. 3210 lost 481
Amendment S. 3211 lost 482
Amendment S. 3141 withdrawn . 482
Amendment S. 3219 adopted 483
Amendment S. 3224 filed 486

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Amendment S. 3237 filed 486
Amendment S. 3221 filed 487
Amendment S. 3226 filed 487
Amendment S. 3234 filed 487
Amendment S. 3227 filed 487
Amendment S. 3231 filed 488
Amendment S. 3236 filed 488
Amendment S. 3222 filed 489
Amendment S. 3220 filed 489
Amendment S. 3228 filed 490
Amendment S. 3232 filed 490
Amendment S. 3224 lost 492
Amendment S. 3237 adopted 493
Amendment S. 3221 adopted 493
Amendment S. 3234 adopted 494
Amendment S. 3226 as amended, adopted 494
Amendment S. 3231 adopted 495
Amendment S. 3227A adopted ... 495
Amendment S. 3227B withdrawn. 495
Amendment S. 3245 filed 497
Amendment S. 3245 adopted 498
Amendment S. 3217A lost 499
Amendment S. 3217B adopted ... 499
Amendment S. 3217C adopted ... 499
Amendment S. 3217D adopted ... 500
Amendment S. 3217E adopted ... 500
Amendment S. 3149I withdrawn. 500
Amendment S. 3149J withdrawn. 500
Amendment S. 3149K withdrawn. 500
Amendment S. 3149M withdrawn. 500
Amendment S. 3149P withdrawn. 500
Amendment S. 3149Q withdrawn. 500
Amendment S. 3236A adopted ... 501
Amendment S. 3236B adopted ... 501
Amendment S. 3222 adopted 501
Amendment S. 3238 filed 501
Amendment S. 3238 adopted 502
Amendment S. 3220 withdrawn .. 502
Amendment S. 3242 filed 502
Amendment S. 3242 adopted 502
Motion to reconsider vote 502
Motion to reconsider vote prevailed 503
Amendment S. 3217C withdrawn. 503
Amendment S. 3249 filed 503
Amendment S. 3249 adopted 503
Amendment S. 3217F as amended, adopted 503
Amendment S. 3232A lost 504
Amendment S. 3232B withdrawn. 504
Amendment S. 3244 filed 504
Amendment S. 3244 lost 504
Amendment S. 3250 filed 504
Amendment S. 3250 adopted 504
Amendment S. 3228 as amended, adopted 505
Amendment S. 3218A adopted ... 505
Amendment S. 3218B withdrawn. 505
Amendment S. 3218C adopted ... 505
Passed Senate, ayes 37, nays 10 .. 506
Explanation of votes 510

86 By Hill of Polk. A bill for an act relating to games of skill, games of chance and other gambling activities and providing for revocations of licenses, injunctive relief, and penalties.
Introduced, passed on file 215
Referred to Judiciary 228
Subcommittee, Willits, Doderer, and Kelly 254

87 By Gluba, Gallagher, Rodgers, Willits and Carr (Brandt, Patchett, Gilloon, Jochum, Dyrland, Lonergan, Middleton, Small, Krause, Koogler, Cusack, O'Halloran, Monroe, Newhard and Middleswart). A bill for an act to repeal the limited property tax exemption for property used to control air or water pollution.
Introduced, passed on file 215
Referred to Ways and Means ... 228
Fiscal Note. SCS.
Subcommittee, Van Gilst, Nolting, and Shaff 320

88 By Gluba. A bill for an act relating to rate refunds by public utilities.
Introduced, passed on file 219
Referred to Commerce 236
Subcommittee, Gallagher, Briles, and Glenn 255

89 By Andersen. A bill for an act authorizing cities and counties to impose local taxes, appropriating the proceeds, providing property tax relief, making the 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 223
Referred to Cities 236
Subcommittee, Willits, Griffin, and Nolting 255

90 By Palmer (Nielsen of Polk). A bill for an act to increase the tax levy in certain townships for fire protection.
Introduced, passed on file 223
Referred to Ways and Means .. 236
Subcommittee, Culver, Van Gilst, and Burroughs 320
Committee report 455
Recommended passage 455
Fiscal Note SCS
Committee report adopted 520
Passed Senate, ayes 46, nays none 521
Explanation of vote 569
Message from House, with amendment S. 3287 599
Senate concurred 637
Passed Senate, ayes 47, nays none 637
Reported correctly enrolled 703
Signed by President 703
Signed by Speaker 703
Sent to Governor 703
Signed by Governor 704
Became Law by Publication 851

91 By Palmer (Nielsen of Polk). A bill for an act to increase the tax levy for township fire protection.
Introduced, passed on file 223
Referred to Ways and Means .. 236
Subcommittee, Culver, Van Gilst, and Burroughs 320
Committee report 1226
Recommended passage 1226
Fiscal note SCS

92 By Robinson (Connors). A bill for an act to amend the

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occupational safety and health act including the penalty provided by law.
Introduced, passed on file 224
Referred to Labor and Industrial Relations 236
Subcommittee, Rabedeaux, Nolting, and Merritt 255
Committee report 285
Recommended passage 285
Committee report adopted 306
Passed Senate, ayes 43, nays 6 .. 306
Message from House 362
Reported correctly enrolled 468
Signed by President 468
Signed by Speaker 468
Sent to Governor 468
Signed by Governor 535

93 By Taylor. A bill for an act to permit severance of certain land from an established drainage or levee district if it is found that the land re-receives no material benefit from the district.
Introduced, passed on file 224
Referred to Natural Resources . 236
Subcommittee, Priebe, Miller of Marshall, and Norpel 255
Committee report 549
Recommended passage 549
Committee report adopted 583
Placed on calendar under unfinished business 583
Amendment S. 3303 filed 611
Amendment S. 3606 filed 1100
Amendment S. 3606 adopted 1828
Point of order raised 1828
Passed Senate, ayes 40, nays 4 ..1828

94 By Norpel. A bill for an act relating to special deer hunting licenses.
Introduced, passed on file 224
Referred to Natural Resources . 236
Subcommittee, Priebe, Miller of Marshall, and Norpel 255

95 By Tieden, Hultman and Taylor (Nielsen of Polk and Welden). A bill for an act permitting certain discounts for early payment in consumer credit sales.
Introduced, passed on file 224
Referred to Commerce 236
Subcommittee, Curtis, Priebe, and Rodgers 255

96 By Miller of Marshall (West and Brockett). A bill for an act to change the name of the Iowa soldiers home.
Introduced, passed on file 224
Referred to State Government .. 236
Subcommittee, Coleman, Gluba, and Andersen 320
Withdrawn 841

97 By Kelly (Oakley). A bill for an act relating to expert witness fees.
Introduced, passed on file 224
Fiscal Note SCS
Referred to Judiciary 236
Subcommittee, Doderer, Shaw, and Kelly 255
Withdrawn 1605

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98 By Kelly. A bill for an act relating to a state of the judicial department message.
Introduced, passed on file 224
Referred to Judiciary 236
Subcommittee, Shaw, Willits, and Hill of Polk 255

99 By Murray (Crawford). A bill for an act creating a state information and liaison office in Washington, D. C., and making an appropriation.
Introduced, passed on file 227
Referred to State Government .. 236
Subcommittee, Kinley, Nolin, and Miller of Marshall 320

100 By County Government (County Government). A bill for an act relating to the advertisement, letting, and approval of secondary road contracts.
Introduced, placed on calendar . 227
Amendment S. 3073 filed 255
Amendment S. 3073 withdrawn . 263
Amendment S. 3076 filed 263
Placed on calendar under unfinished business 263
Amendment S. 3078 filed 269
Amendment S. 3081 filed 279
Point of order raised 280
Amendment S. 3081 adopted 280
Amendment S. 3076 withdrawn .. 280
Amendment S. 3078 withdrawn .. 280
Passed Senate, ayes 48, nays 1 .. 280
Explanation of vote 282
Message from House 2203
Amendment S. 4274 filed 2206
Senate concurred 2206
Passed Senate, ayes 43, nays none 2206
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

101 By County Government (County Government). A bill for an act relating to temporary closing of highways.
Introduced, placed on calendar . 228
H.F. 99 Substituted 263
Withdrawn 264

102 By Ramsey. A bill for an act relating to the inspection of boilers.
Introduced, passed on file 228
Referred to Labor and Industrial Relations 236
Subcommittee, Glenn, Kinley, and Griffin 320

103 By Hill of Jasper. A bill for an act repealing certain provisions relating to the power of the board of regents to issue revenue bonds, providing for the payment of current obligations, and making an appropriation.
Introduced, passed on file 232
Referred to Appropriations 242
Fiscal Note SCS
Subcommittee, Junkins, Nolin, and Andersen 436

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104 By Gluba, Rodgers, Carr, Junkins, Miller of Des Moines, Van Gilst, Andersen, Palmer, Kinley, Gallagher, Sovern, Murray, Willits, Norpel, Robinson, Coleman, Tieden, Rabedeaux, Nystrom, Griffin, and Redmond (Junker, Connors, Caffrey, Cusack, Wells, Krause, Readinger, Woods and Egenes). A bill for an act relating to taxation of United States civil service retirement and disability annuities.
Introduced, passed on file 232
Referred to Ways and Means 242
Subcommittee, Junkins, Culver, and Burroughs 320
Fiscal note SCS
Amendment S. 3246 filed 513
Committee report 1165
Recommended amendment, passage 1165
Committee amendment S. 3651 ..1165
Fiscal Note SCS
Amendment S. 3682 filed 1200
Amendment S. 3729 filed 1267
Fiscal note SCS
Fiscal note SCS

105 By Carr and Norpel. A bill for an act to appropriate from the general fund of the state to the sewage works construction fund for additional twenty-five percent grants.
Introduced, passed on file 232
Amendment S. 3067 filed 237
Referred to Appropriations 242
Amendment S. 3087 filed 296
Subcommittee, Gluba, DeKoster, and Junkins 320

106 By Scott, Plymat, Redmond, Sovern, Andersen, Bergman, Hill of Jasper, Miller of Des Moines, Culver, Orr, Van Gilst, Doderer, Rodgers, Heying, Shaw, DeKoster, Miller of Marshall, Murray, Carr, Willits, Kinley, Curtis, Gallagher and Taylor. A bill for an act prohibiting smoking in certain public areas, and providing a penalty.
Introduced, passed on file 232
Referred to Human Resources .. 242
Amendment S. 3085 filed 285
Subcommittee, Plymat, Orr, and Kelly 320
Committee report 630
Recommended amendment, passage 630
Committee amendment S. 3313 .. 630
Amendment S. 3330 filed 649
Amendment S. 3331 filed 649
Amendment S. 3373 filed 704
Amendment S. 3397 filed 740
Amendment S. 3781 filed 1335
Amendment S. 3789 filed 1355

107 By Briles. A bill for an act relating to powers of a board of directors of an insurance company other than life.
Introduced, passed on file 233
Referred to Commerce 242

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Subcommittee, Bergman, Rabedeaux, and Gallagher 320
Committee report 437
Recommended passage 437
Committee report adopted 530
Passed Senate, ayes 35, nays none 530
Explanation of votes 569
Message from House 793
Reported correctly enrolled 829
Signed by President 829
Signed by Speaker 829
Sent to Governor 829
Signed by Governor 865

108 By Bergman and Scott. A bill for an act providing that annexation of territory to a municipal corporation which is a part of a sanitary district shall constitute annexation of the same territory to the sanitary district.
Introduced, passed on file 233
Referred to Cities 242
Subcommittee, Schwengels, Nolting, and Nystrom 255

109 By Ways and Means. A bill for an act to eliminate reporting of nonessential items on abstracts of assessment.
Introduced, placed on calendar . 233
Amendment S. 3071 filed 246
Point of order raised 246
Ruled out of order S. 3071 246
Passed Senate, ayes 48, nays 1 . 247
Message from House 247
Reported correctly enrolled 468
Signed by President 468
Signed by Speaker 468
Sent to Governor 468
Signed by Governor 535

110 By Miller of Des Moines. A bill for an act relating to the definition of reasonable expenses or deductions which may be allowed by the director of revenue in determining net receipts from the operation of games of skill, games of chance, raffles and bingo games.
Introduced, passed on file 233
Referred to Ways and Means .. 242
Subcommittee, Junkins, Lamborn, and Taylor 320
Fiscal Note SCS

111 By Taylor. A bill for an act prohibiting the importation, distribution, and sale of flammable interior furnishings and providing penalties.
Introduced, passed on file 233
Referred to Commerce 242
Subcommittee, Briles, Glenn, and Rodgers 320

112 By Murray, Doderer and Hill of Polk. A bill for an act making an appropriation to the department of social services for financial assistance to child care centers.
Introduced, passed on file 233
Referred to Appropriations 242

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Subcommittee, DeKoster, Willits, and Van Gilst 320

113 By Kelly, Hill of Polk and Redmond. A bill for an act to authorize consolidation of counties.
Introduced, passed on file 233
Referred to County Government 242

114 By Appropriations. A bill for an act relating to payment by the executive council of court related costs and expenses.
Introduced, placed on calendar . 233
Passed Senate, ayes 47, nays none 245
Motion filed to reconsider vote .. 254
Motion to reconsider vote withdrawn 516
Message from House 1171
Reported correctly enrolled 1311
Signed by President 1311
Signed by Speaker 1311
Sent to Governor 1311
Signed by Governor 1353

115 By Appropriations. A bill for an act to provide for payment of the lieutenant governor's salary and expenses from funds specifically appropriated to the office of the lieutenant governor.
Introduced, placed on calendar . 234
Passed Senate, ayes 48, nays none 245
Message from House 433
Reported correctly enrolled 567
Signed by President 567
Signed by Speaker 567
Sent to Governor 567
Signed by Governor 593

116 By Appropriations. A bill for an act relating to the compensation paid to members of the board of law examiners and temporary examiners appointed by the supreme court.
Introduced, placed on calendar .. 234
Passed Senate, ayes 48, nays 1 . 246
Message from House 433
Reported correctly enrolled 567
Signed by President 567
Signed by Speaker 567
Sent to Governor 567
Signed by Governor 593

117 By DeKoster. A bill for an act relating to the tax on gross premiums of insurance companies.
Introduced, passed on file 239
Referred to Ways and Means .. 252
Subcommittee, Junkins, Kinley, and Schwengels 320
Fiscal Note SCS

118 By Hultman, Tieden, Junkins, Heying, Ramsey, Rabedeaux Lamborn, Coleman, Curtis, Schwengels, Shaff and Hansen. A bill for an act relating to the payment of legislative expenses.
Introduced, passed on file 240
Referred to State Government .. 252

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Subcommittee, Kinley, Doderer, and Schwengels 320

119 By Gallagher, Norpel, Orr, Robinson, Willits, Carr Tieden, Gluba, and Nolin. A bill for an act relating to hearing procedures by the insurance commissioner.
Introduced, passed on file 240
Referred to Commerce 252
Subcommittee, Briles, Priebe, and Rodgers 320
Committee report 437
Recommended passage 437
Committee report adopted 530
Passed Senate, ayes 38, nays none 530
Explanation of votes 569
Message from House 1038
Reported correctly enrolled 1099
Signed by President 1099
Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146

120 By Gallagher. A bill for an act relating to property exempt from executions.
Introduced, passed on file 240
Referred to Judiciary 252
Subcommittee, DeKoster, Shaw, and Rodgers 320

121 By Shaw. A bill for an act relating to compensation of the clerk of the grand jury.
Introduced, passed on file 240
Referred to Judiciary 252
Subcommittee, Ramsey, Doderer, and Kelly 320
Committee report 578
Recommended passage 578
Committee report adopted 685
Amendment S. 3355 filed 685
Amendment S. 3355 lost 686
Passed Senate, ayes 47, nays none 686
Message from House, with amendment S. 3746 1275
Senate concurred 1323
Passed Senate, ayes 35, nays none 1324
Explanation of vote 1355
Reported correctly enrolled 1388
Signed by President 1388
Signed by Speaker 1388
Sent to Governor 1388
Signed by Governor 1418

122 By Andersen. A bill for an act prohibiting gambling in the form of games of skill, games of chance, bingo games and raffles, and games lawful under section seven hundred twenty-six point twelve (726.12) of the Code at premises covered by any liquor control license or retail beer permit other than a class "A" or class "D" liquor control license, and providing penalties.
Introduced, passed on file 240
Referred to Judiciary 252
Subcommittee, Willits, Kelly, and Doderer 320

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123 By Commerce. A bill for an act relating to the inclusion of nursing and pharmacy within the definition of profession for purposes of the Iowa Professional Corporation Act.
Introduced, placed on calendar . 240
Passed Senate, ayes 49, nays none 303
Message from House 574
Reported correctly enrolled 663
Signed by President 663
Signed by Speaker 663
Sent to Governor 663
Signed by Governor 703

124 By County Government (County Government). A bill for an act relating to the transfer of county funds.
Introduced, placed on calendar .. 242
Returned to County Government 249
Amendment S. 3079 filed 269
Committee report 548
Recommended amendment, passage 548
Committee amendment S 3266 .. 548
Committee report adopted 583
Committee amendment S. 3266 adopted 584
Amendment S. 3079 withdrawn .. 584
Passed Senate, ayes 39, nays 8 . 584
Explanation of vote 608

125 By Carr. A bill for an act relating to leaves of absence for persons who are candidates for election to the Iowa general assembly and providing penalties.
Introduced, passed on file 244
Referred to Labor and Industrial Relations 268
Subcommittee, Glenn, Robinson, and DeKoster 320

126 By Gluba, Redmond, Willits, Carr, Rodgers, Coleman, Palmer Doderer, Nolting and Priebe (Higgins, Patchett, Brunow, Howell and Jochum). A bill for an act relating to the citizens' aide.
Introduced, passed on file 244
Referred to State Government .. 268
Subcommittee, Nolin, Coleman, and Andersen 320

127 By Winkelman, Bergman and Van Gilst. A bill for an act to provide for a state land use policy, and to create a department of soil conservation and land use, a state land use policy commissions, county land use policy commissions, and to specify the powers and duties of such agencies.
Introduced, passed on file 247
Referred to Natural Resources .. 268
Subcommittee, Priebe, Norpel, and Miller of Marshall 320

128 By Redmond and Gluba. A bill for an act relating to membership on the state transportation commission.
Introduced, passed on file 248
Referred to Transportation 268

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Committee report 1756
Recommended passage 1756
Amendment S. 4043 filed 1757
Subcommittee, Nolin, Rabedeaux, and Coleman 1807

129 By Doderer and Redmond. A bill for an act relating to the membership of the legislative ethics committees.
Introduced, passed on file 248
Referred to Rules and Administration 268
Subcommittee, Junkins, Kinley, and Rabedeaux 320

130 By County Government. A bill for an act relating to contracts let by county officers.
Introduced, placed on calendar . 248
H.F. 173 Substituted 304
Withdrawn 305

131 By Glenn. A bill for an act relating to gifts to officials, employees, members of the general assembly and legislative employees.
Introduced, passed on file 248
Referred to Judiciary 268
Subcommittee, Rodgers, Ramsey, and Redmond 320

132 By Ramsey, Winkelman, Priebe, Tieden, Heying, Briles, Miller of Marshall, Merritt, Shaw, Hultman, Rodgers, Orr, Scott, Curtis, Bergman, Plymat, Rabedeaux and Junkins. A bill for an act to prohibit hunting within one hundred yards of buildings.
Introduced passed on file 248
Referred to Natural Resources .. 268
Subcommittee, Bergman, Hultman, and Sovern 320
Committee report 399
Recommended passage 399
Committee report adopted 525
Amendment S. 3256 filed 529
Amendment S. 3257 filed 529
Amendment S. 3258 filed 532
Amendment S. 3258 adopted 532
Amendment S. 3259 filed 532
Amendment S. 3259 adopted 533
Amendment S. 3261 filed 533
Amendment S. 3261 adopted 533
Amendment S. 3262 filed 533
Amendment S. 3262 lost 533
Amendment S. 3257 withdrawn . 533
Amendment S. 3256 as amended, adopted 533
Passed Senate, ayes 41, nays none 534
Explanation of votes 569
Message from House 1019
Reported correctly enrolled 1099
Signed by President 1099
Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146

133 By Appropriations. A bill for an act appropriating funds to the service compensation fund and providing a publication clause.
Introduced, placed on calendar .. 248
Passed Senate, ayes 49, nays 1 .. 278

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Message from House 541
Reported correctly enrolled 663
Signed by President 663
Signed by Speaker 663
Sent to Governor 663
Signed by Governor 703
Became Law by Publication 830

134 By Appropriations. A bill for an act to repeal authorization for the standing appropriation of funds to the auditor of state to audit the department of transportation.
Introduced, placed on calendar .. 248
Passed Senate, ayes 49, nays none 279
Message from House 541
Reported correctly enrolled 663
Signed by President 663
Signed by Speaker 663
Sent to Governor 663
Signed by Governor 703

135 By Gluba. A bill for an act relating to public auction of abandoned vehicles.
Introduced, passed on file 248
Referred to Transportation 268
Subcommittee, Gallagher, Orr, and Murray 320
Committee report 822
Recommended passage 822
Committee report adopted 878
Passed Senate, ayes 48, nays none 878

136 By Judiciary. A bill for an act relating to the number of judgeships in judicial election districts.
Introduced, placed on calendar .. 252
Referred to Appropriations 305
Fiscal Note SCS
Subcommittee, DeKoster, Van Gilst, and Willits 436
Committee report 958
Recommended passage 958
Committee report adopted 1014
Passed Senate, ayes 39, nays 8 ..1014

137 By Lamborn. A bill for an act relating to payment of expenses to members of the general assembly.
Introduced, passed on file 258
Referred to State Government .. 281
Fiscal Note SCS
Subcommittee, Kinley, Glenn, and Schwengels 436

138 By Shaff. A bill for an act exempting carpentry repairs from the sales and use tax.
Introduced, passed on file 265
Referred to Ways and Means ... 281
Subcommittee, Hill of Jasper, Gluba, and Burroughs. 510

139 By Redmond. A bill for an act creating a state minimum wage to be paid to any persons employed by another person and providing a penalty.
Introduced, passed on file 265
Referred to Labor and Industrial Relations 281

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Subcommittee, Andersen, Nolting, and Merritt 436

140 By Briles (Daggett). A bill for an act relating to granular surface highways and providing for an appropriation.
Introduced, passed on file 266
Referred to Appropriations 282
Subcommittee, Hill of Jasper, Nolin, and Winkelman 436

141 By Briles and Scott. A bill for an act relating to the remittance of a portion of the cattle and veal calf fund.
Introduced, passed on file 266
Referred to Agriculture 282
Subcommittee, Van Gilst, Tieden, and Merritt 436

142 By Redmond. A bill for an act relating to appeal procedures within the department of revenue and from the state board of tax review.
Introduced, passed on file 266
Referred to Judiciary 282
Subcommittee, Shaw, Miller of Des Moines, and Rodgers 320

143 By Murray and Ramsey. A bill for an act permitting community-based correctional programs to provide services for juveniles.
Introduced, passed on file 266
Referred to Judiciary 282
Subcommittee, Carr, Doderer, and Kelly 320

144 By Gluba. A bill for an act making an appropriation to the state board of regents for the mobile dental unit program.
Introduced, passed on file 266
Referred to Appropriations 282
Subcommittee, Doderer, Gluba, and Andersen 436

145 By Rodgers. A bill for an act relating to antique gambling devices.
Introduced, passed on file 266
Referred to Judiciary 282
Subcommittee, Willits, Doderer, and Kelly 320

146 By Rodgers. A bill for an act permitting deposits of public funds to be made in savings and loan associations.
Introduced, passed on file 266
Referred to Commerce 282
Subcommittee, Priebe, Curtis, and Rabedeaux 436

147 By Judiciary. A bill for an act amending the duties of the court administrator.
Introduced, placed on calendar .. 266
Passed Senate, ayes 48, nays none 317
Message from House 1370
Reported correctly enrolled 1645
Signed by President 1645
Signed by Speaker 1645

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Sent to Governor 1645
Signed by Governor 1707

148 By Bergman, Priebe, Tieden, Scott, Coleman and Nystrom. A bill for an act relating to the establishment of a corn promotion fund to receive assessments made on the sale of corn, to establish an Iowa corn promotion board, to provide for a referendum among corn producers, and to provide penalties.
Introduced, passed on file 266
Referred to Agriculture 282
Subcommittee Burroughs, Heying, and Tieden 436
Withdrawn 1787

149 By Cities (Cities and Towns). A bill for an act relating to an appropriation from the general fund of the state to sewage works treatment construction fund.
Introduced, referred to Appropriations 267
Committee report 294
Recommended passage 294
Subcommittee, Willits, Plymat, and Doderer 320
Amendment S. 3101 filed 332
Committee report adopted 335
Amendment S. 3101 adopted 336
Passed Senate, ayes 40, nays 1 .. 336
Explanation of votes 350
Explanation of vote 377
Explanation of vote 399
Message from House 391
Reported correctly enrolled 468
Signed by President 468
Signed by Speaker 468
Sent to Governor 468
Signed by Governor 535
Became Law by Publication 687

150 By Human Resources. A bill for an act relating to the interstate probation and parole compact.
Introduced, placed on calendar .. 267
Passed Senate, ayes 47, nays none 363
Explanation of vote 399
Message from House 1067
Reported correctly enrolled 1099
Signed by President 1099
Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146

151 By Briles and Miller of Des Moines. A bill for an act relating to the civil defense and emergency planning of this state.
Introduced, passed on file 271
Referred to State Government .. 292
Subcommittee, Nolin, Glenn, and Winkelman 436
Amendment S. 3398 filed 740

152 By Kinley (Caffrey). A bill for an act to permit parimutuel 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.
Introduced, passed on file 271
Referred to Ways and Means .. 292
Subcommittee, Junkins, Schwengels and Nolting 436
Committee report 689
Reported without recommendation 690
Referred to State Government .. 690
Fiscal Note SCS
Subcommittee, Hill of Jasper, Coleman and Schwengels 830
Amendment S. 3475 filed 868
Amendment S. 3474 filed 869
Amendment S. 3479 filed 870
Amendment S. 3473 filed 870
Amendment S. 3472 filed 870
Amendment S. 3484 filed 887
Amendment S. 3482 filed 887
Amendment S. 3495 filed 900
Amendment S. 3509 filed 916
Amendment S. 3510 filed 916
Amendment S. 3512 filed 917
Amendment S. 3518 filed 933
Amendment S. 3516 filed 933
Amendment S. 3621 filed 1133
Amendment S. 3620 filed 1133
Amendment S. 3708 filed 1226

153 By Ways and Means. A bill for an act relating to the disposition of seized cigarettes.
Introduced, placed on calendar .. 277
Fiscal Note SCS
Passed Senate, ayes 48, nays none 303
Message from House 574
Reported correctly enrolled 663
Signed by President 663
Signed by Speaker 663
Sent to Governor 663
Signed by Governor 704

154 By Sovern, Orr and Hansen (Horn, Dunton and Patchett). A bill for an act relating to the employment and duties of public school principals.
Introduced, passed on file 290
Referred to Education 310
Subcommittee, Sovern, Hansen, and Orr 436
Committee report 689
Recommended passage 689
Amendment S. 3502 filed 900
Amendment S. 3533 filed 933
Steering recommends calendar ..1090
Committee report adopted 1094
Amendment S. 3533 adopted 1094
Ruled out of order S. 3502 1094
Passed Senate, ayes 26, nays 18 .1095
Messages from House 1993
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

155 By Shaw (Crabb). A bill for an act relating to mem-

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bership of the state historical board.
Introduced, passed on file 290
Referred to State Government .. 310
Subcommittee, Coleman, Doderer, and Miller of Marshall 436
Withdrawn 1113

156 By Gallagher and Winkelman (Doyle, Bortell and Clark). A bill for an act relating to maintenance of law enforcement communications with local law enforcement agencies.
Introduced, passed on file 290
Referred to Transportation 310
Subcommittee, Gallagher, Nolin, and Shaff 436
Withdrawn 964

157 By Heying. A bill for an act to provide a closed season, daily catch limit, possession limit, and minimum length of fish on certain rivers and streams.
Introduced, passed on file 292
Referred to Natural Resources .. 310

158 By Andersen. A bill for an act relating to inheritance tax on property passing to a surviving spouse.
Introduced, passed on file 297
Referred to Ways and Means .. 319
Subcommittee, Hill of Jasper, Gluba, and Burroughs 510
Fiscal Note SCS

159 By Gallagher. A bill for an act to prohibit unsolicited loan offers and providing a penalty.
Introduced, passed on file 298
Referred to Commerce 319
Subcommittee, Bergman, Priebe, and Carr 436
Committee report 757
Recommended passage 757

160 By Gallagher. A bill for an act establishing a consumer review board.
Introduced, passed on file 298
Referred to State Government .. 319
Subcommittee, Nolin, Coleman, and Nystrom 510

161 By Shaw. A bill for an act relating to the registration of vessels.
Introduced, passed on file 301
Referred to Natural Resources .. 319

162 By Nystrom. A bill for an act relating to holidays for state employees.
Introduced, passed on file 301
Referred to State Government .. 319
Subcommittee, Nolin, Glenn, and Miller of Marshall 510
Committee report 822
Recommended passage 822
Steering recommends calendar . 894
Committee report adopted 895
Passed Senate, ayes 40, nays none 895

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163 By Shaff (Welden). A bill for an act relating to the temporary service of retired supreme court judges.
Introduced, passed on file 302
Referred to Judiciary 319
Subcommittee, Hill of Polk, Kelly and Carr 436
Committee report 720
Recommended amendment, passage 720
Committee amendment S. 3376 .. 720
Committee report adopted 845
Committee amendment S. 3376 adopted 846
Passed Senate, ayes 46, nays 1 .. 846
Explanation of vote 914

164 By Hansen, Carr, Nystrom and Robinson (Norland and West). A bill for an act relating to campaign finance and disclosure and providing penalties for violations.
Introduced, passed on file 302
Referred to State Government .. 319
Subcommittee, Doderer, Redmond, and Nystrom 510

165 By Appropriations. A bill for an act relating to the report commonly known as the state salary book.
Introduced, placed on calendar .. 302
Amendment S. 3102 filed 332
Amendment S. 3170 filed 389
Amendment S. 3170 adopted 519
Amendment S. 3102 adopted 520
Passed Senate, ayes 39, nays 5 .. 520
Explanation of vote 569
Message from House, with amendment S. 3341 660
Senate concurred 848
Passed Senate. ayes 38, nays 10 . 848
Explanation of vote 914
Reported correctly enrolled 932
Signed by President 932
Signed by Speaker 932
Sent to Governor 932
Signed by Governor 958

166 By Appropriations. A bill for an act making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards.
Introduced, placed on calendar .. 302
H.F. 251 Substituted 518
Withdrawn 519

167 By Griffin. A bill for an act relating to licensing and regulating restaurants and food establishments.
Introduced, passed on file 302
Referred to Agriculture 319
Subcommittee, Taylor, Merritt, and Burroughs 436
Committee report 1419
Recommended amendment, passage 1419
Committee amendment S. 3328 ..1419
Committee report adopted 1664

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Committee amendment S. 3828 adopted 1665
Passed Senate, ayes 41, nays none 1665
Explanation of vote 1709
Message from House 2178
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

168 By Norpel, Junkins, Carr, Tieden, Hultman, Culver, Miller of Des Moines, Bergman, Andersen, Nolting, Heying Merritt, Miller of Marshall, Griffin, and Scott. A bill for an act to appropriate moneys from the general fund of the state to the road use tax fund.
Introduced, passed on file 315
Referred to Appropriations 349
Subcommittee, Hill of Jasper, Shaw, and Junkins 510

169 By Doderer and Kelly. A bill for an act relating to the furnishing of discharge inmates of the women's reformatory with clothing, money, and transportation. (See SF 456—Committee Bill)
Introduced, passed on file 334
Referred to Judiciary 375
Amendment S. 3214 filed 472
Subcommittee, Carr Kelly and Doderer 510
Withdrawn 1001

170 By Priebe, Nolin, Coleman, Bergman, Winkelman, Tieden, Heying, Scott, Norpel, Curtis, Plymat, Andersen, Nystrom, Taylor, Burroughs, Culver, Gallagher, Robinson, Rodgers, Redmond, Nolting, Sovern, Merritt, Miller of Marshall, Hansen, Carr, Doderer, Lamborn, Kelly, Gluba, Palmer and Kinley (Husak, Krause, Schroeder, Scheelhaase, Hutchins, Baker, Perkins, Wyckoff and Hansen). A bill for an act relating to the disposition of snowmobile registration fees.
Introduced, passed on file 336
Fiscal Note SCS
Referred to Ways and Means ... 375
Subcommittee, Van Gilst, Culver, and Taylor 510

171 By Rodgers, Scott, Priebe, Coleman, Briles, Culver, Gallagher, Tieden, Merritt, Norpel, Carr, Redmond, Kinley, Gluba, Glenn, Nolting, Palmer, Orr, Miller of Des Moines, Sovern and Willits. A bill for an act relating to farming by corporations, restricting the ownership of farming land by corporations, providing for the disposal of farm land by certain corporations, requiring reports, authorizing farming by certain corporations, providing civil procedures and remedies for enforcement of the provisions of the Act, and providing penalties for violation of the Act.
Introduced, passed on file 345
Referred to Agriculture 375
Subcommittee, Van Gilst, Shaff, and Scott 510
Withdrawn 2220

172 By Doderer. A bill for an act relating to establishment of a trust to pay child support out of the assets of an estate.
Introduced, passed on file 345
Referred to Judiciary 375
Subcommittee, DeKoster, Miller of Des Moines, and Shaw 510

173 By Scott. A bill for an act relating to emergency light sources for public buildings.
Introduced, passed on file 345
Referred to State Government ... 375
Amendment S. 3208 filed 472
Subcommittee, Coleman, Nolin, and Winkelman 510

174 By Ways and Means. A bill for an act relating to the definitions of cigarette and package of cigarettes.
Introduced, placed on calendar .. 345
Fiscal Note SCS
Returned to Ways and Means .. 622
Withdrawn 1327

175 By Heying and Taylor. A bill for an act relating to the duties of public utilities when acquiring easements.
Introduced, passed on file 345
Referred to Commerce 375
Subcommittee, Curtis, Priebe, and Glenn 510
Amendment S. 3557 filed 989
Amendment S. 3565 filed 1011

176 By Heying and Taylor. A bill for an act granting the owner of land acquired where eminent domain is available the option to repurchase the land not used for the project.
Introduced, passed on file 346
Referred to Judiciary 375
Subcommittee, Shaw, Ramsey, and Coleman 510

177 By Carr, Nolting, Culver, Gluba, Tieden, Norpel, Gallagher, and Miller of Des Moines (Caffrey, Woods, Middleton, Wells and Jochum). A bill for an act providing for a state lottery; providing for a state lottery commission to administer the lottery; providing for a state lottery fund for the deposit of receipts and for the payment of prizes and expenses; providing for the licensing of lottery ticket sales agents; providing for administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal and providing a penalty for their commission.

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Introduced, passed on file 374
Referred to Ways and Means ... 398
Subcommittee, Junkins, Kinley, and Schwengels 510

178 By Gluba (Higgins, Jochum, Dyrland, Cusack and Bina). A bill for an act relating to the quantity of alcoholic liquor an individual may import into and possess within the state for the purpose of personal consumption.
Introduced, passed on file 374
Referred to State Government .. 398
Subcommittee, Kinley, Glenn, and Curtis 510

179 By Rodgers, Norpel, Gallagher, Miller of Des Moines, Curtis, Culver, Coleman, Heying, Griffin, DeKoster, Nystrom, Plymat, Willits, Orr, Robinson, Lamborn, Bergman, Tieden, Schwengels, Hultman and Gluba (Junker, Doyle, Fullerton, Scheelhaase, Tofte, Hines, Higgins, Dieleman, Bina, Hullinger, Stromer, Hansen, Wyckoff, Jordan, Stephens, Hennessey, Daggett, Halvorson, Evans, Woods, Wells, Millen, Drake, Newhard, Harper, McElroy, Mennenga, Poncy, Howell, Schroeder, Nealson of Muscatine, Danker, Gilloon, Hinkhouse, Pellett, Connors, Pavich, Walter, Jochum, Oakley, Lindeen, Miller of Buchanan, Rinas, Dyrland, Caffrey, Middleswart, Kreamer, Lageschulte, Patchett, Welden, Egenes, Den Herder, Bortell, Spencer, Menke, Norland, Hargrave, Crawford, Anderson, Lonergan, Small, Harvey, Griffee, Dunton, Varley, Krause and Cusack). A bill for an act relating to the business of purchasing livestock for slaughter, and providing penalties.
Introduced, passed on file 374
Referred to Agriculture 398
Subcommittee, Scott, Merritt, and Shaff 511
Withdrawn 1925

180 By Plymat, Murray and Doderer. A bill for an act relating to pay toilets and providing a penalty.
Introduced, passed on file 392
Referred to Cities 420
Subcommittee, Carr, Nolting, and Nystrom 594

181 By Gluba (Jesse, Fitzgerald, Brandt, Pellett, Hines, Crabb, Crawford, Schroeder, Newhard, Woods, Hullinger, Welden, West, Monroe, O'Halloran, Higgins, Jochum, Egenes, Middleswart, Howell, Miller of Buchanan and Mennenga). A bill for an act to appropriate from the general fund of the state to the Iowa mental health authority.

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Introduced, passed on file 397
Referred to Appropriations 420
Subcommittee, Sovern, Plymat, and Coleman 511
Amendment S. 3703 filed 1226

182 By Andersen and Norpel. A bill for an act to allocate a portion of the sales tax revenue from the general fund of the state to the road use tax fund.
Introduced, passed on file 397
Referred to Appropriations 420
Fiscal Note SCS
Subcommittee, Hill of Jasper, Shaw, and Junkins 511

183 By Shaff, Taylor, Lamborn, Coleman, Scott, Curtis, Tieden, Van Gilst, and Winkelman. A bill for an act relating to the valuation of agricultural property for tax purposes.
Introduced, passed on file 397
Referred to Ways and Means 420
Subcommittee, Van Gilst, Nolting, and Burroughs 511

184 By Miller of Des Moines (Monroe). A bill for an act increasing the mileage rate and certain fees paid to jurors and the witness fees and mileage paid to witnesses.
Introduced, passed on file 397
Referred to Judiciary 420
Subcommittee, Doderer, Shaw, and Kelly 511
Committee report 648
Recommended passage 648
Amendment S. 3467 filed 834
Committee report adopted 842
Amendment S. 3467 adopted 843
Passed Senate, ayes 47, nays 1 .. 843
Motion filed to reconsider vote .. 843
Amendment S. 3490 filed 887
Motion to reconsider vote prevailed 896
Amendment S. 3490 adopted 896
Passed Senate, ayes 43, nays none 897
Explanation of vote 914
Message from House, with amendment S. 4265 2178
Senate concurred 2195
Passed Senate, ayes 42, nays none 2195
Explanation of vote 2257
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

185 By Miller of Des Moines, Hansen, Orr, Priebe, Scott, Kelly, Burroughs, and Nystrom. A bill for an act relating to the licensing and regulation of social workers, certified social workers, and master social workers, the deposit of license fees for purposes of administration, and providing penalties for violations.
Introduced, passed on file 398
Referred to State Government .. 420

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Subcommittee, Nolin, Coleman, and Winkelman 594
Withdrawn 616

186 By Shaff, Curtis, Griffin, Hansen, Briles, Burroughs, Bergman, Tieden, Rabedeaux, Schwengels, Hultman, Shaw, Hill of Polk, Ramsey, Miller of Marshall, Taylor, Lamborn, Andersen, Winkelman, Kelly, Nystrom, Murray and Plymat. A bill for an act relating to reimbursement for property taxes paid and rent constituting property taxes paid by persons sixty-five years of age or older or totally disabled.
Introduced, passed on file 398
Referred to Ways and Means ... 420
Subcommittee, Gluba, Kinley, and Curtis 511

187 By Gallagher. A bill for an act relating to proof of motor vehicle financial responsibility.
Introduced, passed on file 398
Referred to Transportation 420

188 By Heying and Taylor. A bill for an act relating to the routing of transmission lines.
Introduced, passed on file 398
Referred to Commerce 421
Subcommittee, Bergman, Rodgers, and Curtis 511
Amendment S. 3489 filed 887
Committee report 1131
Recommended amendment, passage 1131
Committee amendment S. 3627 ...1131

189 By Winkelman. A bill for an act relating to investment reports submitted to the auditor of state.
Introduced, passed on file 404
Referred to State Government ... 434
Subcommittee, Nolin, Gluba, and Curtis 594
Committee report 758
Recommended passage 758
Committee report adopted 965
Passed Senate, ayes 48, nays none 965
Message from Senate 2179
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

190 By Gluba. A bill for an act relating to filing for increases in utility rates, charges, schedules, or regulations.
Introduced, passed on file 404
Referred to Commerce 435
Subcommittee, Curtis, Carr, and Glenn 511

191 By Schwengels, Norpel, Nystrom, Hultman, Tieden, Bergman, Burroughs, Hansen, Winkelman, Ramsey and Taylor. A bill for an act setting the salary rate for designated state officials.
Introduced, passed on file 409
Fiscal Note SCS
Referred to Appropriations 435
Subcommittee, Culver, Murray, and Gluba 511

192 By Doderer (Brandt, O'Halloran, Jochum, Doyle, Small, Cusack, Rinas, Crawford, Newhard and Middleton). A bill for an act relating to age requirements of applicants for marriage licenses, and to legitimacy of children born of certain marriages.
Introduced, passed on file 409
Referred to Judiciary 435
Subcommittee, Rodgers, Coleman, and Hill of Polk 511
Committee report 1300
Recommended passage 1300
Committee report adopted 1405
Passed Senate, ayes 39, nays 1 ..1405
Explanation of votes 1468
Message from House, with amendment S. 4264 2179
Senate concurred 2196
Passed Senate, ayes 39, nays 3 ..2197
Explanation of vote 2257
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

193 By Human Resources (Human Resources). A bill for an act to amend chapter 135C of the Code so as to change the defined term "adult foster home" to "adult foster family home" and to make certain related changes in the use of that term.
Introduced, placed on calendar .. 409
Amendment S. 3255 filed 526
Amendment S. 3255 adopted 526
Passed Senate, ayes 39, nays 1 .. 526
Explanation of votes 569
Message from House 1275
Reported correctly enrolled 1311
Signed by President 1311
Signed by Speaker 1311
Sent to Governor 1311
Signed by Governor 1353

194 By Redmond. A bill for an act relating to the selling of tangible goods by a licensee authorized to make supervised loans pursuant to the "Iowa Consumer Credit Code".
Introduced, passed on file 409
Referred to Commerce 435
Subcommittee, Curtis, Rodgers, and Priebe 511

195 By Gluba (Higgins, Bina and Jochum). A bill for an act relating to county jails.
Introduced, passed on file 409
Referred to Human Resources .. 435
Subcommittee, Kelly, Scott, and Palmer 594

196 By Rodgers. A bill for an act providing for the use of studded snow tires from

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December 15 through March 15.
Introduced, passed on file 409
Referred to Transportation 435
Subcommittee, Miller of Marshall, Orr, and Doderer 594

197 By Griffin. A bill for an act relating to the control of rabies, the regulation and vaccination of dogs, repealing certain provisions of the Code, and providing a penalty.
Introduced, passed on file 419
Referred to Human Resources .. 435
Amendment S. 3280 filed 580
Subcommittee, Kelly, Miller of Des Moines, and Hill of Jasper. 594

198 By Murray. A bill for an act relating to qualifications of civil service employees.
Introduced, passed on file 419
Referred to Cities 435
Subcommittee, Redmond, Nolting, and Schwengels 511

199 By Education. A bill for an act relating to the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory.
Introduced, placed on calendar .. 420
H.F. 225 Substituted 526
Withdrawn 527

200 By Nystrom, Scott, Miller of Des Moines, Priebe, Murray, Hansen, Lamborn, Rodgers, Norpel, Griffin, Briles, Hultman, Schwengels, Andersen and Curtis. A bill for an act relating to leave of absence by reason of sickness or injury.
Introduced, passed on file 420
Referred to State Government ... 435
Subcommittee, Doderer, Gluba, and Winkelman 594

201 By Nystrom, Shaff, Lamborn, Kelly, Shaw, Ramsey, Winkelman, DeKoster, and Andersen. A bill for an act relating to the payment of wages and providing a penalty.
Introduced, passed on file 420
Referred to Labor and Industrial Relations 435
Subcommittee, Robinson, Redmond, and DeKoster 511

202 By Gallagher. A bill for an act relating to the abandonment of utility service.
Introduced, passed on file 420
Referred to Commerce 435
Subcommittee, Briles, Carr, and Bergman 511

203 By Agriculture. A bill for an act relating to the establishment of requirements for the sanitary production and processing of milk used for manufacturing purposes.
Introduced, placed on calendar .. 420
Passed Senate, ayes 35, nays 5 .. 528
Explanation of votes 569

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204 By Palmer, Hill of Polk, Willits, Plymat and Kinley. A bill for an act relating to registration of motor vehicles. (See SF 519—Committee Bill)
Introduced, passed on file 434
Referred to Transportation 454
Subcommittee, Nolin, Coleman, and Shaff 594

205 By Carr, Hansen, Murray, Robinson, Willits, Palmer, Kinley and Gluba. A bill for an act relating to the issuance, continuation, and termination of teachers' contracts.
Introduced, passed on file 434
Referred to Education 454
Subcommittee, Carr, Griffin, and Sovern 511
Committee report 609
Recommended amendment, passage 609
Committee amendment S. 3302 .. 609
Amendment S. 3305 filed 612
Amendment S. 3310 filed 625
Amendment S. 3307 filed 625
Amendment S. 3315 filed 633
Amendment S. 3317 filed 633
Amendment S. 3318 filed 633
Amendment S. 3319 filed 633
Amendment S. 3316 filed 633
Amendment S. 3314 filed 633
Made special order, Mar. 25, 1975. 636
Amendment S. 3326 filed 649
Amendment S. 3324 filed 649
Amendment S. 3336 filed 649
Amendment S. 3342 filed 665
Amendment S. 3350 filed 690
Amendment S. 3357 filed 691
Amendment S. 3354 filed 691
Amendment S. 3346 filed 691
Amendment S. 3345 filed 691
Amendment S. 3347 filed 691
Amendment S. 3353 filed 692
Amendment S. 3348 filed 692
Amendment S. 3351 filed 692
Special order 695
Committee report adopted 696
Committee amendment S. 3302A adopted 698
Amendment S. 3346 lost 698
Committee amendment S. 3302B adopted 698
Committee amendment S. 3302C adopted 698
Amendment S. 3347 lost 699
Committee amendment S. 3302D adopted 699
Committee amendment S. 3302E adopted 699
Amendment S. 3314 withdrawn .. 699
Amendment S. 3345 lost 699
Amendment S. 3353 withdrawn .. 699
Amendment S. 3371 filed 699
Amendment S. 3371 adopted 699
Amendment S. 3342 adopted 700
Amendment S. 3367 filed 700
Amendment S. 3348 lost 701
Amendment S. 3351 adopted 701
Committee amendment S. 3302G as amended, adopted 702
Amendment S. 3367B withdrawn.. 702
Amendment S. 3367A adopted 702
Committee amendment S. 3302F as amended, adopted 702
Committee amendment S. 3302H adopted 702

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Committee amendment S. 3302I adopted 702
Committee amendment S. 3302J adopted 702
Amendment S. 3364 filed 704
Amendment S. 3369 filed 704
Amendment S. 3362 filed 704
Amendment S. 3366 filed 705
Amendment S. 3372 filed 705
Amendment S. 3368 filed 705
Amendment S. 3365 filed 705
Amendment S. 3370 filed 705
Amendment S. 3359 filed 706
Amendment S. 3361 filed 706
Amendment S. 3360 filed 706
Amendment S. 3358 filed 706
Amendment S. 3305 lost 715
Amendment S. 3326 lost 716
Amendment S. 3369 lost 716
Amendment S. 3380 filed 716
Motion filed to reconsider vote .. 718
Amendment S. 3379 filed 721
Amendment S. 3377 filed 725
Amendment S. 3381 filed 725
Amendment S. 3375 filed 725
Amendment S. 3378 filed 725
Amendment S. 3392 filed 746
Amendment S. 3425 filed 784
Amendment S. 3432 filed 789
Amendment S. 3430 filed 789
Amendment S. 3427 filed 789
Amendment S. 3428 filed 790
Amendment S. 3432 lost 798
Amendment S. 3440 filed 798
Amendment S. 3440A adopted ... 800
Amendment S. 3440B withdrawn. 800
Amendment S. 3440C withdrawn. 800
Amendment S. 3444 filed 800
Amendment S. 3444 adopted 800
Amendment S. 3446 filed 800
Amendment S. 3446 adopted 800
Amendment S. 3442 filed 800
Amendment S. 3442 adopted 800
Amendment S. 3447 filed 800
Amendment S. 3447 lost 801
Amendment S. 3443 filed 801
Amendment S. 3441 filed 801
Amendment S. 3441 adopted 802
Amendment S. 3445 filed 802
Amendment S. 3445 lost 803
Amendment S. 3449 filed 803
Amendment S. 3449 lost 803
Amendment S. 3448 filed 803
Amendment S. 3448 withdrawn .. 803
Amendment S. 3453 filed 803
Amendment S. 3453 withdrawn .. 803
Amendment S. 3454 filed 804
Amendment S. 3454 adopted 804
Amendment S. 3455 filed 804
Amendment S. 3455 lost 805
Amendment S. 3456 filed 805
Amendment S. 3456 adopted 805
Amendment S. 3457 filed 808
Amendment S. 3459 filed 808
Amendment S. 3458 filed 808
Amendment S. 3443 withdrawn .. 812
Amendment S. 3457 adopted 812
Amendment S. 3458 adopted 813
Amendment S. 3459 lost 813
Amendment S. 3462 filed 813
Amendment S. 3462 adopted 814
Amendment S. 3463 filed 814
Amendment S. 3463 adopted 814
Amendment S. 3464 filed 814
Amendment S. 3464 adopted 814
Amendment S. 3425 as amended, adopted 815
Ruled out of order S. 3307 815
Ruled out of order S. 3316 815

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Ruled out of order S. 3360 815
Ruled out of order S. 3361 815
Ruled out of order S. 3310 815
Ruled out of order S. 3364 815
Ruled out of order S. 3380 815
Ruled out of order S. 3315 815
Ruled out of order S. 3317 815
Ruled out of order S. 3318 815
Ruled out of order S. 3319 815
Ruled out of order S. 3324 815
Ruled out of order S. 3358 815
Ruled out of order S. 3336 816
Ruled out of order S. 3350 816
Ruled out of order S. 3354 816
Ruled out of order S. 3357 816
Ruled out of order S. 3359 816
Ruled out of order S. 3362 816
Ruled out of order S. 3366 816
Ruled out of order S. 3372 816
Ruled out of order S. 3368 816
Ruled out of order S. 3375 816
Ruled out of order S. 3370 816
Ruled out of order S. 3378 816
Ruled out of order S. 3365 816
Ruled out of order S. 3377 816
Ruled out of order S. 3381 816
Ruled out of order S. 3379 816
Ruled out of order S. 3392 816
Ruled out of order S. 3428 816
Ruled out of order S. 3427 816
Ruled out of order S. 3430 816
Passed Senate, ayes 35, nays 14 .. 817
Motion to reconsider vote 817
Motion to reconsider vote laid on table 817
Motion to reconsider vote laid on table failed 817
Motion filed to reconsider vote .. 818
Motion to reconsider vote withdrawn 840
Explanation of vote 914

206 By Ramsey. A bill for an act relating to filing of financial statements or appearance bonds by carnival owners and providing a penalty.
Introduced, passed on file 434
Referred to Commerce 455
Subcommittee, Carr, Briles, and Gallagher 511

207 By Ramsey. A bill for an act relating to the use of medical procedures to prolong life.
Introduced, passed on file 434
Referred to Human Resources .. 455
Subcommittee, Gluba, Palmer, and Kelly 594

208 By Ramsey and Redmond. A bill for an act relating to the shooting of firearms.
Introduced, passed on file 434
Referred to Natural Resources .. 455
Withdrawn 534

209 By Rodgers and Curtis. A bill for an act increasing the optional standard deduction from net income for state income tax purposes.
Introduced, passed on file 434
Referred to Ways and Means .. 455
Subcommittee, Gluba, Culver, and Schwengels 511
Fiscal Note SCS

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210 By Nolin, Norpel, Culver, Coleman, Tieden, Curtis, Scott, and Winkelman. A bill for an act exempting sales to voluntary nonprofit hospitals from the sales and use tax.
Introduced, passed on file 453
Fiscal Note SCS
Referred to Ways and Means .. 468
Subcommittee, Junkins, Curtis, and Van Gilst 511

211 By Curtis and Shaw. A bill for an act relating to the membership of the state historical board.
Introduced, passed on file 453
Referred to State Government .. 468
Amendment S. 3207 filed 472
Subcommittee, Coleman, Doderer, and Miller of Marshall 594
Withdrawn 1113

212 By Winkelman. A bill for an act relating to inheritance tax household goods and personal effects.
Introduced, passed on file 453
Referred to Ways and Means .. 468
Subcommittee, Gluba, Curtis, and Junkins 511
Fiscal Note SCS

213 By Nystrom. A bill for an act relating to electric transmission lines and increasing a penalty.
Introduced, passed on file 453
Referred to Commerce 468
Subcommittee, Bergman, Rodgers, and Curtis 594

214 By Energy. A bill for an act relating to the membership of the energy policy council.
Introduced, placed on calendar . 453
Returned to Energy 458
Subcommittee, Robinson, Briles, and Gallagher 511
Committee report 630
Recommended passage 630
Committee report adopted 827
Passed Senate, ayes 46, nays none 827
Message from House, with amendment S. 3747 1276
Senate concurred 1324
Passed Senate, ayes 38, nays none 1324
Explanation of vote 1355
Reported correctly enrolled 1388
Signed by President 1388
Signed by Speaker 1388
Sent to Governor 1388
Signed by Governor 1418

215 By Gallagher. A bill for an act relating to the duties of the energy policy council.
Introduced, passed on file 453
Referred to Energy 468
Subcommittee, Rodgers, Gallagher, and Tieden 511
Amendment S. 3466 filed 823

216 By Willits and Robinson. A bill for an act providing for automatic cost-of-living salary adjustment for certain state employees and making an appropriation.
Introduced, passed on file 453
Referred to Appropriations, ... 468
Subcommittee, Hill of Jasper, Lamborn, and Van Gilst 511

217 By Willits, Murray, Ramsey, Hansen, Rodgers, Carr, Sovern, Schwengels, Miller of Des Moines and Lamborn. A bill for an act relating to agency meetings in closed session.
Introduced passed on file 453
Referred to Judiciary 468
Subcommittee, Redmond, Doderer, and Shaw 511
Committee report 624
Recommended amendment, passage 624
Committee amendment S. 3311 .. 624
Amendment S. 3383 filed 725
Committee report adoopted 729
Amendment S. 3383 withdrawn .. 730
Amendment S. 3387 filed 730
Amendment S. 3387A adopted .. 731
Amendment S. 3387B adopted .. 731
Amendment S. 3387C lost 731
Amendment S. 3387D adopted .. 731
Amendment S. 3391 filed 731
Amendment S. 3391 adopted 731
Amendment S. 3393 filed 732
Amendment S. 3388 filed 732
Amendment S. 3388 lost 732
Amendment S. 3385 filed 732
Amendment S. 3385 adopted 733
Amendment S. 3393 lost 733
Committee amendment S. 3311 as amended, adopted 733
Amendment S. 3386 filed 733
Amendment S. 3386 adopted 733
Amendment S. 3396 filed 733
Point of order raised 735
Ruled out of order S. 3396 735
Passed Senate, ayes 40, nays 3 .. 736

218 By Kelly, Griffin, Norpel, Priebe, Murray, Nolting, Rabedeaux, Carr, Tieden, Coleman, Hansen, Miller of Des Moines, Gluba, Gallagher, Robinson, Heying, Culver and Doderer. A bill for an act relating to the private sale, control, distribution and taxation of wine containing not more than seventeen percent alcohol by weight, declaring certain acts relating to wine to be unlawful and prescribing penalties therefor.
Introduced, passed on file 453
Referred to Ways and Means .. 468
Subcommittee, Kinley, Gluba, and Burroughs 511
Amendment S. 3852 filed 1490
Fiscal Note SCS

219 By Andersen. A bill for an act relating to obscenity and providing penalties.
Introduced, passed on file 454
Referred to Judiciary 468
Subcommittee, Coleman, Hill of Polk, and Doderer 511

220 By Doderer. A bill for an act providing for reparations

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to victims of criminally injurious conduct and creating a board to administer the Act.
Introduced, passed on file 454
Referred to State Government .. 468
Subcommittee, Gluba, Redmond, and Curtis 594
Amendment S. 3334 filed 649

221 By Gluba, Hill of Jasper, Carr and Gallagher. A bill for an act relating to finance delinquency and deferral charges in consumer credit transactions.
Introduced, passed on file 457
Referred to Commerce 484
Subcommittee, Junkins, Curtis, and Rodgers 594

222 By Gluba. A bill for an act relating to the seizure and destruction of dogs.
Introduced, passed on file 457
Referred to Agriculture 484
Subcommittee, Merritt, Taylor, and Tieden 594

223 By Palmer, Gluba, Andersen, Hill of Polk, Murray, Briles, and Nystrom (Connors, Higgins, Caffrey, Hargrave, Daggett, Pavich, Harper, Varley, Miller of Calhoun, Fitzgerald, Woods, Brandt, Middleton, Hullinger, Husak, Millen and Walter). A bill for an act to establish a service program for the deaf within the department of health.
Introduced, passed on file 458
Referred to State Government .. 484
Subcommittee, Nolin, Glenn, and Miller of Marshall 594
Withdrawn 1114

224 By Doderer and Murray. A bill for an act relating to the consent of minors for health services.
Introduced, passed on file 459
Referred to Human Resources .. 484
Subcommittee, Murray, Hill of Jasper, and Ramsey 594

225 By Nystrom, Scott, Miller of Des Moines, Priebe, Murray, Hansen, Lamborn, Norpel, Griffin, Gallagher, Briles, Hultman, Schwengels, Andersen and Curtis. A bill for an act providing for automatic cost-of-living salary increases to persons who are members of the merit system.
Introduced, passed on file 459
Referred to Appropriations 484
Subcommittee, Hill of Jasper, Lamborn and Van Gilst 663

226 By Transportation. A bill for an act prohibiting the use of ice grips or tire studs on certain motor vehicles.
Introduced, placed on calendar .. 459
Amendment S. 3223 filed 490
Amendment S. 3241 filed 513
Amendment S. 3243 filed 513
Amendment S. 3251 filed 537

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Amendment S. 3260 filed 537
Amendment S. 3263 filed 537
Amendment S. 3271 filed 551
Amendment S. 3269 filed 552
Amendment S. 3272 filed 570
Amendment S. 3465 filed 823
Amendment S. 3915 filed 1539

227 By Robinson, Culver and Briles. A bill for an act to provide longevity pay for certain employees of the state.
Introduced, passed on file 467
Referred to Appropriations 484
Subcommittee, Hill of Jasper, Lamborn, and Van Gilst 663

228 By Murray, Norpel, and Willits (Craword). A bill for an act relating to the use of bicycles upon the public roads and highways and providing penalties for violations.
Introduced, passed on file 467
Referred to Transportation 484
Subcommittee, Miller of Marshall, Orr, and Norpel 663
Committee report 899
Recommended amendment, passage 899
Committee amendment S. 3500 .. 899
Amendment S. 3616 filed 1100
Amendment S. 3619 filed 1133
Amendment S. 3717 filed 1267
Steering recommends calendar ..1299
Amendment S. 3769 filed 1313
Amendment S. 3771 filed 1313
Committee report adopted 1341
Amendment S. 3785 filed 1341
Amendment S. 3785B adopted ...1341
Amendment S. 3717 withdrawn .1341
Amendment S. 3771A adopted ..1342
Amendment S. 3619 lost 1342
Amendment S. 3735A withdrawn 1343
Amendment S. 3787 filed 1343
Amendment S. 3787 adopted 1343
Amendment S. 3786 filed 1343
Points of order raised 1344
Ruled out of order S. 3786 1344
Point of order raised 1344
Ruled out of order S. 3771B 1344
Amendment S. 3616 as amended, adopted 1344
Ruled out of order S. 3500 1344
Ruled out of order S. 3769 1344
Passed Senate, ayes 28, nays 15 .1345
Explanation of vote 1354

229 By Hill of Polk (Brockett). A bill for an act relating to sale of packaged meat food products.
Introduced, passed on file 467
Referred to Commerce 484
Subcommittee, Glenn, Rabedeaux, and Bergman 594
Amendment S. 3349 filed 692

230 By Natural Resources. A bill for an act relating to bonding requirements for contracts with commercial fishermen.
Introduced, placed on calendar .. 467
Passed Senate, ayes 48, nays none 562
Message from House 1019
Reported correctly enrolled 1099
Signed by President 1099

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Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146

231 By Natural Resources. A bill for an act relating to the inspection of fishing bait.
Introduced, placed on calendar .. 467
Passed Senate, ayes 48, nays none 562
Message from House 1067
Reported correctly enrolled 1099
Signed by President 1099
Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146

232 By Gluba, Briles, Plymat, Rodgers and Orr. A bill for an act relating to the age of retirement for certain members of the Iowa public employees' retirement system.
Introduced, passed on file 475
Referred to State Government .. 509
Subcommittee, Glenn, Nolin, and Schwengels 594

233 By DeKoster. A bill for an act relating to claims against the estates of decedents arising from assistance granted under a previous categorical assistance program.
Introduced, passed on file 476
Referred to Judiciary 509
Committee report 579
Recommended passage 579
Commitee report adopted 682
Passed Senate, ayes 47, nays none 683
Message from House 1067
Reported correctly enrolled 1099
Signed by President 1099
Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146
Became Law by Publication 1508

234 By Doderer. A bill for an act relating to the age of officers appointed by the state conservation director.
Introduced, passed on file 476
Referred to Natural Resources .. 509
Subcommittee, Miller of Marshall, Sovern, and Winkelman 595

235 By Miller of Des Moines and Hultman (Byerly, Newhard, Schroeder and Clark). A bill for an act creating immunity from civil liability of persons serving on peer review committees.
Introduced, passed on file 477
Referred to Judiciary 509
Subcommittee, Willits, Ramsey, and Rodgers 595

236 By Gallagher. A bill for an act to transfer the powers and duties of the Iowa natural resources council to the department of environmental quality and the office of state geologist and to abolish the Iowa natural resources council.
Introduced, passed on file 483
Referred to State Government .. 509
Subcommittee, Coleman, Nolin, and Nystrom 595

237 By Gallagher (O'Halloran). A bill for an act to contract with the national railroad passenger corporation for east-west railroad passenger service across the state and making an appropriation therefor.
Introduced, passed on file 483
Referred to Appropriations 509

238 By Shaw (Oakley). A bill for an act relating to dissolution of marriage.
Introduced, passed on file 483
Referred to Judiciary 509
Subcommittee, Ramsey, Hill of Polk, and Carr 595
Withdrawn 2120

239 By Redmond, Culver, Griffin and Briles. A bill for an act relating to paid holidays for state employees.
Introduced, passed on file 483
Referred to State Government .. 509
Subcommittee, Nolin, Glenn, and Miller of Marshall 595

240 By Redmond (Wells, Rinas, Horn and Patchett). A bill for an act relating to undesirable fish.
Introduced, passed on file 484
Referred to Natural Resources .. 509
Subcommittee, Bergman, Culver, and Norpel 595
Committee report 832
Recommended passage 832
Amendment S. 3534 filed 951
Committee report adopted 965
Amendment S. 3534 withdrawn .. 965
Passed Senate, ayes 42, nays 7 .. 966

241 By Gluba (Caffrey and Cusack). A bill for an act making an appropriation to the office of governor for a study of the problems of, and establishing services for, Spanish-speaking peoples. (See SF 504 —Committee Bill)
Introduced, passed on file 496
Referred to Appropriations 535
Subcommittee, Plymat, Robinson, and Sovern 663
Withdrawn 1215

242 By Gluba (Jochum, Higgins and Cusack). A bill for an act appropriating from the general fund of the state for the employment of two additional migrant labor camp inspectors by the state department of health and stipulating conditions of employment.
Introduced, passed on file 497
Referred to Appropriations 535
Subcommittee, Culver, Murray, and Van Gilst 663

243 By Rabedeaux. A bill for an act relating to boards of trustees of county hospitals.

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Introduced, passed on file 506
Referred to County Government . 535
Subcommittee, Briles, Robinson, and Taylor 595

244 By Doderer. A bill for an act relating to the copying of public records.
Introduced, passed on file 506
Referred to Judiciary 535
Subcommittee, Coleman, Miller of Des Moines, and Shaw 595
Committee report 1390
Recommended amendment, passage 1390
Committee amendment S. 3818 ..1390
Committee report adopted 1569
Committee amendment S. 3818 adopted 1569
Passed Senate, ayes 35, nays none 1569

245 By Doderer. A bill for an act relating to the qualifications of the superintendent of banking.
Introduced, passed on file 506
Referred to Commerce 535
Subcommittee, Glenn, Briles, and Bergman 663

246 By Doderer. A bill for an act relating to state employee vacation allowance.
Introduced, passed on file 506
Referred to State Government .. 535
Subcommittee, Nolin, Glenn, and Miller of Marshall 595
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247 By Doderer. A bill for an act relating to the establishment of a birth defects institute and specifying its power and duties.
Introduced, passed to file 506
Referred to State Government .. 535
Subcommittee, Coleman, Glenn, and Andersen 595

248 By Gallagher. A bill for an act authorizing the establishment of special liquor retailers and providing penalties.
Introduced, passed on file 516
Referred to State Government .. 547
Fiscal Note SCS
Subcommittee, Kinley, Glenn, and Curtis 663

249 By Schwengels, Ramsey, Hultman, Taylor, Hill of Jasper, Priebe, Merritt, Miller of Marshall, Burroughs, Bergman, Tieden, Curtis, Plymat, Shaff, Nystrom, Hansen, Murray, Shaw, Heying, Rabedeaux, Palmer, Griffin, Miller of Des Moines, Briles, Scott, Kinley, Rodgers, Robinson, Junkins, Lamborn and Gluba. A bill for an act relating to possession, receipt, and transportation of firearms by persons convicted of felonies and providing penalties.
Introduced, passed on file 516
Referred to Judiciary 547

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Subcommittee, Hill of Polk, Willits, and Rodgers 595

250 By Gluba. A bill for an act relating to the relocation of county or district fairgrounds.
Introduced, passed on file 522
Referred to County Government . 547
Subcommittee, Taylor, Robinson, and Heying 830

251 By Griffin. A bill for an act relating to the salaries of the area school superintendents.
Introduced, passed on file 522
Referred to Education 547
Subcommittee, Willits, Merritt, and Plymat 595

252 By DeKoster, Kelly and Doderer. A bill for an act relating to the supervision of probationers and parolees.
Introduced, passed on file 522
Referred to Judiciary 547
Subcommittee, Carr, Kelly and Doderer 595

253 By DeKoster, Kelly, Schwengels and Doderer. A bill for an act relating to exchange of inmates with federal bureau of prisons.
Introduced, passed on file 522
Referred to Human Resources .. 547
Subcommittee, Kelly, Scott, and Gluba 663
Committee report 1163
Recommended amendment, passage 1163
Committee amendment S. 3646 ..1163
Committee report adopted 1453
Committee amendment S. 3646 adopted 1454
Passed Senate, ayes 46, nays none 1454
Explanation of vote 1487

254 By DeKoster and Kelly. A bill for an act relating to the cash depreciation fund for the prison industries.
Introduced, passed on file 522
Referred to Human Resources .. 547
Subcommittee, Hill of Polk, Kelly, and Hill of Jasper 663

255 By DeKoster, Kelly and Schwengels. A bill for an act relating to the detention of a child prior to the adjudicative hearing.
Introduced, passed on file 523
Referred to Judiciary 547
Subcommittee, Carr, Kelly, and Doderer 595
Amendment S. 3410 filed 758
Committee report 1489
Recommended amendment, passage 1489
Committee amendment S. 3857 ..1489
Amendment S. 3979 filed 1638
Amendment S. 4068 filed 1794
Committee report adopted 1832
Committee amendment S. 3857 adopted 1832
Amendment S. 3410 withdrawn .1832
Amendment S. 3979 withdrawn .1832

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Point of order raised 1833
Ruled out of order S. 4068 1833
Passed Senate, ayes 45, nays none 1833

256 By Heying. A bill for an act to require fishways on all dams.
Introduced, passed on file 524
Referred to Natural Resources .. 547
Subcommittee, Priebe, Sovern, and Miller of Marshall 663
Committee report 704
Recommended passage 704

257 By Heying, Lamborn, Tieden, Schwengels, Hansen, Scott, Coleman, Norpel, Merritt, Plymat, Culver, Miller of Marshall, Glenn, Rabedeaux, Winkelman, Griffin, Andersen, Palmer, Carr, Junkins, Gallagher, Nolting, Ramsey, Priebe, Curtis, Nolin, Nystrom and Shaw. A bill for an act relating to the taxation of coin-operated laundries.
Introduced, passed on file 524
Referred to Ways and Means .. 548
Amendment S. 3270 filed 552
Subcommittee, Van Gilst, Gluba, and Curtis 595

258 By Redmond, Gluba and Coleman. A bill for an act relating to the system of appeal and review of cases in chancery and at law, and providing for the jurisdiction of the supreme court, creating a court of appeals and providing for its jurisdiction, providing for the personnel and administration of the system of judicial appeal and review, and providing for the procedures to be followed for appeal and review.
Introduced, passed on file 539
Referred to Judiciary 567
Subcommittee, Glenn, Hill of Polk, and Willits 663
Amendment S. 4159 filed 2012

259 By Gallagher. A bill for an act requiring an offer every five years to renegotiate the price or damages paid for an easement acquired for a public purpose and providing a penalty.
Introduced, passed on file 539
Referred to Commerce 567
Subcommittee, Briles, Carr, and Bergman 663

260 By Bergman, Griffin, Shaff, Miller of Marshall, Lamborn, Kelly, DeKoster, Rabedeaux, Tieden and Curtis. A bill for an act imposing fees for the use of certain state recreational areas and providing penalties for violations.
Introduced, passed on file 540
Referred to Ways and Means .. 567
Subcommittee, Kinley, Junkins, and Curtis 595
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261 By Kelly. A bill for an act relating to safety glazing material in hazardous locations and providing a penalty.
Introduced, passed on file 540
Referred to Commerce 567
Subcommittee, Rodgers, Carr, and Rabedeaux 663

262 By Taylor, Bergman, Briles, Winkelman, Rabedeaux, Burroughs, Nystrom, Miller of Marshall, Ramsey, Tieden and Shaff. A bill for an act restricting farming and ranching by corporations, authorizing cetain domestic corporations to engage in farming and ranching, prohibiting farming by specified persons, providing for divestment of land, making exceptions, and providing penalties.
Introduced, passed on file 547
Referred to Agriculture 567

263 By Winkelman. A bill for an act to establish a rural physicians associate program and to provide an appropriation.
Introduced, passed on file 547
Referred to Appropriations 567
Subcommittee, Van Gilst, Andersen, and Junkins 664

264 By DeKoster and Hill of Polk. A bill for an act to establish the office of public defender.
Introduced, passed on file 566
Referred to Judiciary 578
Subcommittee, Willits, Ramsey, and Coleman 664

265 By Miller of Marshall. A bill for an act relating to the election of presidential electors.
Introduced, passed on file 566
Referred to State Governmnt .. 578
Subcommittee, Doderer, Redmond, and Nystrom 664

266 By Robinson. A bill for an act relating to leaves of absence for persons who are elected to a municipal, county, state or federal office and providing penalties.
Introduced, passed on file 566
Referred to Labor and Industrial Relations 578
Subcommittee, Glenn, Robinson, and DeKoster 595
Committee report 625
Recommended amendment, passage 625
Committee amendment S. 3309 .. 625
Steering recommends calendar .. 751
Committee report adopted 752
Amendment S. 3402 filed 752
Amendment S. 3402 adopted 753
Committee amendment S. 3309 as amended, adopted 753
Amendment S. 3411 filed 753
Amendment S. 3411 adopted 753
Amendment S. 3412 filed 753
Amendment S. 3412A lost 754

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Amendment S. 3412C lost 755
Amendment S. 3412B withdrawn 755
Amendment S. 3415 filed 758
Amendment S. 3414 filed 758
Amendment S. 3417 filed 758
Amendment S. 3416 filed 758
Amendment S. 3406 filed 759
Amendment S. 3407 filed 759
Amendment S. 3418 filed 759
Amendment S. 3404 filed 759
Amendment S. 3413 filed 759
Amendment S. 3405 filed 760
Amendment S. 3403 filed 760
Amendment S. 3415 lost 768
Amendment S. 3426 filed 768
Amendment S. 3426 adopted 768
Amendment S 3429 filed 769
Amendment S. 3429 lost 769
Amendment S. 3416 lost 769
Amendment S. 3414 lost 770
Amendment S. 3417 withdrawn . 770
Amendment S. 3406 adopted 770
Amendment S. 3404 adopted 771
Amendment S. 3421 filed 771
Amendment S. 3421 adopted 771
Amendment S. 3418 withdrawn . 771
Amendment S. 3413 lost 772
Amendment S. 3405 adopted 772
Ruled out of order S. 3403 772
Amendment S. 3407 withdrawn .. 772
Amendment S. 3433 filed 773
Amendment S. 3433 withdrawn . 773
Motion to reconsider vote 773
Motion to reconsider vote prevailed 773
Amendment S. 3411 lost 774
Motion to reconsider vote 774
Motion to reconsider vote prevailed 774
Motion to reconder vote 775
Motion to reconsider vote failed. 775
Amendment S. 3437 filed 775
Amendment S. 3437A lost 776
Amendment S. 3437B withdrawn 776
Amendment S. 3438 filed 776
Point of order raised 777
Ruled out of order S. 3428 777
Amendment S. 3436 filed 777
Amendment S. 3436 withdrawn.. 777
Passed Senate, ayes 26, nays 21 . 778
Motion filed to reconsider vote .. 794
Point of order raised 849
Motion to reconsider vote withdrawn 849
Explanation of vote 914
Message from House, with amendment S. 3983 1632
Amendment S. 4013 filed 1710
Amendment S. 4061 filed 1795
Point of order raised 1826
Amendment S. 4085 filed 1842
Amendment S. 4013 withdrawn .2211
Amendment S. 4061 withdrawn 2211
Amendment S. 4085 withdrawn .2211
Senate refused to concur 2211
Senate refused to concur 2212

267 By Redmond. A bill for an act relating to the use of trotlines or throw lines.
Introduced, passed on file 566
Referred to Natural Resources . 578
Subcommittee, Hultman, Priebe, and Culver 664

268 By Redmond and Gluba. A bill for an act relating to the labeling of prescription drugs, requiring that certain information regarding prescription drugs be made available to the board of pharmacy examiners and to pharmacists and practitioners in this state, and clarifying the right of a wholesale drug salesman to possess prescription drugs.
Introduced, passed on file 566
Referred to Commerce 578
Subcommittee, Rodgers, Priebe, and Bergman 664

269 By Miller of Des Moines, Briles and Glenn. A bill for an act creating an Iowa rural development commission and providing tax rebates.
Introduced, passed on file 566
Referred to State Government .. 578
Subcommittee, Nolin, Coleman, and Andersen 664

270 By Willits and Palmer. A bill for an act relating to the restraint of dogs.
Introduced, passed on file 567
Referred to Human Resources .. 578
Subcommittee, Kelly, Scott, and Miller of Des Moines 664

271 By Willits. A bill for an act relating to reducing speeds when approaching slow moving vehicles and allowing garbage collection vehicles to display slow moving vehicle reflective devices
Introduced, passed on file 567
Referred to Transportation 578
Subcommittee, Gallagher, Nolin, and Murray 664
Committee report 1100
Recommended passage 1100
Committee report adopted 1319
Passed Senate, ayes 34, nays none 1319
Explanation of vote 1355

272 By Willits, Robinson, Griffin, Rodgers and Scott. A bill for an act relating to payment of salaries, vacation, and sick leave for state employees.
Introduced, passed on file 567
Referred to State Government .. 578
Subcommittee, Nolin, Glenn, and Miller of Marshall 664

273 By Doderer, DeKoster, Schwengels and Kelly. A bill for an act relating to the issuance of a summons and notice by the juvenile court.
Introduced, passed on file 567
Referred to Judiciary 578
Subcommittee, Carr, Doderer, and Kelly 664
Committee report 1490
Recommended amendment, passage 1490
Committee amendment S. 3856 ...1490
Amendment S. 3996 filed 1682
Committee report adopted 1833
Amendment S. 3996 adopted 1833
Committee amendment S. 3856 adopted 1834
Passed Senate, ayes 45, nays 1 ..1834
Motion filed to reconsider vote ..1850

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Motion to reconsider vote withdrawn 1918

274 By Culver, Andersen, Briles, Griffin, Nolin, Hultman, Murray, Coleman, Merritt, Scott and Curtis. A bill for an act making an appropriation from the general fund of the state to the state conservation commission for the dredging of certain specified lakes.
Introduced, passed on file 573
Referred to Appropriations 593

275 By Miller of Marshall, Murray, Orr, Plymat, Coleman, Priebe, Redmond, Taylor and Willits. A bill for an act to regulate the use of beverage containers and providing penalties.
Introduced, passed on file 573
Referred to Energy 593
Subcommittee, Robinson, Gallagher, and Tieden 664

276 By Hill of Polk. A bill for an act relating to the grounds for suspension or revocation of a license to practice law.
Introduced, passed on file 573
Referred to Judiciary 593
Committee report 648
Recommended passage 648
Committee report adopted 843
Passed Senate, ayes 48, nays none 844
Explanation of vote 914

277 By DeKoster. A bill for an act relating to juvenile court employees and officers.
Introduced, passed on file 573
Referred to Judiciary 593
Amendment S. 3308 filed 626
Subcommittee, Rodgers, Miller of Des Moines, and Shaw 664

278 By Shaw. A bill for an act relating to tort liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations.
Introduced, passed on file 573
Referred to Judiciary 593
Subcommittee, Hill of Polk, Kelly, and Redmond 664

279 By Priebe, Bergman, Culver, Briles, Nolin, Hultman, Heying, Merritt, Schwengels, Scott, Norpel and Gallagher. A bill for an act relating to determining the market value of agricultural property for tax purposes.
Introduced, passed on file 574
Referred to Ways and Means 593
Subcommittee, Van Gilst, Taylor, and Culver 664

280 By Norpel. A bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict.
Introduced, passed on file 591
Referred to Ways and Means 608

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Subcommittee, Lamborn, Van Gilst, and Junkins 664
Fiscal note SCS
Committee report 1226
Recommended passage 1226
Committee report adopted 1606
H.F. 411 Substituted 1606
Withdrawn 1608

281 By Gluba, Gallagher, Carr and Plymat. A bill for an act to contract with the national railroad passenger corporation for railroad passenger service between the city of Davenport and the city of Council Bluffs and the city of Dubuque and the city of Council Bluffs and making an appropriation therefor.
Introduced, passed on file 591
Referred to Appropriations 608
Subcommittee, Junkins, Hultman, and Willits 738

282 By Appropriations. A bill for an act making an appropriation to the commission on the status of women and the board of parole and relating to the creation of a parolee security fund.
Introduced, placed on calendar .. 591
Amendment S. 3298 filed 612
Amendment S. 3298 lost 654
Passed Senate, ayes 48, nays none 655
Message from House, with amendment S. 3469 837
Senate concurred 2122
Passed Senate, ayes 46, nays 3 ..2122
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

283 By Appropriations. A bill for an act making an appropriation from the general fund of the state to the Spanish-American war veterans and the committee on the employment of the handicapped.
Introduced, placed on calendar .. 591
Amendment S. 3297 filed 612
Amendment S. 3297 lost 656
Passed Senate, ayes 48, nays none 656
Message from House 828
Reported correctly enrolled 932
Signed by President 932
Signed by Speaker 932
Sent to Governor 932
Signed by Governor 958

284 By Murray. A bill for an act relating to conveyances of real estate.
Introduced, passed on file 591
Referred to Judiciary 608
Subcommittee, DeKoster, Carr, and Coleman 664

285 By Appropriations. A bill for an act relating to the administration of state records and providing an appropriation.

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Introduced, placed on calendar .. 592
Amendment S. 3340 filed 665
Amendment S. 3343 filed 668
Point of order raised 675
Amendment S. 3340A lost 676
Amendment S. 3343 adopted 676
Amendment S. 3340B as amended, adopted 676
Passed Senate, ayes 44, nays none 676
Explanation of vote 1487
Message from House, with amendment S. 3811 1380
Senate refused to concur 1458
Message from House 1881
Reported correctly enrolled 2087
Signed by President 2087
Signed by Speaker 2087
Sent to Governor 2087
Vetoed by Governor 2149

286 By Energy. A bill for an act relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

Introduced, placed on calendar .. 591
Amendment S. 3290 filed 612
H.F. 433 Substituted 728
Withdrawn 729

287 By Heying. A bill for an act relating to the motor vehicles subject to inspection.

Introduced, passed on file 592
Referred to Transportation 608
Subcommittee, Doderer, Orr, and Miller of Marshall 664
Committee report 822
Recommended passage 822
Withdrawn 1002

288 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 599
Referred to State Government .. 622
Subcommittee, Glenn, Coleman, and Schwengels 664
Committee report 1100
Recommended passage 1100
Steering recommends calendar ..2054

289 By Energy. A bill for an act to create an energy research and development fund within the energy policy council and making appropriation.

Introduced, referred to Appropriations 599
Subcommittee, Hultman, Orr, and Heying 738
Committee report 897
Recommended amendment, passage 898
Committee amendment S. 3505 ... 898
Committee report adopted 921
Committee amendment S. 3505 adopted 921
Passed Senate, ayes 47, nays none 922

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Message from House, with amendment S. 4079 1803
Senate concurred 1829
Passed Senate, ayes 47, nays none 1829
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

290 By Doderer. A bill for an act creating state park advisory committees, providing for the election of members, and specifying their duties.

Introduced, passed on file 601
Referred to State Government ... 622
Subcommittee, Nolin, Glenn, and Miller of Marshall 664

291 By Hultman. A bill for an act relating to the bonding of operators of slaughterhouses.

Introduced, passed on file 602
Referred to Agriculture 622

292 By Lamborn. A bill for an act establishing an Iowa building code, including a housing code and fire safety regulations, and providing penalties for violations.

Introduced, passed on file 602
Referred to State Government .. 622
Subcommittee, Kinley, Glenn, and Nystrom 664

293 By Robinson. A bill for an act relating to quorum at meetings of the board of directors of development corporations.

Introduced, passed on file 605
Referred to Commerce 622
Subcommittee, Bergman, Glenn, and Rodgers 738

294 By Gluba, Murray, Kinley, Lamborn, Palmer, Miller of Marshall, Andersen, Doderer, Hill of Polk, Carr, Coleman, Culver, Gallagher, Heying, Junkins, Merritt, Miller of Des Moines, Nolting, Orr, Redmond, Robinson, Rodgers, Scott, Sovern and Willits (Cusack, Higgins, Fitzgerald, Jesse, Avenson, Oakley, Varley, Drake, Hargrave, Small, Bina, Dyrland, Norland, Dunton, Wells, Crawford, Bittle, Middleswart, Harvey, Byerly, Monroe, Connors, Clark, Newhard, Patchett, Horn, Rinas, O'Halloran, Lipsky, Middleton, Harper, Griffee, Caffrey, Hines, Readinger, Krause, Husak, Mennenga, Walter, Jochum, Howell, Miller of Cerro Gordo, Svoboda, Poncy, Brandt, Miller of Buchanan, Hutchins, Hennessey, Gentleman, Gilloon, Baker, Lonergan, Pavich, Dieleman, Perkins, Hinkhouse, Wulff, Woods, Halvorson, Tauke and Junker). A bill for an act establishing the Iowa

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housing finance authority, and prescribing its power and duties. (See SF 520—Committee Bill)
Introduced, passed on file 605
Referred to Human Resources ... 622
Subcommittee, Gluba, Murray, and Palmer 831
Withdrawn 1636

295 By Miller of Des Moines, Carr, Robinson, Orr, Briles 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 state department of transportation, and to provide penalties for violations.
Introduced, passed on file 605
Referred to Transportation 622
Subcommittee, Nolin, Miller of Marshall, and Norpel 830
Committee report 987
Recommended amendment, passage 987
Committee amendment S. 3554 ... 987
Committee report adopted 1122
Committee amendment S. 3554 adopted 1123
Passed Senate, ayes 29, nays 11 ..1123

296 By State Government. A bill for an act to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties.
Introduced, placed on calendar .. 606
Amendment S. 3394 filed 747
Amendment S. 3400 filed 760
Amendment S. 3401 filed 761
Amendment S. 3408 filed 763
Amendment S. 3451 filed 808
Amendment S. 3451 adopted 909
Amendment S. 3400A adopted ... 909
Amendment S. 3508 filed 909
Amendment S. 3508A adopted ... 911
Ruled out of order S. 3400B 911
Amendment S. 3400C adopted ... 911
Amendment S. 3508B lost 912
Amendment S 3400F adopted ... 912
Amendment S. 3400D adopted ... 912
Amendment S. 3400E adopted ... 912
Amendment S. 3511 filed 917
Amendment S. 3508C lost 945
Amendment S. 3508D lost 945
Amendment S. 3508E lost 945
Amendment S. 3508F lost 945
Amendment S. 3508G adopted ... 946
Amendment S. 3508H lost 946
Amendment S. 3541 filed 951
Amendment S. 3543 filed 952
Amendment S. 3542 filed 952
Amendment S. 3540 filed 953
Amendment S. 3544 filed 959
Amendment S. 3546 filed 959
Amendment S. 3548 filed 989
Amendment S. 3568 filed 1023
Amendment S. 3572 filed 1023
Amendment S. 3719 lost 1256
Amendment S. 3508I withdrawn..1412
Amendment S. 3508J lost 1413
Amendment S. 3508K adopted ...1413
Amendment S. 3508L adopted ...1413
Motion to reconsider vote 1413
Motion to reconsider vote prevailed 1413

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Amendment S. 3546 withdrawn ..1415
Amendment S. 3572A adopted ...1415
Amendment S. 3572B withdrawn.1416
Amendment S. 3541A adopted ...1416
Amendment S. 3541G withdrawn.1416
Amendment S. 3541B as amended, lost 1417
Amendment S. 3541C adopted ...1417
Amendment S. 3541D adopted ...1417
Amendment S. 3541E adopted ...1417
Amendment S. 3541I withdrawn..1417
Amendment S. 3541F lost 1418
Amendment S. 3541H adopted ...1418
Amendment S. 3541J adopted ...1418
Amendment S. 3511 adopted 1427
Amendment S. 3548 adopted 1427
Amendment S. 3543 adopted 1428
Amendment S. 3544 adopted 1428
Amendment S. 3508G lost 1429
Amendment S. 3542 adopted 1429
Amendment S. 3568 lost 1429
Amendment S. 3401 adopted 1430
Amendment S. 3408 adopted 1431
Amendment S. 3832 filed 1431
Motion to table 1432
Motion to table lost 1433
Amendment S. 3832 lost 1433
Amendment S. 3540 withdrawn ..1433
Amendment S. 3833 filed 1433
Amendment S. 3833 adopted 1433
Amendment S. 3834 filed 1434
Amendment S. 3834 lost 1434
Amendment S. 3394 withdrawn ..1434
Amendment S. 3835 filed 1434
Amendment S. 3837 filed 1434
Amendment S. 3837 adopted 1434
Amendment S. 3835 as amended, adopted 1434
Passed Senate, ayes 30, nays 8 ..1434
Motion filed to reconsider vote ..1435
Explanation of vote 1468
Motion to reconsider vote withdrawn 1495
Message from House, with amendment S. 4080 1803
Senate concurred 1830
Passed Senate, ayes 41, nays 5 ..1830
Reportedly correctly enrolled ..2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Vetoed by Governor 2268

297 By Miller of Des Moines, Hansen, Orr, Priebe, Scott, Kelly, Burroughs, and Nystrom. A bill for an act relating to the licensing and regulation of social workers, and master social workers, the deposit of license fees for purposes of administration, and providing penalties for violations.
Introduced, passed on file 606
Referred to State Government .. 622
Subcommittee, Nolin, Coleman, and Winkelman 664

298 By Natural Resources. A bill for an act relating to the use of underwater light for fishing.
Introduced, placed on calendar .. 620
Passed Senate, ayes 45, nays none 826

299 By Andersen. A bill for an act relating to the use of

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school buildings for other than school purposes.
Introduced, passed on file 620
Referred to Education 629
Subcommittee, Merritt, Shaw, and Sovern 738

300 By Curtis. A bill for an act relating to the computation of the charges which state mental health institutes are required to make for care of patients thereof.
Introduced, passed on file 620
Referred to Human Resources .. 629
Subcommittee, Miller of Des Moines, Murray, and Sovern .. 664
Amendment S. 3382 filed 726

301 By Rodgers. A bill for an act relating to the composition of judicial election districts.
Introduced, passed on file 620
Referred to Judiciary 629
Subcommittee, DeKoster, Willits, and Ramsey 664

302 By Lamborn, Rodgers and Priebe. A bill for an act relating to the exclusion of banks from membership sales licensing requirements of the Code.
Introduced, passed on file 621
Referred to Commerce 629
Subcommittee, Glenn, Bergman, and Rabedeaux 738

303 By Lamborn. A bill for an act relating to the composition and appointment of members of the Iowa crime commission.
Introduced, passed on file 621
Referred to State Government .. 629
Subcommittee, Glenn, Coleman, and Schwengels 738
Committee report 899
Recommended amendmnt, passage 899
Committee amendment S. 3497 .. 899
Committee report adopted 968
Amendment S. 3551 filed 968
Amendment S. 3551 adopted 968
Commitee amendment S. 3497 adopted 968
Passed Senate, ayes 49, nays 1 .. 969
Message from House, with amendment S. 4095 1835
Senate concurred 1896
Passed Senate, ayes 46, nays none 1896
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

304 By Culver. A bill for an act relating to water resources.
Introduced, passed on file 621
Refered to Natural Resources .. 629
Subcommittee, Sovern, Miller of Marshall, and Norpel 664

305 By Nystrom, Coleman and Curtis. A bill for an act to establish a separate monthly retirement allowance for conservation peace officers under Iowa public employees' retirement system.
Introduced, passed on file 621
Referred to State Government .. 629
Subcommittee, Nolin, Glenn, and Miller of Marshall 738

306 By Rabedeaux. A bill for an act to provide for the publication of a summary of a proposed city budget.
Introduced, passed on file 621
Referred to Cities 629
Subcommittee, Nolting, Palmer, and Hansen 738

307 By Hill of Polk. A bill for an act exempting loans of one hundred thousand dollars or more from the provisions of the Iowa usury law.
Introduced, passed on file 627
Referred to Commerce 648
Subcommittee, Priebe, Curtis, and Junkins 738

308 By Commerce. A bill for an act relating to the definition of finance charge in consumer credit transactions and providing an exception thereto.
Introduced, placed on calendar .. 628
Steering recommends calendar .. 751
Passed Senate, ayes 43, nays 1 .. 825
Message from House, with amendment S. 4096 1835
Senate concurred 1897
Passed Senate, ayes 44, nays 3 ..1897
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

309 By Willits. A bill for an act relating to the reproduction and duplication of sound recordings and providing a penalty.
Introduced, passed on file 628
Referred to Judiciary 648
Subcommittee, Shaw, Carr, and Kelly 738
Committee report 886
Recommended amendment, passage 886
Committee amendment S. 3486 .. 886
Committee report adopted 1002
Committee amendment S. 3486 adopted 1002
Passed Senate, ayes 41, nays none 1003
Explanation of vote 1053
Message from House, with amendment S. 3919 1561
Seante concurred 1584
Passed Senate, ayes 47, nays none 1585
Reported correctly enrolled 1680
Signed by President 1680
Signed by Speaker 1680
Sent to Governor 1680
Signed by Governor 1793

310 By Willits, Griffin, Norpel, Briles, Coleman and Scott. A bill for an act to establish a

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subvention program and a tuition grant program for certain students at the college of osteopathic medicine and surgery in Des Moines, Iowa and to make an appropriation.
Introduced, passed on file 628
Referred to Appropriations 648

311 By Gluba. A bill for an act relating to standards for water well construction and pumping equipment installation; to the certification and regulation of contractors involved in these fields and to provide penalties and an appropriation.
Introduced, passed on file 628
Referred to State Government ... 648
Subcommittee, Nolin, Coleman, and Miller of Marshall 738

312 By Gluba. A bill for an act relating to sex discrimination in retirement programs.
Introduced, passed on file 629
Referred to Judiciary 648
Subcommittee, Coleman, Willits, and Ramsey 739

313 By Ways and Means. A bill for an act correcting the amount of the farm equipment tax exemption.
Introduced, placed on calendar .. 629
Passed Senate, ayes 48, nays 1 .. 751
Message from House 955
Reported correctly enrolled 1009
Signed by President 1009
Signed by Speaker 1009
Sent to Governor 1009
Signed by Governor 1055

314 By Energy. A bill for an act relating to the regulation of surface coal mining, imposing additional fees and providing a penalty for violation of the Act.
Introduced, placed on calendar .. 638
Steering recommends calendar ... 751
Amendment S. 3409 filed 763
Amendment S. 3424 filed 790
Amendment S. 3424 adopted 818
Amendment S. 3409 as amended, adopted 818
Passed Senate, ayes 46, nays 2 .. 818
Message from House, with amendment S. 3718 1252
Senate concurred 1349
Passed Senate, ayes 43, nays none 1349
Explanation of vote 1389
Reported correctly enrolled 1419
Signed by President 1419
Signed by Speaker 1419
Sent to Governor 1419
Signed by Governor 1418

315 By Gluba. A bill for an act relating to the annual compensation of county officers and employees in certain counties.
Introduced, passed on file 638
Referred to County Government.. 663
Subcommittee, Briles, Miller of Des Moines, and Merritt 830

316 By Gluba. A bill for an act relating to the registration of vehicles owned and used for

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activities for churches and religious organizations.
Introduced, passed on file 638
Referred to Transportation 663
Amendment S. 3374 filed 726
Fiscal Note SCS
Subcommittee, Murray, Orr, and Rabedeaux 739
Subcommittee, Murray, Orr, and Rabedeaux 830

317 By Natural Resources. A bill for an act relating to fish and game licenses and providing a penalty.
Introduced, placed on calendar .. 638
Passed Senate, ayes 48, nays none 844
Explanation of vote 914

318 By Gluba and Robinson (Jochum). A bill for an act relating to migrant workers.
Introduced, passed on file 646
Referred to Labor and Industrial Relations 663
Subcommittee, Griffin, Kinley, and Merritt 739

319 By Andersen and Shaw (Junker). A bill for an act relating to subrogation of disability benefits paid to policemen and firemen.
Introduced, passed on file 646
Referred to Labor and Industrial Relations 663
Subcommittee, Nolting, Robinson, and Andersen 739

320 By Doderer, Willits, Sovern, Shaw, Hill of Polk, Hansen, Culver, Redmond, Carr, Plymat, Orr, Norpel, Palmer, and Gluba. A bill for an act relating to publication of names of persons subscribing to telephone service.
Introduced, passed on file 646
Referred to Commerce 663
Subcommittee, Briles, Gallagher, and Rabedeaux 739

321 By Junkins, Burroughs and Plymat (Egenes, Harper and Miller of Cerro Gordo). A bill for an act relating to continuing education requirements as a condition of a professional or occupational license renewal or inactive licensee reentry, providing for legislative review of professional and occupational examining board activities, delegating rule-making authority to professional and occupational examining boards, and eliminating mandatory annual renewal of professional and occupational licenses.
Introduced, passed on file 646
Amendment S. 3335 filed 650
Referred to State Government .. 663
Subcommittee, Coleman, Glenn, and Curtis 739
Committee report 1147
Recommended amendment, passage 1147

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Committee amendment S. 3634 ..1147
Amendment S. 4129 filed 1950

322 By Robinson and Murray. A bill for an act relating to the collection, use, storage and dissemination of information relating to consumers, and providing penalties.
Introduced, passed on file 647
Referred to Commerce 663
Subcommittee, Curtis, Priebe, and Junkins 739

323 By Energy. A bill for an act relating to a change in contracting procedures for the purchase of coal.
Introduced, placed on calendar .. 661
Amendment S. 3384 filed 747
Amendment S. 3452 filed 808
Amendment S. 3384 withdrawn . 877
Amendment S. 3452 adopted 877
Passed Senate, ayes 46, nays none 878

324 By Gluba and Murray (Higgins and Caffrey). A bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties for violations. (See SF 525—Committee Bill)
Introduced, passed on file 661
Referred to Human Resources .. 687
Subcommittee, Gluba, Murray, and Miller of Des Moines 739
Fiscal Note SCS
Withdrawn 1566

325 By Briles and Coleman. A bill for an act to establish an educational tuition grant or cash allowance payable to members of the national guard and making an appropriation.
Introduced, passed on file 661
Referred to Appropriations 687
Subcommittee, Hill of Jasper, Coleman, and Plymat 739

326 By Natural Resources. A bill for an act creating a "green thumb" program to be administered by the state conservation commission and making an appropriation.
Introduced, placed on calendar .. 661
Subcommittee, Junkins, Hultman and Heying 914

327 By Van Gilst. A bill for an act imposing a tax on coal sold in Iowa and establishing a fund for rehabilitation of surface-mined land.
Introduced, passed on file 661
Referred to Ways and Means 687
Subcommittee, Rodgers, Junkins, and Burroughs 830

328 By Priebe. A bill for an act relating to the Iowa state fair board and convention.
Introduced, passed on file 662
Referred to State Government .. 687
Subcommittee, Coleman, Gluba, and Nystrom 830

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329 By Judiciary. A bill for an act relating to the disbursement of costs in actions on appeal to the supreme court.
Introduced, placed on calendar .. 662
Passed Senate, ayes 47, nays none 845
Explanation of vote 914
Message from House 1276
Reported correctly enrolled 1311
Signed by President 1311
Signed by Speaker 1311
Sent to Governor 1311
Signed by Governor .....-...-1353

330 By Shaw and Willits. A bill for an act relating to mechanics' liens.
Introduced, passed on file 662
Referred to Judiciary 687
Subcommittee, Redmond, Doderer, and DeKoster 739

331 By Gluba and Carr. A bill for an act relating to employment security benefits.
Introduced, passed on file 662
Referred to Labor and Industrial Relations 687
Fiscal Note SCS
Subcommittee, Rabedeaux, Redmond, and Kinley 739

332 By Nystrom, Coleman and Curtis. A bill for an act relating to improvement of certain benefits for members of the peace officers' retirement, accident and disability system. (See SF 473—Committee Bill)
Introduced, passed on file 672
Referred to State Government .. 702
Subcommittee, Glenn, Nolin, and Schwengels 830

333 By Nystrom, Coleman and Curtis. A bill for an act relating to the Iowa public employees' retirement system and providing for changes in the rates of contribution, benefits, methods of payment, and to make an appropriation.
Introduced, passed on file 672
Referred to State Government .. 702
Subcommittee, Glenn, Nolin, and Schwengels 830

334 By Nystrom, Coleman and Curtis. A bill for an act relating to improvement of certain benefits for members of police and fire retirement systems. (See SF 490—Committee Bill)
Introduced, passed on file 672
Referred to State Government .. 702
Subcommittee, Glenn, Nolin, and Schwengels 830

335 By Hultman. A bill for an act relating to the number of offices allowed certain banks.
Introduced, passed on file 672
Referred to Commerce 702
Subcommittee, Rodgers, Rabedeaux, and Gallagher 739

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336 By Nystrom. A bill for an act relating to the conservation commission.
Introduced, passed on file 672
Referred to Natural Resources .. 702
Subcommittee, Heying, Priebe, and Winkelman 830
Committee report 1200
Recommended passage 1200

337 By Murray. A bill for an act to appropriate from the general fund of the state to the department of public safety for drunk-driving enforcement programs.
Introduced, passed on file 672
Referred to Appropriations 702
Subcommittee, Junkins, Gluba, and Tieden 915

338 By Natural Resources. A bill for an act relating to the membership of the Iowa natural resources council.
Introduced, placed on calendar .. 673
Steering recommends calendar .. 857
Point of order raised 883
Amendment S. 3491 filed 883
Amendment S. 3491 lost 884
Amendment S. 3492 filed 884
Amendment S. 3492 lost 884
Passed Senate, ayes 27, nays 19 . 884
Motion to reconsider vote 884
Motion to reconsider vote laid on table 884
Motion to reconsider vote laid on table prevailed 885
Message from House 1363
Message from House 1388
Return to House 1388
Message from House 1411
Reported correctly enrolled 1419
Signed by President 1419
Signed by Speaker 1419
Sent to Governor 1419
Vetoed by Governor 1425

339 By Griffin, DeKoster, Andersen and Palmer. A bill for an act relating to licensing of insurance agents.
Introduced, passed on file 676
Referred to Commerce 702
Subcommittee, Rodgers, Briles, and Priebe 739

340 By Griffin. A bill for an act relating to the Iowa Uniform Gifts to Minors Act.
Introduced, passed on file 677
Referred to Judiciary 702
Subcommittee, Kelly, Carr, and Willits 739

341 By Palmer, Coleman, Doderer, Gallagher, Glenn, Hill of Jasper and Willits (Small, Krause, Avenson, Schroeder, Readinger, Bennett, Svoboda, Connors, Hansen, Wyckoff, Spencer and Drake). A bill for an act relating to the bonding of governmental employees.
Introduced, passed on file 677
Referred to State Government .. 703
Subcommittee, Glenn, Redmond, and Nystrom 830

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342 By Griffin, DeKoster, Andersen and Palmer. A bill for an act relating to placement of insurance by licensed agents.
Introduced, passed on file 677
Referred to Commerce 703
Subcommittee, Rodgers, Briles, and Priebe 739

343 By Curtis, Hansen, Briles, Gallagher, Griffin and Lamborn (Bittle and Brunow). A bill for an act relating to the creation of a county budget review committee, specifying the powers and duties of the committee, providing for the consolidation of county funds and the limitation of certain budget expenditures for counties.
Introduced, passed on file 677
Referred to County Government 703
Subcommittee, Hill of Polk, Scott, and Robinson 830

344 By Griffin, DeKoster, Andersen and Palmer. A bill for an act relating to the licensing of insurance consultants, and providing penalties.
Introduced, passed on file 677
Referred to Commerce 703
Subcommittee, Rodgers, Briles, and Priebe 739

345 By DeKoster. A bill for an act relating to the method used by judges of election to select and certify potential jurors.
Introduced, passed on file 677
Referred to Judiciary 703
Subcommittee, Shaw, Redmond, and Coleman 739
Amendment S. 3395 filed 747
Committee report 1572
Recommended amendment, passage 1572
Committee amendment S. 3925 ..1572
Committee report adopted 1851
Committee amendment S. 3925 adopted 1851
Amendment S. 3395 withdrawn ..1851
Passed Senate, ayes 47, nays none 1852

346 By DeKoster. A bill for an act relating to workmen's compensation for loss of hearing.
Introduced, passed on file 678
Referred to Labor and Industrial Relations 703
Subcommittee, Glenn, Nolting, and DeKoster 739

347 By Gluba and Doderer (O'Halloran). A bill for an act relating to rights of persons seeking health care.
Introduced, passed on file 678
Referred to Judiciary 703
Subcommittee, Kelly, Redmond, and Hill of Polk 739

348 By Heying. A bill for an act establishing within the judicial department medical malprac-

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tice panels for the review of pending malpractice.
Introduced, passed on file 678
Referred to Judiciary 703
Subcommittee, Willits, Kelly, and Rodgers 739

349 By Glenn. A bill for an act relating to licensing, implied consent and financial responsibility requirements for snowmobile operation, and providing for the suspension or revocation of licenses or certificates for certain violations.
Introduced, passed on file 678
Referred to Judiciary 703
Subcommittee, Shaw, Miller of Des Moines, and Ramsey 739

350 By Glenn. A bill for an act to permit compensation of school board treasurers.
Introduced, passed on file 678
Referred to Education 703
Subcommittee, Norpel, Carr, and Shaw 739

351 By State Government. A bill for an act relating to the time for publishing the Iowa Administrative Code.
Introduced, placed on calendar .. 678
Passed Senate, ayes 50, nays none 752
Message from House 955
Reported correctly enrolled 1009
Signed by President 1009
Signed by Speaker 1009
Sent to Governor 1009
Signed by Governor 1055
Became Law by Publication 1508

352 By Coleman and Lamborn. A bill for an act relating to the limitation of certain damage actions against architects, contractors, engineers and surveyors, arising out of improvements or work upon real property.
Introduced, passed on file 678
Referred to Judiciary 703
Subcommittee, DeKoster, Doderer, and Rodgers 739

353 By Coleman, Murray, Rodgers, Winkelman and Schwengels. A bill for an act making an appropriation from the general fund of the state to the Iowa American revolution bicentennial commission.
Introduced, passed on file 678
Referred to Appropriations 703
Subcommittee, DeKoster, Willits, and Culver 915
Committee report 1840
Recommended passage 1840
Committee report adopted 1900
Passed Senate, ayes 48, nays none 1900
Message from House 2204
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2268

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354 By Coleman. A bill for an act relating to the consolidation for investment of retirement system funds.
Introduced, passed on file 678
Referred to State Government .. 703
Subcommittee, Glenn, Doderer, and Curtis 830

355 By County Government (County Government). A bill for an act relating to the collection and disposition of fines and forfeited bail imposed for violations of municipal ordinances.
Introduced, placed on calendar .. 686
Amendment S. 3687 filed 1200

356 By Shaw, Gluba, Hansen, Griffin, Willits, Sovern and Carr (Readinger, Lipsky, and Cusack). A bill for an act authorizing the establishment and funding of self-supported municipal improvement districts.
Introduced, passed on file 686
Referred to Cities 703
Fiscal Note SCS
Subcommittee, Schwengels, Redmond, and Carr 739
Committee report 1538
Recommended passage 1538
Referred to Ways and Means ..1594
Subcommittee, Schwengels, Nolting, and Gluba 1645
Committee report 2009
Recommended passage 2009
Amendment S. 4235 filed 2140

357 By Lamborn, Norpel, Glenn and Shaff. A bill for an act relating to investment by state banks in revenue bonds issued by municipalities in support of industrial projects.
Introduced, passed on file 687
Referred to Commerce 703
Subcommittee, Briles, Junkins, and Gallagher 739
Committee report 1200
Recommended amendment, passage 1200
Committee amendment S. 3689 ...1200
Steering recommends calendar ..1460
Committee report adopted 1558
Committee amendment S. 3689 adopted 1558
Passed Senate, ayes 45, nays none 1559

358 By Kelly, Doderer, DeKoster and Schwengels. A bill for an act relating to neglected, dependent, and delinquent children.
Introduced, passed on file 687
Referred to Human Resources .. 703
Subcommittee, Miller of Des Moines, Hill of Polk, and Ramsey 739
Committee report 1085
Recommended passage 1085
Committee report adopted 1404
Passed Senate, ayes 41, nays none 1404
Explanation of votes 1468

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Message from House, with amendment S. 4266 2179
Senate concurred 2197
Passed Senate, ayes 42, nays none 2198
Explanation of votes 2257
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

359 By Griffin. A bill for an act relating to fees for certificates of compliance required of manufacturers and wholesalers of alcoholic beverages.
Introduced, passed on file 695
Referred to Ways and Means 718
Fiscal Note SCS
Subcommittee, Van Gilst, Hill of Jasper, and Shaff 830

360 By Burroughs. A bill for an act relating to telephone exchange service.
Introduced, passed on file 695
Referred to Commerce 718
Subcommittee, Rabedeaux, Carr, and Glenn 739

361 By Junkins, Miller of Des Moines, Briles, Schwengels, Griffin, Culver, Hultman, Tieden, Robinson, Ramsey, Coleman and Nystrom. A bill for an act relating to the retirement qualifications of policemen and firemen.
Introduced, passed on file 702
Referred to State Government .. 718
Subcommittee, Glenn, Nolin, and Schwengels 830

362 By Robinson. A bill for an act relating to the salary of the superintendent of a merged area school.
Introduced, passed on file 714
Referred to Education 737
Subcommittee, Willits, Merritt, and Plymat 830

363 By DeKoster, Plymat, Bergman, Nystrom, Schwengels, Winkelman, Tieden, Ramsey and Briles. A bill for an act to increase the standard deduction and minimum net income level below which no tax is imposed for individual income tax purposes and making the act retroactive.
Introduced, passed on file 714
Referred to Ways and Means ... 737
Subcommittee, Rodgers, Curtis, Gluba, Nolting, and Schwengels 830
Fiscal Note SCS
Amendment S. 3672 filed 1180
Fiscal Note SCS

364 By Curtis. A bill for an act relating to the practice of accountancy.
Introduced, passed on file 714
Referred to Commerce 737
Subcommittee, Rodgers, Rabedeaux, and Priebe 830
Committee report 1132

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Recommended passage 1132
Committee report adopted 1189
Passed Senate, ayes 43, nays none 1190
Message from House 2179
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

365 By Nystrom, Coleman and Curtis. A bill for an act relating to an increase of retirement benefits to certain retired public employees.
Introduced, passed on file 716
Referred to Appropriations 737
Fiscal Note SCS
Subcommittee, Hill of Jasper, Van Gilst, and Plymat 915

366 By Agriculture. A bill for an act relating to the transporting of cattle, swine, and grain, and providing penalties.
Introduced, placed on calendar .. 716
Amendment S. 3485 filed 888
H.F. 185 Substituted 1196
Withdrawn 1198

367 By Agriculture. A bill for an act relating to the location and operation of livestock feedlots, and defining nuisance as the term relates thereto.
Introduced, placed on calendar .. 717
Steering recommends calendar .. 894
Placed on calendar under unfinished business 897
Amendment S. 3571 filed 1023
Amendment S. 3577 filed 1023
Amendment S. 3591 filed 1055
Amendment S. 3610 filed 1103
Amendment S. 3610 adopted 1191
Amendment S. 3571 adopted 1191
Amendment S. 3577 adopted 1192
Point of order raised 1192
Ruled germane S. 3591 1192
Amendment S. 3591 lost 1193
Failed to pass Senate, ayes 20, nays 23 1193
Motions filed to reconsider vote ..1194
Motion to reconsider vote prevailed 1352
Motion to reconsider vote 1352
Motion to reconsider vote failed..1352
Passed Senate, ayes 29, nays 18..1352
Motion to reconsider vote withdrawn 1353
Motions filed to reconsider vote..1353
Amendment S. 3792 filed 1355
Not considered, filed after final reading 1355
Amendment S. 3794 filed 1355
Not considered, filed after final reading 1356
Amendment S. 3790 filed 1356
Not considered, filed after final reading 1356
Amendment S. 3791 filed 1356
Not considered, filed after final reading 1356
Amendment S. 3793 filed 1356
Not considered, filed after final reading 1356
Amendment S. 3795 filed 1356
Not considered, filed after final reading 1356

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Explanation of vote 1389
Motion to reconsider vote failed..1400
Motion to reconsider ruled out of order 1401
Explanation of vote 1468

368 By Agriculture. A bill for an act relating to the marketing of livestock and providing penalties.
Introduced, placed on calendar .. 736

369 By Culver. A bill for an act relating to the search warrant and bonding authority of the Iowa natural resources council and providing a penalty.
Introduced, passed on file 736
Referred to Judiciary 757
Subcommittee, Doderer, Shaw, and Rodgers 830

370 By Taylor and Hill of Polk. A bill for an act relating to levy of a tax for buildings and sites in merged areas. (See SF 453—Committee Bill)
Introduced, passed on file 736
Referred to Ways and Means .. 757
Subcommittee, Hill of Jasper, Schwengels, and Nolting 830

371 By Miller of Des Moines and Junkins (Monroe and Spear). A bill for an act relating to the issuance of migratory waterfowl stamps and providing a penalty.
Introduced, passed on file 736
Fiscal Note SCS
Referred to Natural Resources .. 757
Subcommittee, Norpel, Culver, and Sovern 830
Committee report 833
Recommended amendment, passage 833
Committee amendment S. 3468 .. 833
Committee report adopted 999
Committee amendment S. 3468 adopted 1000
Passed Senate, ayes 41, nays none 1000
Explanation of vote 1053
Message from House, with amendment S. 3727 1262
Senate concurred 1322
Passed Senate, ayes 37, nays 1 ..1323
Explanation of vote 1355
Reported correctly enrolled 1388
Signed by President 1388
Signed by Speaker 1388
Sent to Governor 1388
Signed by Governor 1418

372 By Miller of Des Moines, Murray, Briles, Curtis and Priebe. A bill for an act relating to the time in which actions arising out of patient care must be brought.
Introduced, passed on file 736
Referred to Judiciary 757
Subcommittee, Redmond, Ramsey, and Coleman 831

373 By Doderer, Rabedeaux, Robinson and Gluba. A bill for an act relating to local health services and making appropriation for such services.
Introduced, passed on file 737
Referred to Appropriations 757
Subcommittee, Van Gilst, Nolting, and Bergman 915

374 By Cities. A bill for an act correcting and clarifying provisions in the city code of Iowa.
Introduced, placed on calendar .. 737
Amendment S. 3477 filed 870
Amendment S. 3535 filed 953
Steering recommends calendar ..1090
H.F. 723 Substituted 1090
Withdrawn 1095

375 By Miller of Des Moines. *A bill for an act relating to* the property tax exemptions for veterans.
Introduced, passed on file 750
Referred to Ways and Means 783
Subcommittee, Rodgers, Junkins, and Curtis 831
Amendment S. 3702 filed 1227

376 By Hill of Polk. A bill for an act relating to the maintenance of trust accounts by real estate brokers.
Introduced, passed on file 755
Referred to Commerce 783
Subcommittee, Priebe, Curtis, and Rabedeaux 831

377 By Coleman. A bill for an act to allow that special plates may be issued to national guardsmen.
Introduced, passed on file 755
Referred to Transportation 783
Subcommittee, Murray, Rabedeaux, and Orr 831
Fiscal Note SCS

378 By Agriculture. A bill for an act providing for indentification of boars, sows and stags designated for slaughter.
Introduced, placed on calendar .. 755
Passed Senate, ayes 41, nays 1 ..1187
Motion filed to reconsider vote ...1225
Motion to reconsider vote withdrawn 1404
Message from House 2179
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

379 By Junkins, Miller of Des Moines, Briles, Schwengels, Griffin, Culver, Hultman, Tieden, Robinson, Ramsey, Coleman and Nystrom. A bill for an act relating to the retirement qualifications of members of the peace officers' retirement, accident, and disability system.
Introduced, passed on file 755
Referred to State Government .. 783
Subcommittee, Glenn, Nolin, and Schwengels 831

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380 By County Government (County Government). A bill for an act relating to the effective date of certain Acts or resolutions of the general assembly.
Introduced, placed on calendar .. 755

381 By Schwengels. A bill for an act to establish guidelines for the management and use of investments held by eleemosynary institutions and funds.
Introduced, passed on file 756
Referred to Commerce 783
Subcommittee, Briles, Rodgers, and Priebe 831

382 By Schwengels, Doderer and Kelly. A bill for an act relating to the payment of pay to correctional employees for work performed in excess of eight hours per day.
Introduced, passed on file 756
Referred to Labor and Industrial Relations 783
Subcommittee, Redmond, Andersen, and Merritt 831
Committee report 1265
Recommended passage 1265
Committee report adopted 1405
Passed Senate, ayes 40, nays none 1405
Explanation of votes 1468

383 By Burroughs. A bill for an act to authorize name changes for school districts.
Introduced, passed on file 767
Referred to Education 806
Subcommittee, Norpel, Shaw, and Carr 831
Committee report 1023
Recommended passage 1023
Committee report adopted 1114
Passed Senate, ayes 43, nays none 1115
Message from House 1276
Reported correctly enrolled 1311
Signed by President 1311
Signed by Speaker 1311
Sent to Governor 1311
Signed by Governor 1353

384 By DeKoster. A bill for an act relating to allowable deductions from the gross value of an estate for inheritance tax purposes.
Introduced, passed on file 780
Referred to Ways and Means .. 806
Subcommittee, Rodgers, Curtis, Gluba, Nolting, and Schwengels 831

385 By Gluba. A bill for an act relating to eligibility for the tuition grant program.
Introduced, passed on file 780
Referred to Education 806
Subcommittee, Willits, Merritt, and Plymat 831

386 By Lamborn, Rodgers and Priebe. A bill for an act adding to the Iowa banking act a new division relating to the days and hours of operation of banks and bank offices, and relating to the days and hours of operation of savings and loan associations.
Introduced, passed on file 781
Referred to Commerce 806
Subcommittee, Glenn, Bergman, and Rabedeaux 831

387 By Human Resources. A bill for an act relating to liability for the performance of or refusal to perform abortions.
Introduced, placed on calendar .. 781
Steering recommends calendar ..1090
Amendment S. 3611 filed 1092
Amendment S. 3611A lost 1093
Placed on calendar under unfinished business 1094
Amendment S. 3614 filed 1103
Amendment S. 3613 filed 1103
Amendment S. 3635 filed 1141
Point of order raised 1142
Ruled germane S. 3635 1142
Amendment S. 3635 adopted 1142
Amendment S. 3611B withdrawn.1142
Amendment S. 3613 withdrawn ..1142
Amendment S. 3614 withdrawn ..1142
Passed Senate, ayes 42, nays 5 ..1142
Explanation of vote 1179

388 By Miller of Des Moines. A bill for an act relating to control of motor vehicles when approaching certain warning devices.
Introduced, passed on file 781
Referred to Transportation 806
Subcommittee, Murray, Miller of Marshall, and Doderer 1130

389 By Schwengels, Murray, Willits, Bergman, Junkins, Curtis, Ramsey, Burroughs, Heying, Rabedeaux, Miller of Des Moines, Hill of Polk, Gallagher, Robinson, Scott, Kelly, Miller of Marshall, Taylor, Hultman, Plymat and Hansen (Welden, Wells, Egenes and Brockett). A bill for an act relating to establishment of a commission for Iowa postsecondary education to replace the higher education facilities commission, and transferring appropriations.
Introduced, passed on file 781
Referred to Education 806
Subcommittee, Willits, Merritt, and Plymat 831

390 By Willits, Rabedeaux, Rodgers, Curtis, Lamborn and Priebe. A bill for an act relating to trust companies.
Introduced, passed on file 781
Referred to Commerce 806
Subcommittee, Bergman, Carr, and Junkins 831
Committee report 916
Recommended passage 916
Committee report adopted 969
Passed Senate, ayes 45, nays 1 .. 969

391 By Norpel. A bill for an act relating to the rules promulgated by the state transportation commission.
Introduced, passed on file 781

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Referred to Transportation 806
Subcommittee, Norpel, Orr, and Coleman 1130

392 By Norpel. A bill for an act relating to the usury law provisions pertaining to sole proprietorships and partnerships.
Introduced, passed on file 781
Referred to Commerce 806
Subcommittee, Curtis, Junkins, and Priebe 831

393 By Schwengels. A bill for an act relating to the use of flashing amber lights on animal-drawn vehicles.
Introduced, passed on file 781
Referred to Transportation 806
Subcommittee, Rabedeaux, Miller of Marshall, and Murray 1010
Withdrawn 2218

394 By Junkins, Palmer, Kinley, Schwengels, Curtis, Miller of Des Moines, Lamborn, Rabedeaux, Plymat, Sovern, Norpel, Nolin, Scott, Heying, Robinson, Nolting, Nystrom, Briles, Merritt, Taylor, Andersen, Rodgers, Coleman, Hultman, Griffin, Carr, Burroughs, Miller of Marshall, Shaff, Shaw, Redmond, Gallagher, Orr, Willits, Glenn, Doderer, Van Gilst, Hill of Jasper and Ramsey. A bill for an act relating to the hiring of state employees.
Introduced, passed on file 782
Referred to State Government .. 806
Subcommittee, Coleman, Redmond, mond, and Curtis 915

395 By Kelly. A bill for an act authorizing grand juries with statewide jurisdiction and making an appropriation.
Introduced, passed on file 782
Referred to Judiciary 806
Subcommittee, Redmond, Hill of Polk, and Coleman 831

396 By Junkins, Lamborn, Rodgers, Coleman, Shaff and Briles. A bill for an act relating to the service tax on storage of goods.
Introduced, passed on file 782
Referred to Ways and Means ... 806
Subcommittee, Rodgers, Van Gilst, and Curtis 831
Amendment S. 3522 filed 934
Committee report 1518
Recommended amendment, passage 1518
Committee amendment S. 3877 ..1518
Fiscal Note SCS
Amendment S. 3970 filed 1620
Amendment S. 3962 filed 1621

397 By Willits and Palmer. A bill for an act relating to benefited street lighting districts.
Introduced, passed on file 782
Referred to Cities 806
Subcommittee, Nolting, Nystrom, and Palmer 915

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Committee report 1010
Recommended passage 1010
Committee report adopted 1114
Passed Senate, ayes 40, nays 3 ..1114
Message from House, with amendment S. 3842 1463
Senate concurred 1556
Passed Senate, ayes 45, nays none 1557
Reported correctly enrolled 1680
Signed by President 1680
Signed by Speaker 1680
Sent to Governor 1680
Signed by Governor 1793

398 By Norpel, Coleman, Carr, Culver, Scott, Nolting, Palmer, Orr, Miller of Des Moines, Junkins, Robinson, Tieden, Curtis, Heying, Andersen, Nystrom, Briles, Hansen, Nolin and Schwengels. A bill for an act to allow ambulance attendants to use a flashing amber light.
Introduced, passed on file 782
Referred to Transportation 806
Subcommittee, Norpel, Orr, and Coleman 1130
Committee report 1312
Recommended passage 1312

399 By Kelly. A bill for an act relating to exemptions from execution and providing penalties.
Introduced, passed on file 782
Referred to Ways and Means ... 806
Subcommittee, Curtis, Hill of Jasper, and Gluba 831

400 By Coleman, Priebe and Murray. A bill for an act relating to the operation of bank holding companies and prohibiting the formation of new bank holding companies without certificates of authority from the state banking board.
Introduced, passed on file 793
Referred to Commerce 821
Subcommittee, Junkins, Curtis, and Briles 915

401 By Winkelman. A bill for an act relating to partition fences.
Introduced, passed on file 793
Referred to Agriculture 821
Subcommittee, Priebe, Heying, and Tieden 915

402 By Norpel. A bill for an act relating to financing the freeway-expressway system between Dubuque and Sioux City, Iowa, and other portions of the system, and making appropriations.
Introduced, passed on file 793
Referred to Appropriations 821
Subcommittee, Hill of Jasper, Junkins, and Lamborn 915

403 By Doderer. A bill for an act to require disclosure of certain information by trustees, directors, and officers of

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nonprofit hospitals and nonprofit health care facilities.
Introduced, passed on file 796
Referred to Judiciary 821
Subcommittee, Ramsey, Redmond, and Coleman 915

404 By Kelly. A bill for an act relating to the rules of the board of parole.
Introduced, passed on file 806
Referred to State Government .. 821
Subcommittee, Redmond, Doderer, and Nystrom 915

405 By Kelly. A bill for an act defining simple and aggravated littering and providing a penalty.
Introduced, passed on file 806
Referred to Energy 821
Subcommittee, Scott, Burroughs, and Tieden 915

406 By Plymat, Curtis and Murray. A bill for an act relating to liability protection for state employees.
Introduced, passed on file 819
Referred to Judiciary 829
Subcommittee, Hill of Polk, Miller of Des Moines, and Willits 915

407 By Redmond. A bill for an act relating to an income tax deduction for textbooks.
Introduced, passed on file 819
Referred to Ways and Means 829
Fiscal note SCS
Subcommittee, Rodgers, Curtis, Gluba, Nolting, and Schwengels 915

408 By Redmond. A bill for an act relating to restrictions on the activities of producers, refiners and distributors in the retail operation of the petroleum industry and providing a penalty for violation of the Act.
Introduced, passed on file 819
Referred to Commerce 829
Subcommittee, Rabedeaux, Junkins, and Curtis 915

409 By Redmond and Kelly. A bill for an act relating to the taxation of motor fuel used in aircraft and the use of unclaimed tax refunds.
Introduced, passed on file 819
Referred to Ways and Means ... 829
Subcommittee, Gluba, Nolting, and Burroughs 915
Fiscal note SCS

410 By Carr. A bill for an act relating to the computation of monthly pensions for firemen and policemen.
Introduced, passed on file 819
Referred to Cities 829
Subcommittee, Palmer, Nolting, and Griffin 1010
Committee report 1538
Recommended passage 1538
Fiscal note SCS

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411 By Priebe, Lamborn and Rodgers. A bill for an act relating to the location of bank offices outside of municipal corporations.
Introduced, passed on file 819
Referred to Commerce 829
Subcommittee, Rabedeaux, Glenn, and Bergman 915

412 By Priebe, Lamborn and Shaw. A bill for an act relating to proof in certain actions arising out of patient care.
Introduced, passed on file 820
Referred to Judiciary 829
Subcommittee, Willits, Kelly, and Rodgers 915

413 By Griffin. A bill for an act relating to a municipal transportation assistance fund.
Introduced, passed on file 820
Referred to Cities 829
Subcommittee, Palmer, Nystrom, and Miller of Des Moines 915

414 By Norpel. A bill for an act relating to the mounting of white lights upon school buses.
Introduced, passed on file 820
Referred to Transportation 829
Subcommittee, Gallagher, Nolin, and Norpel 1199
Amendment S. 3683 filed 1203
Committee report 1420
Recommended passage 1420

415 By Norpel. A bill for an act relating to the weight of motor vehicles.
Introduced, passed on file 820
Referred to Transportation 829

416 By Shaw. A bill for an act relating to driver education training.
Introduced, passed on file 820
Referred to Transportation 829

417 By Tieden. A bill for an act relating to escort fees for oversized vehicles.
Introduced, passed on file 820
Referred to Transportation 829

418 By Ways and Means. A bill for an act relating to payment and final returns of inheritance tax.
Introduced, placed on calendar .. 820
Passed Senate, ayes 37, nays 10.. 838
Motion filed to reconsider vote ... 847
Amendment S. 3481 filed 871
Motion to reconsider vote prevailed 876
Amendment S. 3481 adopted 876
Passed Senate, ayes 46, nays none 877
Explanation of vote 914
Message from House 1019
Reported correctly enrolled 1099
Signed by President 1099
Signed by Speaker 1099
Sent to Governor 1099
Signed by Governor 1146

419 By Energy. A bill for an act relating to the planning

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and implementation of resource recovery systems.
Introduced, placed on calendar .. 820
Amendment S. 3483 filed 882
Amendment S. 3483 adopted 882
Amendment S. 3488 filed 882
Amendment S. 3488 adopted 882
Passed Senate, ayes 50, nays none 882
Message from House 1495
Reported correctly enrolled 1645
Signed by President 1645
Signed by Speaker 1645
Sent to Governor 1645
Signed by Governor 1707

420 By Doderer. A bill for an act relating to the parentage of children and providing for civil contempt.
Introduced, passed on file 825
Referred to Human Resources .. 850
Subcommittee, Hill of Polk, Ramsey, and Sovern 915

421 By Agriculture. A bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties.
Introduced, placed on calendar .. 825
Committee amendment S. 3496 filed 901
Amendment S. 3622 filed 1133
Steering recommends calendar ..1155
Amendment S. 3748 filed 1300
H.F. 625 Substituted 1359
Withdrawn 1388

422 By Natural Resources. A bill for an act to include caves and caverns in the limitation of liability for allowing public use of private land.
Introduced, placed on calendar .. 827
Passed Senate, ayes 49, nays 1 .. 966
Message from House 1463
Reported correctly enrolled 1645
Signed by President 1645
Signed by Speaker 1645
Sent to Governor 1645
Signed by Governor 1707

423 By Miller of Des Moines, Heying, Nolting, Norpel, Bergman, Van Gilst, Taylor, Merritt, Carr, Tieden, Nystrom, Gallagher, Culver, Winkelman, Hansen, Schwengels, Coleman, Nolin, Griffin, Briles, Hultman, Lamborn, Scott, Robinson, Murray and Curtis. A bill for an act relating to insurance proceeds payable to physicians.
Introduced, passed on file 827
Referred to Commerce 850
Subcommittee, Priebe, Rabedeaux, and Rodgers 915

424 By Winkelman, Bergman, Nolin and Coleman (Miller of Calhoun, Hansen, Crabb, Pellett, Hutchins and Bennett). A bill for an act making an appropriation from the general fund of the state to the state conservation commission for the dredging of certain specified lakes.
Introduced, passed on file 827
Referred to Appropriations 850
Subcommittee, Junkins, Robinson, and Hultman 915

425 By Appropriations. A bill for an act appropriating funds to the department of general services, capitol planning commission, the executive council and the Iowa merit employment department and relating to a permanent revolving fund used for printing purposes.
Introduced, placed on calendar .. 828
Passed Senate, ayes 49, nays none 858
Message from House 1116
Reported correctly enrolled 1199
Signed by President 1199
Signed by Speaker 1199
Sent to Governor 1199
Signed by Governor 1299

426 By Appropriations. A bill for an act making an appropriation to the department of environmental quality, providing for the issuance of temporary permits for certain solid waste disposal sites, and providing a civil penalty for violations.
Introduced, placed on calendar .. 828
Passed Senate, ayes 48, nays none 858
Message from House, with amendment S. 3618 1116
Senate concurred 1195
Passed Senate, ayes 42, nays none 1195
Reported correctly enrolled 1311
Signed by President 1311
Signed by Speaker 1311
Sent to Governor 1311
Signed by Governor 1353

427 By Appropriations. A bill for an act making an appropriation to the Iowa state civil rights commission.
Introduced, placed on calendar .. 828
Amendment S. 3476 filed 860
Amendment S. 3476 lost 861
Passed Senate, ayes 50, nays none 861
Motion filed to reconsider vote .. 861
Motion to reconsider vote withdrawn 905
Message from House, with amendment S. 4262 2179
Senate concurred 2198
Passed Senate, ayes 35, nays 8 ..2199
Explanation of vote 2257
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

428 By DeKoster and Willits. A bill for an act relating to the salaries of employees of juvenile courts.
Introduced, passed on file 828
Referred to Judiciary 850

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Subcommittee, Rodgers, Shaw, and Ramsey 915

429 By Rodgers, Robinson, Lamborn, Tieden and Murray. A bill for an act limiting damages in certain actions relating to health care.
Introduced, passed on file 836
Referred to Commerce 865
Subcommittee, Curtis, Rodgers, Junkins, Carr and Rabedeaux.. 915

430 By Sovern. A bill for an act relating to fences on another's land.
Introduced, passed on file 838
Referred to Agriculture 865
Subcommittee, Priebe, Heying, and Tieden 915

431 By DeKoster. A bill for an act reorganizing the administrative functions of the supreme court.
Introduced, passed on file 839
Referred to Judiciary 865
Subcommittee, Kelly, Hill of Polk, and Miller of Des Moines 915

432 By Palmer, Lamborn and Rodgers. A bill for an act relating to the use of electronic banking facilities and electronic transfers of funds by banks.
Introduced, passed on file 849
Referred to Commerce 865
Subcommittee, Carr, Gallagher, and Rabedeaux 915
Amendment S. 3740 filed 1268
Amendment S. 3749 filed 1301
Withdrawn 1790

433 By Shaw. A bill for an act relating to the production and use of juvenile records for use in claims relating to the responsibility of parents of a minor child.
Introduced, passed on file 850
Referred to Judiciary 865
Subcommittee, Coleman, Willits, and Ramsey 915

434 By Doderer, Briles, Murray, Shaw and Gluba. A bill for an act relating to the liability of certain health care practitioners and hospitals.
Introduced, passed on file 850
Referred to Commerce 865
Subcommittee, Curtis, Rodgers, Junkins, Carr, and Rabedeaux.. 915

435 By Doderer. A bill for an act relating to the operation of school buses.
Introduced, passed on file 850
Referred to Education 865
Subcommittee, Carr, Griffin, and Sovern 915
Committee report 1389
Recommended amendment, passage 1389
Committee amendment S. 3810 ..1389

436 By Coleman, Miller of Des Moines, Curtis, Tieden and Gluba. A bill for an act relating to contingent attorney fees in certain cases involving liability of health care practitioners and hospitals.
Introduced, passed on file 850
Referred to Commerce 865
Subcommittee, Curtis, Rodgers, Junkins, Carr and Rabedeaux 915

437 By Coleman. A bill for an act relating to the issuance of permits of public convenience and necessity to intrastate truck operators and contract carriers, subject to penalties provided by law.
Introduced, passed on file 850
Referred to Transportation 865
Subcommittee, Nolin, Rabedeaux, and Murray 1130

438 By Coleman. A bill for an act authorizing merged areas to acquire and operate dormitories, student centers and parking facilities, and to finance the cost with revenue bonds.
Introduced, passed on file 850
Referred to Appropriations 865
Subcommittee, Hill of Jasper, Nolin, and Bergman 1010

439 By Doderer. A bill for an act relating to agreements entered into between doctors and hospitals in the provision of pathology and radiology services.
Introduced, passed on file 856
Referred to Commerce 885
Subcommittee, Curtis, Junkins, Rodgers, Carr and Rabedeaux 915
Committee report 1811
Recommended passage 1811

440 By Nystrom. A bill for an act providing an income tax credit for proper insulation of buildings.
Introduced, passed on file 857
Referred to Ways and Means .. 885
Fiscal Note SCS
Subcommittee, Rodgers, Curtis, Gluba, Nolting, and Schwengels 1010

441 By Gluba. A bill for an act relating to the permissible locations of games of skill, games of chance and raffles conducted by qualified organizations.
Introduced, passed on file 863
Referred to Judiciary 885
Subcommittee, Willits, Doderer, and Kelly 1010

442 By Rodgers, Lamborn and Priebe. A bill for an act relating to permissible investments by a state bank acting in a fiduciary capacity.
Introduced, passed on file 863
Referred to Commerce 886
Subcommittee, Glenn, Rabedeaux, and Bergman 916

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443 By Rodgers, Lamborn, and Priebe. A bill for an act relating to loans on residential real property by state banks.
Introduced, passed on file 864
Referred to Commerce 886
Subcommittee, Bergman, Rabedeaux, and Glenn 916
Committee report 1132
Recommended passage 1132

444 By Rodgers, Lamborn and Priebe. A bill for an act relating to loans by a state bank to its officers.
Introduced, passed on file 864
Referred to Commerce 886
Subcommitee, Rabedeaux, Glenn, and Bergman 916

445 By Lamborn, Rodgers and Priebe. A bill for an act relating to the establishment of fees for certain applications filed with the department of banking.
Introduced, passed on file 864
Referred to Commerce 886
Fiscal Note SCS
Subcommittee, Rabedeaux, Glenn, and Bergman 916

446 By Tieden. A bill for an act to provide reimbursement to school districts for certain tax free lands and to make an appropriation.
Introduced, passed on file 864
Referred to Appropriations 886
Subcommittee, Willits, Nolting, and Plymat 1010

447 By Griffin, Hansen, Curtis, Rodgers, Norpel and Gallagher. A bill for an act relating to the creation of a joint underwriting association for the writing of medical malpractice liability insurance.
Introduced, passed on file 864
Referred to Commerce 886
Subcommittee, Curtis, Junkins, Rodgers, Carr, and Rabedeaux.. 916

448 By Rabedeaux. A bill for an act providing for the detachment of land from a benefited fire district or from township fire protection.
Introduced, passed on file 864
Referred to County Government 886
Subcommittee, Gallagher, Taylor, and Merritt 1010

449 By Agriculture. A bill for an act relating to the establishment of a corn promotion fund to receive assessments made on the sale of corn, to establish an Iowa corn promotion board, to provide for a referendum among corn producers, and to provide penalties.
Introduced, placed on calendar .. 875
Steering recommends calendar ..1460
Point of order raised 1559
Motion to suspend rules 1559

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Motion to suspend rules prevailed 1560
Passed Senate, ayes 34, nays 8 ..1560

450 By Kelly and Doderer. A bill for an act relating to the use of probation by the court.
Introduced, passed on file 885
Referred to Judiciary 897
Subcommittee, Carr, Kelly, and and Doderer 1010

451 By Kelly and Doderer. A bill for an act relating to the repeal of certain fringe benefits for employees of correctional institutions.
Introduced, passed on file 885
Referred to State Government . 897
Subcommittee, Redmond, Schwengels, and Gluba 1010

452 By Redmond A bill for an act changing the title of the chairman of the county board of supervisors.
Introduced, passed on file 904
Referred to County Government 932
Subcommittee, Briles, Robinson, and Merritt 1010

453 By Education. A bill for an act relating to the levy of a tax for buildings and sites in merged areas.
Introduced, referred to Ways and Means 912
Subcommittee, Hill of Jasper, Nolting, and Schwengels 1010

454 By State Government. A bill for an act relating to sexual contact performed for a fee and providing a penalty.
Introduced, placed on calendar .. 925

455 By County Government. A bill for an act providing for a fee for the collection of special city assessments.
Introduced, placed on calendar .. 932

456 By Judiciary. A bill for an act relating to furnishing discharged inmates of the women's reformatory, men's reformatory, and state penitentiary with clothing, money and transportation.
Introduced, placed on calendar .. 932
Passed Senate, ayes 39, nays none 1001
Explanation of vote 1053
Message from House 1970
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

457 By Schwengels. A bill for an act relating to the filing of reports relating to land ownership by nonresident aliens, corporations incorporated in any foreign country or corporations organized in this country of which one-half

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or more of the stock is owned or controlled by nonresident aliens, and providing a penalty for violations.
Introduced, passed on file 938
Referred to Agriculture 958

458 By Miller of Des Moines and Junkins (Monroe, Spear and Jordan). A bill for an act relating to service fees for issuing hunting and fishing licenses.
Introduced, passed on file 946
Referred to Natural Resources .. 958
Subcommittee, Hultman, Bergman, and Sovern 1130

459 By Miller of Des Moines (Hutchins and Perkins). A bill for an act relating to the validity of actions taken by conference boards.
Introduced passed on file 946
Referred to County Government 958
Subcommitee, Robinson, Taylor, and Heying 1010

460 By Miller of Des Moines (Monroe, Spear and Jordan). A bill for an act relating to the place for the filing of mechanic's liens.
Introduced, passed on file 946
Referred to Judiciary 958
Subcommittee, Ramsey, Coleman, and Shaw 1010

461 By Murray. A bill for an act relating to the return of accumulated contributions to certain employers under the Iowa public employees' retirement system.
Introduced, passed on file 956
Referred to State Government .. 978
Subcommittee, Doderer, Gluba, and Winkelman 1130

462 By Miller of Des Moines. A bill for an act relating to motor vehicle reciprocal agreements relating to motor vehicle inspections and a study of motor vehicle inspection requirements by the director of the state department of transportation.
Introduced, passed on file 956
Referred to Transportation 978
Subcommittee, Orr, Gallagher, and Murray 1333
Committee report 1812
Recommended assage 1812

463 By Appropriations. A bill for an act to appropriate for programs under the jurisdiction of the higher education facilities commission and to make certain changes within programs under its jurisdiction.
Introduced, placed on calendar .. 956
Amendment S. 3573 filed 1024
Amendment S. 3597 filed 1055
Amendment S. 3607 filed 1104
Withdrawn 1486

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464 By Appropriations. A bill for an act making an appropriation to the Iowa development commission and energy policy council.
Introduced, placed on calendar .. 957
Amendment S. 3569 filed 1014
Amendment S. 3569 adopted 1014
Passed Senate, ayes 48, nays none 1015
Message from House 1370
Reported correctly enrolled 1645
Signed by President 1645
Signed by Speaker 1645
Sent to Governor 1645
Signed by Governor 1707

465 By Willits. A bill for an act relating to the establishment and construction of large energy facilities. (See SF 513 —Committee Bill)
Introduced, passed on file 957
Referred to Energy 978
Subcommittee, Rodgers, Gallagher, and Tieden 1010

466 By Orr. A bill for an act providing an income tax credit for voting, an increase in cigarette taxes to fund the credit, and making an appropriation.
Introduced, passed on file 957
Referred to Ways and Means .. 978
Fiscal note SCS
Subcommittee, Van Gilst, Junkins, and Schwengels 1130

467 By Hill of Polk. A bill for an act relating to local authority regulation of noise levels of motor vehicles. (See SF 484—Committee Bill)
Introduced, passed on file 962
Referred to Natural Resources .1008
Subcommittee, Miller of Marshall, Winkelman, and Culver..1130

468 By Nolting. A bill for an act providing for the inclusion of students of schools of nursing in the tuition grant program.
Introduced, passed on file 962
Referred to Appropriations 1008
Subcommittee, Van Gilst, Sovern, and Bergman 1334

469 By Gluba. A bill for an act relating to the abolishment of the Iowa development commission.
Introduced, passed on file 974
Referred to State Government ..1008
Subcommittee, Coleman, Nolin, and Nystrom 1130

470 By Murray, Shaw, DeKoster, Griffin, Hultman, Curtis, Andersen, Kelly, Bergman, Briles, Gluba, Priebe, Doderer, Hansen, Nystrom, Carr, Tieden and Schwengels (Crawford, Stromer, Brockett, Egenes, Schroeder, Tauke, Clark, Harvey, Wulff, Nealson of Muscatine, Halvorson, West, Fullerton, Junker, Daggett and

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Tofte). A bill for an act relating to tuition reciprocity agreements entered into by the state board of regents and the state board of public instruction.
Introduced passed in file 974
Referred to Education 1008
Subcommittee, Willits, Plymat, and Merritt 1131
Amendment S. 3869 filed 1391

471 By Winkelman. A bill for an act relating to state and county liens for support of the medically ill.
Introduced, passed on file 974
Referred to Judiciary 1008
Subcommittee, Shaw, Ramsey, and Coleman 1131

472 By Transportation. A bill for an act providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions of the state which regulate the operation of railroad trains within the political subdivisions of the state.
Introduced, placed on calendar .. 974
Subcommittee, Gallagher, Rabedeaux, and Nolin 1010
Amendment S. 3676 filed 1181
Amendment S. 3779 filed 1335
H.F. 623 Substituted 1853
Withdrawn 1854

473 By State Government. A bill for an act relating to improvement of certain benefits for members of the peace officers' retirement, accident and disability system.
Introduced, referred to Appropriations 975
Committee amendment S. 3560 filed 989
Amendment S. 3657 filed 1165
Subcommittee, Hill of Jasper, Van Gilst, and Lamborn 1334

474 By Gluba. A bill for an act relating to deposit of public funds in credit unions.
Introduced, passed on file 1007
Referred to Commerce 1053
Subcommittee, Rabedeaux, Rodgers, and Priebe 1131

475 By Natural Resources (Natural Resources). A bill for an act relating to the maximum deposit required for bids to construct levee or drainage district improvements.
Introduced, placed on calendar ..1013
Committee amendment S. 3586 filed 1057
Committee amendment S. 3586A withdrawn 1118
Committee amendment S. 3586B adopted 1118
Passed Senate, ayes 38, nays 1 ..1118
Message from House, with amendment S. 3812 1380
Senate concurred 1401

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Passed Senate, ayes 35, nays none 1401
Explanation of votes 1468
Reported correctly enrolled 1645
Signed by President 1645
Signed by Speaker 1645
Sent to Governor 1645
Signed by Governor 1645
Became Law by Publication 2282

476 By State Government. A bill for an act to provide for the licensing of speech pathologists and audiologists and to establish an examining board.
Introduced, placed on calendar .1013
Passed Senate, ayes 33, nays 7 ..1122
Motion filed to reconsider vote ..1122
Amendment S. 3654 filed 1165
Motion to reconsider vote withdrawn 1198

477 By State Government. A bill for an act relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties.
Introduced, placed on calendar .1013
H.F. 348 Substituted 1120
Withdrawn 1121

478 By Sovern, Nystrom, Shaw and Gluba. A bill for an act to eliminate the ad damnum clause in certain cases involving liability of health care practitioners and hospitals.
Introduced, passed on file 1018
Referred to Judiciary 1053
Subcommittee, Willits, Kelly, and Rodgers 1131

479 By Agriculture. A bill for an act regarding the labeling of containers in which baby chicks are held when sold or delivered.
Introduced, placed on calendar ..1018
Passed Senate, ayes 40, nays 1 ..1116

480 By Taylor, Priebe, Tieden, Scott, Rabedeaux, Hultman, Nolin, Merritt, Burroughs, Schwengels, Miller of Marshall, Miller of Des Moines, Rodgers, Bergman, Nystrom, Griffin, Culver, Heying, Curtis, and Andersen. A bill for an act relating to the movement of vehicles of excessive weight subject to penalties provided by law.
Introduced, passed on file 1019
Referred to Transportation 1053
Subcommittee, Rabedeaux, Nolin, and Norpel 1131

481 By County Government (County Government). A bill for an act to create a county compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers.
Introduced, placed on calendar ..1084

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Amendment S. 3631 filed 1133
Amendment S. 3632 filed 1147
Steering recommends calendar ..1838
Motion to substitute 1977
Motion to substitute prevailed ..1977
H.F. 802 Substituted 1977
Withdrawn 1989

482 By Doderer. A bill for an act relating to the decree in a dissolution of marriage action.
Introduced, passed on file 1085
Referred to Judiciary 1098
Subcommittee, Doderer, Shaw, and Coleman 1199

483 By Ways and Means. A bill for an act relating to bonding for income tax withholding agents.
Introduced, placed on calendar ..1085
Passed Senate, ayes 39, nays 1 ..1124

484 By Cities. A bill for an act relating to the regulation of noise emission from motor vehicles by cities.
Introduced, placed on calendar ..1088
Amendment S. 3776 filed 1314
Amendment S. 3770 filed 1314
Placed on calendar under unfinished business 1320

485 By Labor and Industrial Relations. A bill for an act relating to employment security.
Introduced, placed on calendar ..1088
Amendment S. 3615 filed 1104
Made special order Apr. 30, 1975..1139
Amendment S. 3636 filed 1148
Amendment S. 3637 filed 1152
Fiscal note SCS
Special order 1155
Amendment S. 3643 filed 1156
Amendment S. 3643 adopted 1156
Amendment S. 3638 filed 1156
Amendment S. 3638 adopted 1156
Amendment S. 3641 filed 1156
Amendment S. 3641 adopted 1156
Amendment S. 3636 as amended, adopted 1157
Amendment S. 3615A lost 1158
Amendmnet S. 3615B withdrawn.1158
Amendment S. 3645 filed 1158
Amendment S. 3645 lost 1159
Amendment S. 3642 filed 1159
Amendment S. 3642 adopted 1159
Amendment S. 3647 filed 1159
Amendment S. 3647 lost 1160
Amendment S. 3637 lost 1160
Amendment S. 3649 filed 1160
Amendment S. 3649 adopted 1161
Amendment S. 3650 filed 1161
Point of order raised 1161
Ruled out of order S. 3650 1161
Passed Senate, ayes 35, nays 14 .1161
Explanation of vote 1179
Message from House 1753
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

486 By Scott. A bill for an act relating to the issuance of a third plate as a duplicate plate for campers mounted on motor trucks.

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Introduced, passed on file 1088
Referred to Transportation 1130
Subcommittee, Rabedeaux, Murray, and Norpel 1199

487 By Commerce. A bill for an act relating to the regulation of savings and loan associations organized under the laws of the state of Iowa.
Introduced, placed on calendar ..1088
Steering recommends calendar ..1155
Amendment S. 3679 filed 1204
Amendment S. 3679 adopted 1358
Passed Senate, ayes 48, nays none 1358
Explanation of vote 1389

488 By State Government. A bill for an act relating to the political affiliation of persons serving on state boards, commissions, and councils.
Introduced, placed on calendar .1088
Steering recommends calendar .1155
Passed Senate, ayes 31, nays 15 ..1278
Motion filed to reconsider vote .1278
Amendment S. 3864 filed 1490
Motion to reconsider vote prevailed 1554
Amendment S. 3864 adopted 1555
Passed Senate, ayes 41, nays 3 ..1555

489 By Transportation. A bill for an act relating to the width of commercial vehicles subject to penalties provided by law.
Introduced, placed on calendar ..1095
Steering recommends calendar .1299
Amendment S. 3916 filed 1539
Amendment S. 3948 filed 1592
Placed on calendar under unfinished business 1593
Amendment S. 3960 filed 1621
Amendment S. 3965 filed 1621
Amendment S. 3965 adopted 1831
Amendment S. 3948 as amended, adopted 1831
Ruled out of order S. 3916 1831
Ruled out of order S. 3960 1831
Passed Senate, ayes 44, nays 1 ..1831
Message from House, with amendment S. 4160 1970

490 By State Government. A bill for an act relating to improvement of certain benefits for members of police and fire retirement systems.
Introduced, placed on calendar .1095
Amendment S. 3655 filed 1166
Amendment S. 3656 filed 1168

491 By Human Resources. A bill for an act relating to the licensing and registration of child day care facilities and providing a penalty.
Introduced, placed on calendar ..1130
Steering recommends calendar ..1155
Amendment S. 3659 filed 1168
Amendment S. 3658 filed 1168
Amendment S. 3664 filed 1174
Amendment S. 3664 adopted 1175
Ruled out of order S. 3659 1175
Amendment S. 3660 filed 1175
Ruled out of order S. 3660 1175
Amendment S. 3661 filed 1176

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Ruled out of order S. 3661 1176
Amendment S. 3667 filed 1176
Ruled out of order S. 3667 1176
Amendment S. 3673 filed 1176
Ruled out of order S. 3673 1176
Amendment S. 3669 filed 1182
Amendment S 3675 filed 1182
Amendment S. 3663 filed 1182
Amendment S. 3665 filed 1182
Amendment S. 3674 filed 1182
Amendment S. 3662 filed 1183
Amendment S. 3668 filed 1183
Amendment S. 3671 filed 1183
Amendment S. 3670 filed 1184
Fiscal note SCS
Amendment S. 3669 withdrawn .1216
Amendment S. 3675 withdrawn .1216
Amendment S. 3663 lost 1216
Amendment S. 3665A adopted ..1217
Amendment S. 3665C adopted ..1217
Amendment S. 3674 adopted 1217
Ruled out of order S. 3665B 1217
Amendment S. 3662 withdrawn .1217
Amendment S. 3668 withdrawn .1217
Amendment S. 3670 adopted 1218
Amendment S. 3706 filed 1218
Amendment S. 3706 adopted 1218
Amendment S. 3671 as amended, adopted 1218
Amendment S. 3699 filed 1219
Point of order raised 1220
Ruled germane S. 3699 1220
Amendment S. 3704 filed 1220
Amendment S. 3704 adopted 1220
Amendment S. 3707 filed 1220
Amendment S. 3707 lost 1221
Amendment S. 3705 filed 1221
Amendment S. 3705A adopted ..1221
Amendment S. 3705B adopted ..1221
Amendment S. 3699A as amended, adopted 1222
Amendment S. 3699B adopted ...1222
Amendment S. 3658 as amended, lost 1223
Passed Senate, ayes 37, nays 9 ..1223
Motion filed to reconsider vote ..1223
Motion to reconsider vote withdrawn 1555
Message from House, with amendment S. 4149 1925
Senate concurred 2025
Passed Senate, ayes 38, nays 5 ..2025
Explanation of vote 2087
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

492 By Schwengels, Willits, Nystrom, Shaw, Lamborn, Junkins, Rabedeaux, Murray, Gluba, Bergman, Burroughs, Curtis, DeKoster, Andersen, Hansen, Ramsey, Redmond, and Rodgers. A bill for an act to provide for the establishment of public safety commissions for police districts, to prescribe their powers and duties, and to authorize the levy of a property tax.
Introduced, passed on file 1137
Referred to Ways and Means ..1162
Subcommittee, Rodgers, Curtis, and Van Gilst 1199

493 By Energy. A bill for an act relating to the effective date for the operation of certain sanitary disposal projects.
Introduced, placed on calendar ..1138
Amendment S. 3875 filed 1518

494 By County Government (County Government). A bill for an act authorizing the county recorder to combine separate index books.
Introduced, placed on calendar ..1138
Passed Senate, ayes 36, nays none 1320
Explanation of vote 1355
Message from House 2179
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

495 By DeKoster. A bill for an act relating to movement of mobile agricultural equipment sold by agricultural implement dealers.
Introduced, passed on file 1143
Referred to Transportation 1162

496 By Judiciary. A bill for an act relating to gambling, and providing penalties.
Introduced, placed on calendar ..1143
Made special order May 6, 1975 ..1172
Amendment S. 3666 filed 1184
Amendment S. 3691 filed 1205
Amendment S. 3688 filed 1205
Amendment S. 3690 filed 1206
Amendment S. 3700 filed 1227
Amendment S. 3713 filed 1244
Amendment S. 3712 filed 1245
Amendment S. 3696 filed 1245
Amendment S. 3697 filed 1245
Amendment S. 3698 filed 1245
Amendment S. 3694 filed 1245
Amendment S. 3695 filed 1246
Amendment S. 3710 filed 1246
Amendment S. 3714 filed 1246
Amendment S. 3711 filed 1246
Amendment S. 3701 filed 1246
Special order 1253
Amendment S. 3732 filed 1253
Amendment S. 3732 adopted 1253
Amendment S. 3700 as amended, lost 1253
Amendment S. 3720 filed 1254
Amendment S. 3720 adopted 1254
Amendment S. 3713 adopted 1254
Amendment S. 3730 filed 1254
Amendment S. 3736 filed 1254
Amendment S. 3736 adopted 1255
Amendment S. 3730 as amended, adopted 1255
Amendment S. 3719 filed 1255
Amendment S. 3719 lost 1256
Amendment S. 3712 adopted 1256
Amendment S. 3666 lost 1257
Amendment S. 3737 filed 1257
Amendment S. 3737 lost 1258
Amendment S. 3696 lost 1258
Amendment S. 3697 adopted 1259
Amendment S. 3739 filed 1259
Amendment S. 3739A adopted ...1259
Amendment S. 3739B withdrawn.1260
Amendment S. 3716 filed 1260
Amendment S. 3716 adopted 1260
Amendment S. 3694 withdrawn ..1260
Amendment S. 3728 filed 1260
Amendment S. 3698 lost 1262

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Amendment S. 3695 adopted 1262
Amendment S. 3741 filed 1268
Amendment S. 3745 filed 1268
Amendment S. 3734 filed 1269
Amendment S. 3733 filed 1270
Amendment S. 3731 filed 1270
Amendment S. 3722 filed 1270
Amendment S. 3725 filed 1270
Amendment S. 3744 filed 1270
Amendment S. 3721 filed 1271
Amendment S. 3715 filed 1271
Amendment S. 3724 filed 1272
Amendment S. 3743 filed 1272
Amendment S. 3738 filed 1272
Amendment S. 3688 withdrawn ..1281
Amendment S. 3710 adopted 1282
Amendment S. 3690 adopted 1282
Amendment S. 3733 adopted 1282
Amendment S. 3714 adopted 1282
Amendment S. 3731 adopted 1283
Amendment S. 3752 filed 1283
Amendment S. 3752 adopted 1283
Amendment S. 3734 as amended, lost 1284
Amendment S. 3711 withdrawn ..1284
Amendment S. 3722 adopted 1284
Amendment S. 3725 lost 1285
Amendment S. 3744 adopted 1285
Motion to reconsider vote 1285
Motion to reconsider vote prevailed 1285
Motion to reconsider vote 1285
Motion to reconsider vote prevailed 1286
Amendment S. 3736 withdrawn ..1286
Amendment S. 3738 adopted 1286
Amendment S. 3730 as amended, adopted 1286
Amendment S. 3750 filed 1286
Amendment S. 3750 adopted 1286
Amendment S. 3745 lost 1287
Amendment S. 3743 adopted 1288
Amendment S. 3751 filed 1288
Amendment S. 3757 filed 1288
Amendment S. 3757 adopted 1289
Amendment S. 3751 as amended, adopted 1289
Amendment S. 3721 adopted 1291
Amendment S. 3715 adopted 1291
Amendment S. 3724 adopted 1292
Amendment S. 3701 adopted 1292
Amendment S. 3691 as amended, adopted 1292
Amendment S. 3754 filed 1292
Amendment S. 3754 withdrawn ..1292
Amendment S. 3759 filed 1292
Amendment S. 3759 lost 1293
Amendment S. 3756 filed 1293
Point of order raised 1293
Ruled germane S. 3756 1293
Amendment S. 3756 lost 1294
Amendment S. 3741B withdrawn.1294
Amendment S. 3741A lost 1294
Amendment S. 3762 filed 1294
Amendment S. 3762 adopted 1295
Amendment S. 3728 as amended, adopted 1295
Amendment S. 3763 filed 1295
Amendment S. 3763 lost 1297
Passed Senate, ayes 33, nays 11..1297
Explanation of votes 1355
Rule suspended 1381
Motion to reconsider vote 1382
Motion to reconsider vote prevailed 1382
Motion to reconsider vote 1382
Motion to reconsider vote prevailed 1382

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Amendment S. 3819 filed 1382
Amendment S. 3819 adopted 1382
Amendment S. 3691 as amended, adopted 1383
Motion to reconsider vote 1383
Motion to reconsider vote prevailed 1383
Amendment S. 3820 filed 1383
Amendment S. 3820 adopted 1383
Amendment S. 3750 as amended, adopted 1383
Passed Senate, ayes 33, nays 10..1383
Explanation of vote 1468
Message from House, with amendment S. 4144 1925
Amendment S. 4191 filed 2013
Amendment S. 4194 filed 2013
Amendment S. 4166 filed 2014
Amendment S. 4233 filed 2103
Amendment S. 4233 adopted 2104
Amendment S. 4194 withdrawn ..2104
Amendment S. 4191 as amended, adopted 2104
Amendment S. 4166 withdrawn ..2104
Senate concurred 2104
Passed Senate, ayes 39, nays 8 ..2105
Message from House 2154
Amendment S. 4254 filed 2165
Senate concurred 2166
Passed Senate, ayes 32, nays 15 ..2167
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

497 By Hill of Polk. A bill for an act relating to public and other records.

Introduced, passed on file 1153
Referred to State Government ..1178
Subcommittee, Nolin, Curtis, and Winkelman 1334

498 By Hansen (O'Halloran, Brandt, Middleton, Wulff, Miller of Buchanan, Harper, Husak and Wyckoff). A bill for an act relating to faculty compensation at universities administered by the state board of regents.

Introduced, passed on file 1154
Referred to Appropriations 1178
Subcommittee, Hill of Jasper, Junkins, and Plymat 1571

499 By Human Resources. A bill for an act relating to hospitalization of the mentally ill.

Introduced, placed on calendar ..1162
Steering recommends calendar ..1299
Amendment S. 3773 filed 1307
Amendment S. 3773A adopted ...1307
Amendment S. 3773B lost 1307
Amendment S. 3774 filed 1307
Amendment S. 3774A withdrawn.1308
Amendment S. 3774B adopted ...1308
Amendment S. 3768 filed 1308
Amendment S. 3768 lost 1308
Amendment S. 3722 filed 1308
Amendment S. 3722 adopted 1309
Amendment S. 3767 filed 1309
Amendment S. 3767 adopted 1309
Passed Senate, ayes 45, nays none 1309
Explanation of votes 1355

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Message from House, with amendment S. 3884 1527
Senate concurred 1557
Passed Senate, ayes 47, nays none 1558
Reportedly correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2186

500 By Doderer. A bill for an act relating to discrimination on the basis of sex or marital status in the issuance of certain insurance policies.
Introduced, passed on file 1162
Referred to Commerce 1178
Subcommittee, Rabedeaux, Rodgers, and Briles 1334

501 By Ways and Means. A bill for an act relating to the assessment and equalization of certain industrial property.
Introduced, placed on calendar ..1173
Amendment S. 3742 filed 1272
Amendment S. 3742 lost 1351
Passed Senate, ayes 44, nays none 1351
Explanation of vote 1389

502 By Cities (Cities and Towns). A bill for an act authorizing the levying of a transient guest tax by counties and cities, adopting provisions of the state gross receipts tax law including penalties, and imposing certain duties upon the director of revenue.
Introduced, referred to Ways and Means 1173
Subcommittee, Nolting, Gluba, and Schwengels 1334

503 By Commerce. A bill for an act relating to the maximum interest rate payable by persons purchasing securities on credit.
Introduced, placed on calendar ..1177
Passed Senate, ayes 31, nays 10 ..1403
Explanation of votes 1468

504 By Appropriations. A bill for an act making an appropriation to continue a study of the problems of Spanish-speaking persons.
Introduced, placed on calender ..1177
Amendment S. 3680 filed 1208
Amendment S. 3680 lost 1211
Amendment S. 3692 filed 1211
Amendment S. 3692 adopted 1211
Passed Senate, ayes 44, nays 2 ..1211
Motion filed to reconsider vote ..1212
Motion to reconsider vote withdrawn 1249
Explanation of vote 1265
Message from House, with amendment S. 3976 1626
Senate refused to concur 1662
Message from House 1881
Motion to reconsider vote 1907
Motion to reconsider vote prevailed 1907
Motion to reconsider vote withdrawn 1907

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Senate concurred 1908
Passed Senate, ayes 47, nays 2 ..1908
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

505 By Appropriations. A bill for an act to appropriate money from the dairy industry fund to the Iowa dairy industry commission.
Introduced, placed on calendar ..1177
Passed Senate, ayes 43, nays none 1212
Explanation of vote 1265
Message from House 1626
Reported correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2186

506 By Appropriations. A bill for an act making an appropriation to the state conservation commission and divisions of the commission.
Introduced, placed on calendar ..1177
Amendment S. 3693 filed 1246
Point of order raised 1251
Rule out of order S. 3693 1251
Passed Senate, ayes 42, nays 1 ..1251
Explanation of vote 1265
Message from House 1370
Reported correctly enrolled 1645
Signed by President 1645
Signed by Speaker 1645
Sent to Governor 1645
Signed by Governor 1707

507 By State Government. A bill for an act relating to the funding, compensation, expenses and membership of legislative members of committees and certain statutory or appointive boards, commissions, and councils.
Introduced, placed on calendar ..1198
Committee amendment S. 3685 filed 1208
Steering recommends calendar ..1299
Amendment S. 3764 filed 1301
Amendment S. 3766 filed 1314
Point of order raised 1347
Ruled out of order S. 3764 1347
Ruled out of order S. 3766 1347
Amendment S. 3788 filed 1348
Amendment S. 3788 lost 1348
Amendment S. 3685 adopted 1348
Passed Senate, ayes 42, nays 4 ..1348
Explanation of vote 1389
Message from House, with amendment S. 3967 1613
Senate refused to concur 1662
Message from House 1857
Conference committee appointed..1900

508 By Human Resources. A bill for an act relating to issuance of special license plates to identify automobiles owned or operated by physically handicapped persons, and to use by automobiles so identified of specially designated parking places, and authorizing im-

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position of a penalty.
Introduced, placed on calendar ..1223
Fiscal note SCS
Amendment S. 3783 filed 1335
Amendment S. 3784 filed 1335

509 By Energy. A bill for an act relating to the regulation of nuclear reactors.
Introduced, referred to Commerce 1224
Subcommittee, Priebe, Junkins, and Curtis 1334

510 By Carr. A bill for an act relating to remedies including civil penalties in class actions based upon violations of the Iowa consumer credit code.
Introduced, passed on file 1224
Referred to Judiciary 1263
Subcommittee, Redmond, Willits, and Shaw 1334

511 By Natural Resources. A bill for an act relating to vessels.
Introduced, placed on calendar ..1253
Committee amendment S. 3735 filed 1272
Committee amendment S. 3735 adopted 1406
Amendment S. 3825 filed 1406
Amendment S. 3825 adopted 1407
Passed Senate, ayes 42, nays none 1407
Explanation of votes 1468
Message from House, with amendment S. 4268 2179
Senate concurred 2200
Passed Senate, ayes 45, nays none 2200
Explanation of vote 2257
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

512 By Natural Resources. A bill for an act relating to quarterly reporting by certain state agencies to certain standing committees of the general assembly.
Introduced, placed on calendar ..1262

513 By Energy. A bill for an act relating to the establishment and construction of large energy facilities.
Introduced, referred to Commerce 1262
Subcommittee, Glenn, Gallagher, and Rabedeaux 1334

514 By Schwengels. A bill for an act relating to the establishment and functions of the Iowa police radio system.
Introduced, passed on file 1280
Referred to State Government ..1310
Subcommittee, Glenn, Kinley, and Curtis 1438

515 By County Government. A bill for an act relating to certain capital expenditures by

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counties of over two hundred fifty thousand population.
Introduced, placed on calendar ..1298
Passed Senate, ayes 41, nays 3 ..1967

516 By County Government (County Government). A bill for an act relating to the establishment and operation of sanitary disposal projects.
Introduced, referred to Ways and Means 1298
Subcommittee, Rodgers, Van Gilst, and Curtis 1334
Fiscal note SCS
Committee report 2009
Recommended passage 2009
Amendment S. 4263 filed 2188

517 By County Government. A bill for an act relating to the repair and maintenance of certain private roads by the county.
Introduced, placed on calendar ..1298
Amendment S. 3780 filed 1336

518 By Human Resources. A bill for an act creating a child support recovery unit within the department of social services, prescribing the powers and duties thereof, and providing for the assignment of rights to child support payments by any person who receives public assistance and providing a penalty.
Introduced, placed on calendar ..1306
Steering recommends calendar ..1644
Passed Senate, ayes 44, nays none 1671
Explanation of vote 1709
Message from House 2204
Amendment S. 4276 filed 2209
Senate concurred 2210
Passed Senate, ayes 40, nays 5 ..2210
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

519 By Cities. A bill for an act relating to registration of motor vehicles.
Introduced, placed on calendar ..1309

520 By Human Resources. A bill for an act establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemptions and appropriations, and providing coordinating amendments related to implementation of the authority's programs.
Introduced, referred to State Government 1361
Amendment S. 3823 filed 1421
Subcommittee, Gluba, Kinley, and Hill of Jasper 1438
Committee report 1516
Recommended amendment, passage 1516
Committee amendment S. 3880 ..1516
Committee report adopted 1628

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H.F. 823 Substituted 1628
Withdrawn 1636

521 By Appropriations. A bill for an act relating to expenses for persons seeking or employed in positions with the state.
Introduced, placed on calendar ..1363
Passed Senate, ayes 44, nays none 1396
Explanation of votes 1468
Message from House, with amendment S. 4020 1698
Senate concurred 1798
Passed Senate, ayes 41, nays none 1798
Reported correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2187

522 By Appropriations. A bill for an act making an appropriation to supplement funds appropriated to the state board of veterinary examiners fund.
Introduced, placed on calendar ..1363
Passed Senate, ayes 43, nays none 1396
Explanation of votes 1468
Message from House 1626
Reported correctly enrolled 1680
Signed by President 1680
Signed by Speaker 1680
Sent to Governor 1680
Signed by Governor 1805
Became Law by Publication 2282

523 By Appropriations. A bill for an act relating to and appropriating funds to legislative agencies involved in the legislative process.
Introduced, placed on calendar ..1363
Passed Senate, ayes 43, nays none 1397
Explanation of votes 1468
Message from House, with amendment S. 3977 1626
Senate concurred 1663
Passed Senate, ayes 44, nays none 1663
Explanation of vote 1709
Reported correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2187

524 By Judiciary. A bill for an act relating to business corporations.
Introduced, placed on calendar ..1380
Amendment S. 4074 filed 1795
Amendment S. 4074 adopted 1855
Passed Senate, ayes 47, nays none 1855

525 By Human Resources. A bill for an act relating to the licensing and regulation of health care facilities, and prescribing penalties for violations.
Introduced, placed on calendar ..1380
Steering recommends calendar ..1460
Amendment S. 3849 filed 1469

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Amendment S. 3882 filed 1519
Amendment S. 3887 filed 1539
Amendment S. 3849 adopted 1563
Amendment S. 3924 filed 1563
Amendment S. 3924 adopted 1564
Amendment S. 3887 adopted 1565
Amendment S. 3882 as amended, adopted 1565
Passed Senate, ayes 36, nays 3 ..1565
Motion filed to reconsider vote ..1587
Motion to reconsider vote withdrawn 1664
Message from House, with amendment S. 4145 1925
Senate concurred 2025
Passed Senate, ayes 38, nays 6 ..2026
Motion filed to reconsider vote ..2053
Explanation of vote 2087
Amendment S. 4261 filed 2188
Motion to reconsider vote prevailed 2193
Motion to reconsider vote 2193
Motion to reconsider vote prevailed 2193
Amendment S. 4261 adopted 2194
Senate concurred 2194
Passed Senate, ayes 40, nays 3 ..2194
Explanation of vote 2257
Message from House 2204
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

526 By Cities. A bill for an act relating to city government by correcting references to electors, modifying provisions for administrative agencies, municipal support of industrial projects, joint transit agencies, interest rates for city bonds, officers' bonds, federal agreements, annexation and severance, forms of city government, compensation and removal of officers, passage of ordinances and amendments, the mayor's right to veto, adoption of codes by reference, city utility and city budgets, essential and general corporate purpose bonds, special assessments, revenue bonds and pledge orders, and providing for liens for service charges and restricted residence districts.
Introduced, placed on calendar ..1380
Amendment S. 3831 filed 1444
Steering recommends calendar ..1644
Amendment S. 4008 filed 1683
Amendment S. 3999 filed 1684
Amendment S. 3995 filed 1685
Amendment S. 4009 filed 1685
Amendment S. 4001 filed 1686
Amendment S. 4027 filed 1710
Amendment S. 4016 filed 1712
Amendment S. 4023 filed 1712
Point of order raised 1959
Ruled out of order S. 4027 1959
Amendment S. 4008 adopted 1960
Point of order raised 1961
Ruled out of order S. 3831 1961
Point of order raised 1962
Ruled out of order S. 3999 1962
Amendment S. 3995 lost 1963
Amendment S. 4009 lost 1963

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Point of order raised 1964
Ruled out of order S. 4001 1964
Amendment S. 4155 filed 1964
Amendment S. 4155 adopted 1964
Amendment S. 4157 filed 1964
Amendment S. 4157 adopted 1965
Amendment S. 4158 filed 1965
Amendment S. 4158 lost 1965
Motion to reconsider vote 1965
Motion to reconsider vote prevailed 1966
Amendment S. 4157 withdrawn ..1966
Amendment S. 4161 filed 1966
Amendment S. 4161 adopted 1966
Passed Senate, ayes 45, nays 1 ..1966
Motions filed to reconsider vote ..1969
Motion to reconsider vote failed..1991
Motion to reconsider ruled out of order 1991
Message from House 2143
Amendment S. 4253 filed 2157
Amendment S. 4255 filed 2161
Amendment S. 4255 lost 2162
Senate concurred 2162
Passed Senate, ayes 47, nays none 2162
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

527 By Robinson. A bill for an act relating to manadatory overtime and providing a penalty.
Introduced, passed on file 1397
Referred to Labor and Industrial Relations 1435
Subcommittee, Nolting, Robinson, and Andersen 1645
Amendment S. 4119 filed 1886

528 By Junkins, Nolting, and Hansen. A bill for an act relating to the adjournment of the general assembly.
Introduced, passed on file 1398
Referred to State Government ..1435
Subcommittee, Kinley, Hill of Jasper, and Glenn 1571

529 By Agriculture. A bill for an act relating to the regulation of grain dealers and warehousemen.
Introduced, placed on calendar ..1411
Amendment S. 4168 filed 2014

530 By Judiciary. A bill for an act relating to the powers and duties of clerks of the district court.
Introduced, placed on calendar ..1435
Amendment S. 3923 filed 1573
Point of order raised 1666
Ruled out of order S. 3923 1666
Passed Senate, ayes 43, nays none 1666
Motion filed to reconsider vote ..1666
Explanation of vote 1709
Motion to reconsider vote withdrawn 1817

531 By Redmond. A bill for an act providing for a local government assistance fund and making an appropriation.
Introduced, passed on file 1435
Referred to Appropriations 1468

532 By Gluba, Hansen and Ramsey (Small and Hansen). A bill for an act relating to special assessments by cities for main sewers and street improvements.
Introduced, passed on file 1449
Referred to Cities 1487

533 By Junkins, Miller of Des Moines, Lamborn and Schwengels. A bill for an act relating to the payment of legal fees for inmates and patients of state institutions.
Introduced, passed on file 1465
Referred to Judiciary 1487
Subcommittee, Carr, Doderer, and Kelly 1571

534 By Shaw. A bill for an act relating to rules of the board of directors of an area school.
Introduced, passed on file 1465
Referred to Education 1487
Subcommittee, Sovern, Merritt, and Shaw 1571

535 By Judiciary. A bill for an act relating to offenses which may be charged upon a uniform citation and complaint, and providing penalties.
Introduced, placed on calendar ..1473

536 By Commerce. A bill for an act relating to the use of electronic facilities and electronic transfers of funds by banks, credit unions and savings and loan associations
Introduced, placed on calendar ..1486
Amendment S. 3981 filed 1639
Amendment S. 3982 filed 1639
Steering recommends calendar ..1644
Amendment S. 3993 filed 1672
Amendment S. 3981 withdrawn .1673
Amendment S. 3997 filed 1673
Amendment S. 3997A adopted ..1673
Amendment S. 4000 filed 1674
Amendment S. 4000 adopted 1674
Amendment S. 3982 as amended, adopted 1674
Amendment S. 4003 filed 1674
Amendment S. 4004 filed 1674
Amendment S. 4004 adopted 1674
Amendment S. 3997B as amended, adopted 1674
Amendment S. 4006 filed 1675
Amendment S. 4006 adopted 1675
Amendment S. 3993 as amended, adopted 1675
Amendment S. 4005 filed 1675
Amendment S. 4007 filed 1675
Amendment S. 4007 adopted 1676
Amendment S. 4003 withdrawn .1676
Amendment S. 4010 filed 1676
Amendment S. 4010 adopted 1676
Amendment S. 4005 as amended, lost 1676
Passed Senate, ayes 36, nays 8 .1677
Motion filed to reconsider vote ..1677
Motion filed to reconsider vote ..1678
Explanation of vote 1709
Amendment S. 4017 filed 1712
Motion to reconsider vote failed..1788

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Motion to reconsider vote withdrawn 1788
Message from House, with amendment S. 4184 1993
Amendment S. 4188 filed 2014
Amendment S. 4205 filed 2034
Point of order raised 2034
Amendment S. 4205 lost 2034
Amendment S. 4188 withdrawn .2034
Amendment S. 4211 filed 2034
Amendment S. 4211 withdrawn .2034
Senate concurred 2035
Senate refused to concur 2035
Passed Senate, ayes 38, nays 7..2035
Message from House 2129
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

537 By Kelly. A bill for an act relating to forfeiture of real estate contracts.
Introduced, passed on file 1487
Referred to Commerce 1507
Subcommittee, Rabedeaux, Priebe, and Bergman 1645

538 By Kelly and Doderer. A bill for an act relating to conditional release for inmates of correctional institutions.
Introduced, passed on file.....1487
Referred to Judiciary 1507
Subcommittee, Carr, Doderer, and Kelly 1571

539 By Ways and Means. A bill for an act providing for the disclosure of the actual sales price in real estate transfers and providing penalties for violations of this Act.
Introduced, placed on calendar ..1487

540 By Junkins, Miller of Des Moines, Rabedeaux, Lamborn and Schwengels. A bill for an act to appropriate funds from the general fund to the state department of transportation.
Introduced, passed on file 1495
Referred to Appropriations 1537

541 By Judiciary. A bill for an act relating to the probate code.
Introduced, placed on calendar .1496
Passed Senate, ayes 39, nays 2 ..1667
Explanation of vote 1709
Message from House, with amendment S. 4272 2179
Senate concurred 2201
Passed Senate, ayes 44, nays none 2201
Explanation of vote 2257
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

542 By Judiciary. A bill for an act relating to lobbyists and providing penalties.
Introduced, placed on calendar ..1507
Amendment S. 3878 filed 1520
Amendment S. 3917 filed 1539

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543 By Ways and Means. A bill for an act relating to the taxation of individual retirement annuity premiums.
Introduced, placed on calendar ..1507
H.F. 881 Substituted 1608
Withdrawn .....e.....1609

544 By Education. A bill for an act to abolish the state advisory committee on area schools.
Introduced, placed on calendar ..1507
Passed Senate, ayes 44, nays none 1834
Message from House 2179
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

545 By Ways and Means. A bill for an act relating to the effective date of equalization orders issued by the director of revenue and providing for an appropriation for the Iowa consumer price index.
Introduced, placed on calendar ..1507
Amendment S. 4011 filed 1686
Amendment S. 4011 adopted 1922
Passed Senate, ayes 34, nays 7 ..1922
Motion filed to reconsider vote ..1922
Motion to reconsider vote withdrawn 1993
Message from House 2240
Amendment S. 4284 filed 2250
Amendment S. 4286 filed 2253
Point of order raised 2254
Ruled out of order S. 4286 2254
Amendment S. 4285 filed 2254
Point of order raised 2254
Amendment S. 4285 lost 2255
Senate concurred 2255
Point of order raised 2255
Senate concurred 2256
Passed Senate, ayes 31, nays 8 ..2256
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269

546 By State Government. A bill for an act to exempt certain publicly-owned motor vehicles used for venereal disease investigation from use of state sign or other labeling and of official registration plates.
Introduced, placed on calendar .1535
Amendment S. 4167 filed 2014

547 By Cities. A bill for an act relating to the financing of levees and drainage districts.
Introduced, placed in calendar ..1561

548 By Appropriations. A bill for an act to make an appropriation to the legislative council for a comprehensive study of mental health delivery systems in the state.
Introduced, placed on calendar ..1562
Passed Senate, ayes 48, nays none 1599
Message from House 1820

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Reported correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2187

549 By Appropriations. A bill for an act making an appropriation to the Iowa law enforcement academy.
Introduced, placed on calendar ..1562
Amendment S. 3961 filed 1602
Amendment S. 3966 filed 1603
Amendment S. 3966 adopted 1603
Amendment S. 3961 as amended, lost 1603
Passed Senate, ayes 49, nays none 1604
Message from House 1881
Reported correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2187

550 By Appropriations. A bill for an act making supplementary appropriations to designated boards.
Introduced, placed on calendar ..1562
Passed Senate, ayes 48, nays none 1600
Message from House, with amendment S. 4087 1820
Senate concurred 1898
Passed Senate, ayes 46, nays none 1898
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2269
Became Law by Publication 2283

551 By Ways and Means. A bill for an act to allow counties to levy a tax for historical purposes.
Introduced, placed on calendar..1570
Amendment S. 3964 filed 1609
Amendment S. 3964 adopted 1610
Passed Senate, ayes 26, nays 22 .1610
Motions filed to reconsider vote .1627
Amendment S. 4030 filed 1757
Motion to reconsider vote prevailed 2049
Motion to reconsider vote 2049
Motion to reconsider vote prevailed 2049
Amendment S. 3964 withdrawn ..2049
Amendment S. 4030 adopted 2050
Passed Senate, ayes 37, nays 8 ..2050
Motion to reconsider vote withdrawn 2050

552 By Junkins, Lamborn, Schwengels and Miller of Des Moines. A bill for an act relating to the payment of services rendered to a state institution by a county medical examiner.
Introduced, passed on file 1594
Fiscal note SCS
Referred to State Government .1618
Subcommittee, Redmond, Gluba, and Andersen 2140

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553 By Judiciary. A bill for an act to exempt the equalization of property from the provisions of the Iowa administrative procedure act.
Introduced, placed on calendar ..1594
Steering recommends calendar ..1644
H.F. 885 Substituted 1802
Withdrawn 1802

554 By Cities. A bill for an act relating to interest rates for city bonds.
Introduced, placed on calendar ..1613
Passed Senate, ayes 46, nays 1 ..1906

555 By State Government. A bill for an act relating to benefits for public employees and retired public employees providing for salary adjustments and certain retirement benefits for public employees and certain elected officials and retired public employees and to make appropriations.
Introduced, referred to Appropriations 1636
Amendment S. 4015 filed 1712
Amendment S. 4025 filed 1713
Committee report 1808
Recommended amendment, passage 1808
Committee amendment S. 4084 ..1808
Amendment S. 4097 filed 1842
Amendment S. 4094 filed 1842
Amendment S. 4098 filed 1843
Amendment S. 4104 filed 1843
Committee report adopted 1858
Amendment S. 4098 adopted 1859
Amendment S. 4120 filed 1859
Amendment S. 4120A lost 1861
Amendment S. 4120B withdrawn.1862
Committee amendment S. 4084A adopted 1862
Committee amendment S. 4084B adopted 1863
Amendment S. 4104 adopted 1864
Amendment S. 4117 filed 1864
Ruled out of order S. 4117 1864
Amendment S. 4116 filed 1864
Amendment S. 4116 lost 1865
Committee amendment S. 4084C as amended, adopted 1866
Committee amendment S. 4084E adopted 1866
Committee amendment S. 4084F adopted 1866
Committee amendment S. 4084G adopted 1866
Amendment S. 4109 filed 1866
Amendment S. 4109 adopted 1866
Committee amendment S. 4084H adopted 1866
Committee amendment S. 4084I adopted 1866
Amendment S. 4122 filed 1866
Amendment S. 4122 adopted 1867
Amendment S. 4123 filed 1867
Amendment S. 4123 lost 1869
Amendment S. 4097 withdrawn ..1869
Amendment S. 4111 filed 1869
Amendment S. 4126 filed 1870
Amendment S. 4126 adopted 1871
Amendment S. 4111A as amended, lost 1871
Amendment S. 4111B lost 1872
Amendment S. 4106 filed 1872
Amendment S. 4106 adopted 1873

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Amendment S. 4107 filed 1873
Amendment S. 4107 adopted 1873
Amendment S. 4015 as amended, adopted 1873
Amendment S. 4094 lost 1875
Amendment S. 4114 filed 1875
Amendment S. 4114A lost 1876
Amendment S. 4114B withdrawn..1876
Amendment S. 4110 filed 1876
Amendment S. 4110 withdrawn ..1876
Amendment S. 4112 filed 1876
Amendment S. 4112 withdrawn ..1876
Amendment S. 4115 filed 1878
Ruled out of order S. 4115 1878
Amendment S. 4025 withdrawn ..1880
Passed Senate, ayes 47, nays 3 ..1880
Fiscal note SCS
Message from House 2105
Amendment S. 4238 filed 2110
Senate concurred 2115
Passed Senate, ayes 48, nays none 2115
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

556 By Gluba, Rodgers, Kinley, Doderer, Priebe, Van Gilst, Culver, Miller of Des Moines, Merritt, Carr, Palmer, Willits, Nolting, Heying, Robinson, Norpel, Nolln, Scott, Redmond, Glenn, Gallagher, Sovern, Coleman, Orr and Junkins. A bill for an act to provide reimbursement for property taxes paid and rent constituting property taxes paid for persons sixty-five years of age or older or totally disabled. (See SF 571—Committee Bill)
Introduced, passed on file 1642
Referred to Ways and Means 1679
Subcommittee, Gluba, Rodgers, and Shaff 1807
Withdrawn 1993

557 By Taylor, Junkins, Schwengels, Hansen, Palmer, Robinson, Van Gilst, Briles, Merritt, Doderer, Nystrom, Andersen, Heying, Rabedeaux, Hultman, Ramsey, Lamborn, Tieden, Miller of Marshall, Coleman, Shaff, Burroughs, Plymat, Scott, Nolting and Miller of Des Moines. A bill for an act authorizing the deduction from a state officer's or employee's wages or salary an amount for contribution to a qualifying charitable organization of the officer's or employee's choice.
Introduced, passed on file 1643
Referred to State Government ..1679
Subcommittee, Coleman, Redmond, and Winkelman 2140

558 By Human Resources. A bill for an act relating to the licensing and regulation of hearing aid dealers.
Introduced, placed on calendar ..1678

559 By Appropriations. A bill for an act making an appropriation to the department of public instruction for the administration of driver education courses.
Introduced, placed on calendar ..1700
Passed Senate, ayes 44, nays 3 ..1728
Message from House 1881
Reported correctly enrolled 2005
Signed by President 2005
Signed by Speaker 2005
Sent to Governor 2005
Signed by Governor 2187

560 By Appropriations. A bill for an act making an appropriation to the moneys and credits replacement fund.
Introduced, placed on calendar ..1700
Passed Senate, ayes 44, nays none 1729
Message from House 1881
Reported correctly enrolled 2087
Signed by President 2087
Signed by Speaker 2087
Sent to Governor 2087
Signed by Governor 2187

561 By Appropriations. A bill for an act creating and making an appropriation to the executive council general contingent fund.
Introduced, placed on calendar ..1700
Passed Senate, ayes 47, nays none 1729
Message from House 1882
Reported correctly enrolled 2087
Signed by President 2087
Signed by Speaker 2087
Sent to Governor 2087
Signed by Governor 2187

562 By Appropriations. A bill for an act relating to the funding of certain employment positions.
Introduced, placed on calendar ..1700
Amendment S. 4040 filed 1730
Amendment S. 4040 adopted 1730
Passed Senate, ayes 47, nays none 1730
Message from House 1970
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

563 By Appropriations. A bill for an act appropriating funds to the office of the citizens' aide.
Introduced, placed on calendar ..1700
Passed Senate, ayes 45, nays none 1731
Message from House 2143
Amendment S. 4249 filed 2162
Amendment S. 4257 filed 2163
Amendment S. 4257 adopted 2163
Senate concurred 2164
Senate refused to concur 2164
Passed Senate, ayes 42, nays 3 ..2164
Message from House 2179
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

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564 By Appropriations. A bill for an act establishing salary rates for members of the judicial branch of government and the members of the public employment relations board.

Introduced, placed on calendar ..1700
Amendment S. 4033 filed 1732
Amendment S. 4033A lost 1733
Amendment S. 4033B adopted ...1734
Amendment S. 4041 filed 1734
Point of order raised 1734
Ruled out of order S. 4041 1734
Motion filed to reconsider vote ..1734
Placed on calendar under unfinished business 1735
Amendment S. 4077 filed 1813
Motion to reconsider vote 2032
Motion to reconsider vote prevailed 2032
Amendment S. 4033A lost 2033
Amendment S. 4077 lost 2033
Amendment S. 4214 filed 2042
Amendment S. 4216 filed 2042
Amendment S. 4216 adopted 2043
Amendment S. 4214 as amended, lost 2043
Passed Senate, ayes 46, nays none 2043
Message from House 2143
Amendment S. 4252 filed 2155
Senate concurred 2155
Passed Senate, ayes 36, nays 9 ..2155
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

565 By Appropriations. A bill for an act relating to administration of chapter three hundred twenty-four (324) of the Code and the motor vehicle use tax program and appropriating funds from the motor vehicle fuel tax fund to the department of revenue for such purposes.

Introduced, placed on calendar ..1700
Amendment S. 4032 filed 1735
Amendment S. 4032 adopted 1736
Amendment S. 4056 filed 1757
Amendment S. 4056 adopted 1764
Passed Senate, ayes 45, nays none 1764
Explanation of vote 1794
Message from House, with amendment S. 4189 1994
Senate concurred 2039
Passed Senate, ayes 47, nays none 2040
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

566 By Appropriations. A bill for an act appropriating funds to the auditor of state, treasurer of state, state comptroller, and department of revenue relating to the administrative duties of the department of revenue, and making certain provisions of the Act retroactive.

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Introduced, placed on calendar ..1701
Amendment S. 4053 filed 1757
Amendment S. 4053 withdrawn ..1764
Amendment S. 4059 filed 1765
Amendment S. 4059 lost 1765
Amendment S. 4062 filed 1765
Amendment S. 4063 filed 1765
Amendment S. 4063 adopted 1765
Amendment S. 4062 as amended, adopted 1765
Passed Senate, ayes 49, nays none 1766
Message from House 2144
Amendment S. 4250 filed 2156
Senate refused to concur 2156
Message from House 2179
Conference committee appointed..2186
Message from House 2228
Conference committee report 2218
Conference committee report adopted 2220
Passed Senate, ayes 47, nays none 2220
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

567 By Appropriations. A bill for an act making an appropriation to the Iowa American revolution bicentennial commission to finance the participation of Iowa musical groups in honor of Iowa statehood at the Kennedy Center for the Performing Arts in Washington, D. C.

Introduced, placed on calendar ..1703
Passed Senate, ayes 45, nays 3 ..1768
Message from House 1994
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

568 By Appropriations. A bill for an act establishing the method for setting salaries of certain state officials and setting a salary range for certain state officials and designated employees of the state and providing for the governor to set salaries within such ranges and expanding the use of funds appropriated by the general assembly.

Introduced, placed on calendar ..1706
Amendment S. 4058 filed 1770
Amendment S. 4058 adopted 1770
Passed Senate, ayes 38, nays 9 ..1771
Message from House 2228
Amendment S. 4281 filed 2230
Amendment S. 4282 filed 2234
Point of order raised 2234
Ruled out of order S. 4282 2234
Senate concurred 2234
Passed Senate, ayes 33, nays 13 ..2235
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

569 By Appropriations. A bill for an act to appropriate from

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the general fund of the state to the municipal assistance fund and the county government assistance fund created by this Act.
Introduced, placed on calendar ..1706
Amendment S. 4046 filed 1758
Withdrawn 1990

570 By Gluba. A bill for an act relating to the regulation of certain dealers, commercial breeders, commercial kennel operators, and public auction operators.
Introduced, passed on file 1790
Referred to Agriculture 1792

571 By Ways and Means. A bill for an act relating to the reimbursement for property taxes paid and rent constituting property taxes paid by claimants.
Introduced, placed on calendar ..1805
Amendment S. 4118 filed 1886
Amendment S. 4118 adopted 1920
Amendment S. 4152 filed 1923
Amendment S. 4152A withdrawn.1923
Amendment S. 4152B withdrawn.1923
Amendment S. 4151 filed 1923
Amendment S. 4153 filed 1923
Amendment S. 4153 adopted 1924
Amendment S. 4151 as amended, lost 1924
Passed Senate, ayes 39, nays 2 ..1924
Fiscal note SCS
Message from House, with amendment S. 4223 2072
Amendment S. 4226 filed 2088
Amendment S. 4240 filed 2107
Amendment S. 4240 adopted 2107
Point of order raised 2107
Ruled out of order S. 4226 2107
Amendment S. 4244 filed 2108
Amendment S. 4244 lost 2108
Senate concurred 2109
Passed Senate, ayes 46, nays 2 ..2109
Message from House 2144
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

572 By Appropriations. A bill for an act making an appropriation for and relating to social service programs including aging, drug abuse, and alcoholism programs.
Introduced, placed on calendar ..1805
Amendment S. 4093 filed 1843
Amendment S. 4093 withdrawn ..1899
Amendment S. 4119 filed 1899
Amendment S. 4119 lost 1899
Passed Senate, ayes 50, nays none 1899
Message from House 1994
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

573 By Appropriations. A bill for an act relating to programs for elderly, handicapped, and lower income persons and persons in need of health care and making appropriations.
Introduced, placed on calendar ..1882
Amendment S. 4124 filed 1886
Amendment S. 4132 filed 1905
Amendment S. 4132 adopted 1905
Amendment S. 4134 filed 1906
Amendment S. 4134 adopted 1906
Amendment S. 4124 as amended, adopted 1906
Amendment S. 4135 filed 1911
Amendment S. 4135 lost 1912
Passed Senate, ayes 47, nays 2 ..1912
Message from House 2129
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

574 By Transportation. A bill for an act to impose a maximum fifty-five mile per hour speed limit on the public highways of this state, subject to penalties provided by law.
Introduced, placed on calendar ..1934
Amendment S. 4185 filed 2015
Steering recommends calendar ..2054
H.F. 66 Substituted 2054
Withdrawn 2057

575 By Appropriations. A bill for an act making appropriations for increased employer contributions resulting because of changes in the employees' retirement systems and providing funds for school districts, area education agencies, and area schools, and the department of transportation; and providing supplemental authorization to expend funds from certain departmental revolving, trust or special funds.
Introduced, placed on calendar ..1934
Amendment S. 4154 filed 1980
Amendment S. 4154 adopted 1980
Passed Senate, ayes 49, nays none 1980
Explanation of vote 2005
Message from House 2129
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

576 By Gluba. A bill for an act to provide limited tax incentives for the improvement, repair, and maintenance of residential property by allowing a five-year tax moratorium for certain improvements to buildings and by requiring that real estate be assessed as if repairs and maintenance had been performed, with certain exceptions.
Introduced, passed on file 1972
Referred to Ways and Means 2002

577 By Ways and Means. A bill for an act relating to the Iowa beer barrel tax rebate.

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Introduced, placed on calendar ..2000
Fiscal note SCS

578 By State Government. A bill for an act creating a department of corrections, prescribing the powers and duties thereof and providing penalties.
Introduced, placed on calendar ..2000

579 By Appropriations. A bill for an act making an appropriation for the state's contribution for the support of the Missouri River riverfront project.
Introduced, placed on calendar ..2000
Passed Senate, ayes 43, nays none 2026
Message from House 2130
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2270

580 By Appropriations. A bill for an act to make appropriations from the general fund and reimbursement fund of the state to certain persons in settlement of claims made against the state of Iowa.
Introduced, placed on calendar ..2000
Passed Senate, ayes 47, nays none 2028
Message from House 2130
Reportedly correctly enrolled ...2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2271

581 By Appropriations. A bill for an act making an appropriation to provide funds to certain state agencies for increased employer contributions resulting because of changes in the Iowa public employees' retirement system.
Introduced, placed on calendar ..2001
Passed Senate, ayes 45, nays none 2027
Message from House 2130
Reportedly correctly enrolled ...2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2271

582 By Appropriations. A bill for an act making an appropriation from the general fund of the state to Iowa state university of science and technology for research on dust explosions related to grain elevators.
Introduced, placed on calendar ..2001
Passed Senate, ayes 45, nays none 2029
Message from House 2130
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2271

583 By Judiciary. A bill for an act to amend the rules of civil procedure proposed by the supreme court.
Introduced, placed on calendar ..2024
Steering recommends calendar ..2054
Passed Senate, ayes 41, nays none 2057
Message from House 2180
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2271

584 By Appropriations. A bill for an act making an appropriation for per diem and expenses of the legislative council, legislative fiscal committee, and special interim study committees and providing for administration of the funds appropriated.
Introduced, placed on calendar ..2073
Passed Senate, ayes 40, nays none 2097
Message from House 2144
Reported correctly enrolled 2258
Signed by President 2258
Signed by Speaker 2258
Sent to Governor 2258
Signed by Governor 2271

RECORD OF HOUSE BILLS IN SENATE

HOUSE FILES PASSED AND APPROVED—146

H.F.
6, 12, 16, 18, 36, 38, 43, 48, 50, 54, 56, 66, 67, 69, 73, 74, 76, 77, 81, 99, 105, 106, 127, 131, 146, 156, 160, 173, 176, 177, 182, 185, 195, 202, 205, 206, 215, 225, 228, 229, 230, 251, 262, 264, 267, 275, 286, 287, 317, 332, 333, 334, 335, 348, 351, 368, 386, 390, 395, 396, 398, 399, 411, 421, 424, 431, 432, 433, 450, 451, 455, 459, 463, 465, 479, 485, 486, 488, 497, 498, 501, 502, 521, 558, 575, 623, 625, 670, 679, 700, 723, 724, 725, 728, 741, 742, 743, 748, 760, 764, 766, 776, 780, 792, 793, 799, 801, 802, 803, 811, 814, 816, 820, 823, 825, 826, 844, 848, 864, 870, 877, 880, 881, 883, 885, 887, 889, 890, 891, 892, 894, 895, 896, 897, 898, 899, 900, 901, 903, 904, 907, 908, 910, 911, 913, 916.

ITEM VETO ON BILLS APPROVED BY THE GOVERNOR

H.F. 334, 431, 455, 848, 864, 898

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9 By Spear, Gilloon, Hines, Jochum, Dyrland and Gentleman. A joint resolution proposing an amendment to the Constitution of the State of Iowa to provide that the governor and lieutenant governor stand for election together on the ballot.
Message from House 1038
Read first time, passed on file ..1040
Referred to Judiciary 1098
Subcommittee, Willits, Shaw, and Rodgers 1199

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1 By Monroe. A bill for an act relating to the storage of registered vessels.
Message from House 208
Read first time, passed on file .. 210
Referred to Natural Resources .. 228
Subcommittee, Sovern, Hultman, and Bergman 255

6 By Monroe. A bill for an act relating to political affiliations of highway safety patrol personnel.
Message from House 258
Read first time, passed on file .. 259
Referred to State Government .. 282
Subcommittee, Gluba, Glenn, and Nystrom 436
Committee report 579
Recommended passage 579
Committee report adopted 684
Passed Senate, ayes 45, nays none 684

12 By Hansen. A bill for an act relating to the indemnification of county officers and employees.
Message from House 1097
Read first time, passed on file ..1098
Referred to County Government..1130
Subcommittee, Merritt, Briles, and Gallagher 1199
Committee report 1516

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Recommended passage 1516
Committee report adopted 1969
Passed Senate, ayes 47, nays none 1969

16 By Higgins and Cusack (Shaw). A bill for an act authorizing counties to provide facilities and services for handicapped persons.
Message from House 228
Read first time, passed on file .. 228
Referred to Human Resources ... 236
Subcommittee, Gluba, Scott, and Murray 255
Committee report 437
Recommended passage 437
Committee report adopted 531
Passed Senate, ayes 39, nays 1 .. 531
Explanation of votes 569

18 By Oakley. A bill for an act relating to expert witness fees.
Message from House 208
Read first time, passed on file .. 210
Referred to Judiciary 228
Subcommittee, Doderer, Shaw, and Kelly 255
Committee report 807
Recommended passage 807
Amendment S. 3918 filed 1574
Committee report adopted 1604
Amendment S. 3918 lost 1605
Passed Senate, ayes 39, nays 9 ..1605

24 By Crabb, McElroy, Husak, Fullerton, Lipsky, Lonergan, Pellett, Egenes, Harper, Hansen and Danker. A bill for an act relating to pay toilets and providing a penalty.
Message from House 506
Read first time, passed on file .. 508
Referred to Cities 535
Subcommittee, Carr, Nolting, and Nystrom 595

36 By Lipsky. A bill for an act relating to discrimination in the renewal of automobile insurance.
Message from House 1067
Read first time, passed on file ..1068

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Referred to Commerce 1098
Subcommittee, Rabedeaux, Briles, and Junkins 1199
Committee report 1299
Recommended passage 1299
Steering recommends calendar ..1460
Committee report adopted 1586
Amendment S. 3950 filed 1593
Point of order raised 1593
Ruled out of order S. 3950 1593
Amendment S. 3958 filed 1593
Amendment S. 3958 withdrawn .1593
Passed Senate, ayes 44, nays none 1594

38 By Lipsky, Howell and Readinger. A bill for an act exempting the sale of medically prescribed oxygen from the sales and use tax.
Message from House 976
Read first time, passed on file .. 977
Referred to Ways and Means ...1009
Subcommittee, Nolting, Gluba, and Burroughs 1131
Committee report 2009
Recommended passage 2010
Committee report adopted 2041
Passed Senate, ayes 45, nays none 2042

43 By Wells (Norpel). A bill for an act permitting the advertisement of beer by brand name on the inside of fences surrounding ballparks.
Message from House 219
Read first time, passed on file .. 220
Referred to State Government .. 236
Amendment S. 3088 filed 296
Subcommittee, Kinley, Glenn, and Curtis 320
Committee report 854
Recommended amendment, passage 854
Committee amendment S. 3471 .. 854
Amendment S. 3506 filed 917
Committee report adopted 1005
Committee amendment S. 3471 adopted 1005
Point of order raised 1005
Ruled out of order S. 3506 1005
Amendment S. 3088 withdrawn..1005
Amendment S. 3566 filed 1005
Amendment S. 3566 lost 1006
Passed Senate, ayes 26, nays 11 .1006
Explanation of vote 1054
Mesage from House 1171

48 By Avenson, Small, Harper, Cusack, O'Halloran, Wells, Horn, Newhard, Connors, Hargrave, Fitzgerald, Poncy, Higgins, Krause, Byerly, Hines, Dyrland, Miller of Cerro Gordo, Miller of Buchanan, Husak, Patchett, Brunow, Norland, Mennenga, Nielsen of Polk, Rinas, Jesse, Woods, Brandt, Dunton, Hinkhouse, Hutchins, Baker, Miller of Calhoun, Griffee, Perkins, and Bina (Gluba, Heying, Culver, Rodgers, Junkins, Merritt, Scott, Carr, Nystrom, Sovern, Nolting, Miller of Des Moines, Redmond, Lamborn, Norpel, Gallagher, Kinley, Orr, Griffin, Andersen, Briles, Murray, Plymat and Palmer). A bill for an act relating to lifetime and annual fishing and hunting licenses for resident senior citizens.
Message from House 272
Read first time, passed on file .. 272
Referred to Natural Resources .. 292
Committee report 549
Recommended amendment, passage 549
Committee amendment S. 3268 .. 549
Amendment S. 3282 filed 580
Committee report adopted 587
Amendment S. 3282 lost 589
Amendment S. 3285 filed 589
Amendment S. 3285 adopted 590
Committee amendment S. 3268 as amended, adopted 590
Passed Senate, ayes 42, nays 5 .. 590
Explanation of vote 608

50 By Drake, McElroy, Crabb, Welden, West, Jesse, Lipsky, Krause, Doyle, Connors, Junker, Daggett, Hansen, Egenes, Cusack, Halvorson, Evans, Caffrey and Newhard. A bill for an act relating to the definition of snow tires.
Message from House 247
Read first time, passed on file .. 249
Referred to Transportation 268
Subcommittee, Miller of Marshall, Doderer, and Orr 320
Committee report 569
Recommended passage 569
Committtee report adopted 679
Passed Senate, ayes 48, nays none 679

54 By Pellett, Middleswart, Husak, Danker, Daggett, Bennett, Perkins, and Hutchins. A bill for an act changing the manner of election of soil conservation district commissioners, and relating to the statutory provisions for establishment of soil conservation districts and for filling certain nonpartisan offices at the general election.
Message from House 362
Read first time, passed on file .. 362
Referred to Agriculture 398
Subcommittee, Priebe, Taylor, and Tieden 511
Committee report 624
Recommended passage 624
Amendment S. 3363 filed 706
Steering recommends calendar .. 857
Committee report adopted 890
Amendment S. 3363 withdrawn .. 890
Passed Senate, ayes 42, nays 2 .. 890

56 By Ways and Means (Ways and Means). A bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and the franchise tax.
Message from House 191
Read first time, passed on file ... 192
Substituted for S.F. 68 212
Passed Senate, ayes 46, nays none 212

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59 By Woods, Wyckoff and Harper. A bill for an act exempting certain military personnel from obtaining a hunting or fishing license.
Message from House 362
Read first time, passed on file .. 362
Referred to Natural Resources .. 398
Subcommittee, Sovern, Miller of Marshall, and Norpel 436
Committee report 1266
Recommended passage 1266

66 By Transportation. A bill for an act to impose a maximum fifty-five mile per hour speed limit on the public highways of this state, subject to penalties provided by law.
Message from House 1925
Read first time, passed on file ..1934
Substituted for S.F. 574 2054
Amendment S. 4219 filed 2055
Point of order raised 2056
Ruled out of order S. 4219 2056
Amendment S. 4222 filed 2056
Point of order raised 2056
Ruled out of order S. 4222 2056
Passed Senate, ayes 35, nays 12 ..2056

67 By McElroy and Bittle. A bill for an act to remove a certain species from the list of noxious weeds.
Message from House 258
Read first time, passed on file .. 259
Substituted for S.F. 61 305
Passed Senate, ayes 49, nays none 305

69 By West, Brockett, Miller of Buchanan, Wyckoff, Bortell, Husak, Miller of Cerro Gordo, Evans, Daggett, Drake, Bennett, Egenes, Oakley, Newhard, Monroe, Koogler, Baker, Mennenga, Krause, Readinger, Tofte, Harper, Nealson of Muscatine, Brunow, Hargrave, Schroeder, Crawford, Hutchins, Caffrey, Miller of Calhoun, Perkins, Middleswart, Harvey, Crabb, Stephens, Branstad, Danker, Cusack, and Halvorson. A bill for an act to change the name of the Iowa soldiers home and relating to eligibility requirements for admission thereto.
Message from House 290
Read first time, passed on file .. 290
Referred to State Government .. 310
Subcommittee, Miller of Marshall, Glenn, and Nolin 436
Committee report 632
Recommended amendment, passage 632
Committee amendment S. 3322 .. 632
Amendment S. 3321 filed 634
Committee report adopted 840
Amendment S. 3321 adopted 841
Committee amendment S. 3322 adopted 841
Passed Senate, ayes 47, nays none 841
Explanation of vote 914
Message from House, with amendment S. 3550 976
Senate concurred 998

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Passed Senate, ayes 41, nays none 998
Explanation of vote 1053

73 By Transportation. A bill for an act relating to the duties of the counsel of the transportation regulation board.
Message from House 219
Read first time, passed on file .. 220
Referred to Transportation 236
Subcommittee, Murray, Shaff, and Gallagher 255
Committee report 321
Recommended passage 321
Amendment S. 3162 filed 389
Committee report adopted 560
Amendment S. 3162 adopted 560
Passed Senate, ayes 49, nays none 560

74 By Transportation. A bill for an act to require cities to give notice of annexation to the state department of transportation.
Message from House 220
Read first time, passed on file .. 220
Referred to Transportation 236
Subcommittee, Rabedeaux, Nolin, and Norpel 255
Committee report 632
Recommended passage 632
Amendment S. 3420 filed 763
Committee report adopted 842
Amendment S. 3420 adopted 842
Passed Senate, ayes 46, nays none 842
Explanation of vote 914

76 By Wells (Redmond). A bill for an act relating to the signature of persons with physical disabilities and providing penalties.
Message from House 272
Read first time, passed on file .. 272
Referred to Judiciary 292
Subcommittee, Ramsey, Miller of Des Moines, and Doderer 321
Committee report 1165
Recommended passage 1165
Committee report adopted 1321
Passed Senate, ayes 37, nays 1 ..1321
Explanation of vote 1355

77 By Connors, Hutchins, Doyle, Junker, Tofte, West, Avenson, Caffrey, Middleton, Gilloon, Harper, Readinger, Brunow, Pavich, Jochum, O'Halloran, Lonergan, Husak, Scheelhaase and Howell. A bill for an act relating to the installation of automatic fire extinguishing systems in high-rise buildings, and providing penalties.
Message from House 507
Read first time, passed on file .. 508
Referred to Cities 535
Subcommittee, Miller of Des Moines, Palmer, and Hansen .. 595
Amendment S. 3435 filed 790
Committee report 898
Recommended passage 898
Amendment S. 3493 filed 901
Committee report adopted 1852
Amendment S. 3435 lost 1852
Amendment S. 3493 adopted 1853

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Passed Senate, ayes 46, nays 1 ..1853
Message from House 1994

81 By Transportation. A bill for an act relating to the payment of transportation expenses for moving household goods for employees of the highway division of the state department of transportation.
Message from House 220
Read first time, passed on file .. 220
Referred to Transportation 236
Subcommittee, Gallagher, Orr, and Shaff 255
Committee report 422
Recommended passage 422
Committee report adopted 528
Passed Senate, ayes 42, nays none 528
Explanation of votes 569

90 By Judiciary and Law Enforcement. A bill for an act relating to emergency vehicles.
Message from House 239
Read first time, passed on file .. 240
Referred to Transportation 252
Subcommittee, Gallagher, Orr, and Shaff 321
Committee report 570
Recommended amendment, passage 570
Committee amendment S. 3275 .. 570
Amendment S. 3274 filed 570
Committee report adopted 585
Placed on calendar under unfinished business 585
Amendment S. 3286 filed 596
Amendment S. 3288 filed 613
Amendment S. 3306 filed 626
Amendment S. 3286 adopted 996
Ruled out of order S. 3275 996
Ruled out of order S. 3274 996
Ruled out of order S. 3288 996
Ruled out of order S. 3306 996
Passed Senate, ayes 39, nays none 996
Explanation of vote 1053
Message from House, with amendment S. 3843 1463
Amendment S. 3990 filed 1648
Point of order raised 1661
Amendment S. 3990 adopted 2040
Senate concurred 2041
Passed Senate, ayes 46, nays none 2041

91 By Transportation. A bill for an act relating to fees for posting business signs on informational panels and advertising permits.
Message from House 258
Read first time, passed on file .. 259
Referred to Transportation 282
Subcommittee, Nolin, Murray, and Rabedeaux 437
Committee report 1313
Recommended passage 1313

99 By County Government. A bill for an act relating to temporary closing of highways.
Message from House 239
Read first time, passed on file .. 240

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Substituted for S.F. 101 263
Amendment S. 3077 filed 264
Amendment S. 3077 adopted 264
Passed Senate, ayes 35, nays 12 .. 264
Explanation of vote 268
Explanation of vote 282
Explanation of vote 569
Message from House 337
Senate insisted 847
Conference committee appointed.. 891
Message from House 957
Conference committee report 1099
Message from House 1138
Conference committee report adopted 1140
Passed Senate, ayes 36, nays 11 ..1141
Explanation of vote 1179

105 By Transportation. A bill for an act relating to registration and registration fees for airmen, aeronautics instructors, and aircraft used for the application of herbicides and pesticides.
Message from House 258
Read first time, passed on file .. 259
Referred to Transportation 282
Subcommittee, Shaff, Gallagher, and Murray 437
Committee report 570
Recommended passage 570
Committee report adopted 585
Passed Senate, ayes 43, nays none 585
Explanation of vote 594
Explanation of vote 608

106 By Transportation. A bill for an act relating to assignment of Iowa highway safety patrol personnel by the director of transportation.
Message from House 258
Read first time, passed on file .. 259
Referred to Transportation 282
Subcommittee, Doderer, Norpel, and Shaff 321
Fiscal Note SCS
Committee report 823
Recommended passage 823
Committee report adopted 879
Passed Senate, ayes 49, nays none 879

114 By Appropriations. A bill for an act to modify certain accounting procedures of the office of auditor of state.
Message from House 258
Read first time, passed on file .. 259
Referred to State Government .. 282
Subcommittee, Redmond, Glenn, and Curtis 437

127 By Transportation. A bill for an act to revise and repeal obsolete provisions of the railroad laws.
Message from House 272
Read first time, passed on file .. 272
Referred to Transportation 292
Subcommittee, Nolin, Gallagher, and Shaff 321
Committee report 570
Recommended amendment, passage 570
Committee amendment S. 3276 ... 570

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Committee report adopted 586
Committee amendment S. 3276 adopted 586
Passed Senate, ayes 46, nays none 586
Motion filed to reconsider vote .. 586
Motion filed to reconsider vote .. 587
Explanation of vote 608
Motion to reconsider vote withdrawn 622
Amendment S. 3323 filed 650
Amendment S. 3328 filed 651
Amendment S. 3344 filed 669
Amendment S. 3608 filed 1105
Amendment S. 3609 filed 1106
Motion to reconsider vote failed..1128
Message from House 1224

131 By Caffrey. A bill for an act relating to a committee supervising steel trade practice.
Message from House 574
Read first time, passed on file .. 574
Referred to Commerce 593
Subcommittee, Bergman, Briles, and Gallagher 664
Committee report 757
Recommended passage 757
Committee report adopted 846
Passed Senate, ayes 48, nays none 846
Explanation of vote 914

146 By Transportation. A bill for an act relating to provisions for suspension of the license and registration or nonresident's operating privilege.
Message from House 265
Read first time, passed on file .. 267
Referred to Transportation 282
Subcommittee, Doderer, Shaff, and Miller of Marshall 437
Committee report 823
Recommended passage 823
Committee report adopted 879
Passed Senate, ayes 48, nays none 880

156 By Horn. A bill for an act relating to the disposition of certain game by the state conservation commission.
Message from House 507
Read first time, passed on file .. 508
Referred to Natural Resources .. 535
Subcommittee, Norpel, Winkelman, and Culver 664
Committee report 1266
Recommended passage 1266
Committee report adopted 1566
Passed Senate, ayes 35, nays none 1566

160 By Caffrey. A bill for an act relating to canvas of vote for governor.
Message from House 523
Read first time, passed on file .. 523
Referred to State Government .. 548
Subcommittee, Doderer, Redmond, and Nystrom 664
Committee report 1100
Recommended passage 1100
Committee report adopted 1188
Passed Senate, ayes 42, nays none 1188

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172 By Kreamer. A bill for an act relating to actions for breach of contract to marry.
Message from House 639
Read first time, passed on file .. 639
Referred to Judiciary 663
Subcommittee, Doderer, Shaw, and Coleman 739
Amendment S. 3419 filed 763

173 By County Government. A bill for an act relating to contracts let by county officers.
Message from House 290
Read first time, passed on file .. 291
Substituted for S.F. 130 304
Passed Senate, ayes 49, nays none 304

176 By Human Resources. A bill for an act relating to payment of small claims by the department of social services.
Message from House 302
Read first time, passed on file .. 302
Referred to Human Resources ... 319
Subcommittee, Hill of Polk, Gluba, and Palmer 437
Committee report 832
Recommended passage 832
Committee report adopted 880
Passed Senate, ayes 46, nays none 880

177 By Patchett. A bill for an act relating to the membership of the state historical board.
Message from House 507
Read first time, passed on file .. 508
Amendment S. 3248 filed 513
Referred to State Government .. 535
Subcommittee, Coleman, Doderer, and Miller of Marshall 595
Committee report 987
Recommended passage 987
Amendment S. 3600 filed 1086
Committee report adopted 1112
Amendment S. 3248 adopted 1112
Ruled out of order S. 3600 1112
Passed Senate, ayes 43, nays none 1112
Message from House 1224

182 By Ways and Means. A bill for an act relating to the period in which claims for the military service tax exemption and the homestead tax credit may be audited.
Message from House 290
Read first time, passed on file .. 291
Referred to Ways and Means ... 310
Subcommittee, Nolting, Lamborn, and Van Gilst 437
Committee report 758
Recommended passage 758
Committee report adopted 811
Passed Senate, ayes 43, nays none 811

185 By Husak, Crabb, Menke, Hutchins, and Bennett (Shaff, Priebe, Bergman, Scott and Tieden). A bill for an act relating to the transporting of livestock, and providing penalties.
Message from House 1097

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Read first time, passed on file ..1098
Amendment S. 3623 filed 1133
Amendment S. 3624 filed 1134
Substituted for S.F. 366 1196
Amendment S. 3684 filed 1196
Amendment S. 3684 adopted 1196
Amendment S. 3623 as amended, adopted 1196
Amendment S. 3681 filed 1197
Amendment S. 3681 adopted 1197
Amendment S. 3624 as amended, adopted 1197
Amendment S. 3686 filed 1197
Amendment S. 3686 adopted 1197
Passed Senate, ayes 38, nays 3 ..1197
Return to regular calendar 1263
Rule suspended 1317
Motion to reconsider vote 1318
Motion to reconsider vote prevailed 1318
Motion to reconsider vote 1318
Motion to reconsider vote prevailed 1318
Amendment S. 3684 withdrawn .1318
Amendment S. 3623 adopted 1318
Motion to reconsider vote 1318
Motion to reconsider vote prevailed 1318
Motion to reconsider vote 1318
Motion to reconsider vote prevailed 1318
Amendment S. 3681 withdrawn .1318
Amendment S. 3624 adopted 1318
Passed Senate, ayes 34, nays 2 ..1319
Explanation of vote 1355
Message from House, with amendment S. 3844 1464
Senate refused to concur 1586
Message from House 1677
Conference committee appointed .1787
Message from House 1994
Conference committee report 2002
Conference committee report adopted 2101
Passed Senate, ayes 42, nays 2 ..2102

187 By Lipsky, Fitzgerald, Newhard and Den Herder. A bill for an act relating to use of state funds to assist counties in paying a portion of the cost of mental health and mental retardation services, and to charges by state mental health institutes for care of patients thereof.

Message from House 1803
Read first time, passed on file ..1805
Referred to Appropriations 1838

188 By Brockett. A bill for an act authorizing the director of the department of general services with approval of the state executive council to proceed with the acquisition of additional land for the extension of the state capitol grounds.

Message from House 1097
Read first time, passed on file ..1098
Referred to State Government ..1130
Subcommittee, Nolin, Coleman, and Winkelman 1199
Committee report 1225
Recommended passage 1225
Amendment S. 4275 filed 2258

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195 By Hutchins and Husak. A bill for an act relating to statewide fire protection.
Message from House 820
Read first time, passed on file .. 821
Referred to County Government . 829
Subcommittee, Gallagher, Taylor, and Merritt 916
Committee report 1022
Recommended amendment, passage 1022
Committee amendment S. 3574 ..1022
Committee report adopted 1187
Committee amendment S. 3574 adopted 1187
Passed Senate, ayes 38, nays 5 ..1188
Motion filed to reconsider vote ..1188
Motion to reconsider vote withdrawn 1224
Message from House 1464

202 By Doyle, Bortell and Clark (Gallagher and Winkelman). A bill for an act relating to maintenance of law enforcement communications with local law enforcement agencies and duties and powers of officers in district headquarters.
Message from House 534
Read first time, passed on file .. 534
Referred to Transportation 548
Committee report 632
Recommended passage 632
Committee report adopted 964
Passed Senate, ayes 48, nays none 964

205 By Labor and Industrial Relations. A bill for an act requiring any person operating a railroad in this state to construct and maintain catwalks and handrails on railway bridges and trestles.
Message from House 392
Read first time, passed on file ... 392
Referred to Labor and Industrial Relations 421
Committee report 470
Recommended passage 470
Subcommittee, Nolting, Merritt, and Griffin 511
Committee report adopted 532
Passed Senate, ayes 37, nays 2 .. 532
Explanation of votes 569

206 By Doyle. A bill for an act relating to deduction of debts and expenses for inheritance tax purposes.
Message from House 1038
Read first time, passed on file ..1040
Referred to Ways and Means ..1098
Subcommittee, Rodgers, Nolting, and Curtis 1199
Committee report 1390
Recommended passage 1390
Committee report adopted 1459
Passed Senate, ayes 46, nays none 1459
Motion filed to reconsider vote ..1460
Explanation of vote 1487
Motion to reconsider vote withdrawn 1703

207 By Transportation. A bill for an act to amend the em-

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inent domain procedures relating to the appointment of compensation commissioners, dispossession of landowners, replacement of wells, furnishing appraisals, and interests in land arising after service of notice of assessment.
Message from House 392
Read first time, passed on file .. 392
Referred to Commerce 421
Subcommittee, Priebe, Rabedeaux,, and Carr 511
Committee report 1132
Recommended passage 1132
Amendment S. 3640 filed 1168
Amendment S. 3639 filed 1168
Amendment S. 4029 filed 1758

208 By Small. A bill for an act relating to conservators administering moneys paid by the veterans administration.
Message from House 839
Read first time, passed on file .. 839
Referred to Commerce 865
Subcommittee, Rabedeaux, Gallagher, and Carr 916

215 By Husak, Fitzgerald, Avenson, Howell, Scheelhaase, Spencer, Brunow, Hargrave, Krause, Wyckoff, O'Halloran, Hinkhouse, Hines, Jochum, Gilloon, Middleton, Higgins, Dieleman, Perkins, Miller of Calhoun, Hutchins, Newhard, Hullinger, Middleswart, Hennessey, Miller of Buchanan, Mennenga, Horn, Wells, Pavich, Rinas, Miller of Cerro Gordo, Koogler, Jordan, Small, Anderson, Dyrland, Griffee, Caffrey, Doyle, Lonergan, Harper, Poncy, Woods, Cusack, Lindeen, West, Branstad, Schroeder, McElroy, Tauke, Patchett, Norland, Connors, Bina, Svoboda, Dunton, Jesse, Monroe, Junker, Stromer, Halvorson, Varley and Egenes. A bill for an act prohibiting any processor or limited partnership with certain exceptions from owning, controlling or operating a feedlot in Iowa, providing for divestment of prohibited operations, providing a moratorium on acquisition of agricultural land by certain corporations, requiring reports from corporations, limited partnerships, fiduciaries, nonresident aliens and nonresident alien corporations, and providing penalties.
Message from House 717
Read first time, passed on file ... 717
Referred to Agriculture 737
Amendment S. 3466 filed 823
Subcommittee, Van Gilst, Shaff, and Scott 831
Committee report 1508
Recommended amendment, passage 1508
Committee amendment S. 3874 ..1508
Made special order May 27, 1975 .1524
Amendment S. 3913 filed 1545
Amendment S. 3890 filed 1547

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Amendment S. 3892 filed 1547
Amendment S. 3891 filed 1547
Amendment S. 3888 filed 1547
Amendment S. 3893 filed 1547
Amendment S. 3894 filed 1548
Amendment S. 3895 filed 1548
Amendment S. 3896 filed 1548
Amendment S. 3897 filed 1548
Amendment S. 3898 filed 1548
Amendment S. 3899 filed 1548
Amendment S. 3900 filed 1548
Amendment S. 3901 filed 1549
Amendment S. 3902 filed 1549
Amendment S. 3903 filed 1549
Amendment S. 3906 filed 1549
Amendment S. 3905 filed 1549
Amendment S. 3907 filed 1549
Amendment S. 3908 filed 1550
Amendment S. 3909 filed 1550
Amendment S. 3910 filed 1550
Amendment S. 3911 filed 1551
Amendment S. 3912 filed 1551
Amendment S. 3921 filed 1574
Amendment S. 3922 filed 1575
Amendment S. 3928 filed 1576
Amendment S. 3920 filed 1576
Amendment S. 3927 filed 1576
Amendment S. 3940 filed 1576
Amendment S. 3941 filed 1576
Amendment S. 3942 filed 1576
Amendment S. 3943 filed 1577
Amendment S. 3944 filed 1577
Amendment S. 3945 filed 1577
Amendment S. 3938 filed 1577
Amendment S. 3931 filed 1577
Amendment S. 3937 filed 1578
Amendment S. 3939 filed 1578
Amendment S. 3936 filed 1579
Amendment S. 3935 filed 1579
Amendment S. 3934 filed 1579
Amendment S. 3932 filed 1579
Amendment S. 3933 filed 1579
Amendment S. 3946 filed 1579
Amendment S. 3930 filed 1580
Special order 1588
Committee report adopted 1588
Amendment S. 3953 filed 1588
Amendment S. 3953 adopted 1589
Ruled out of order S. 3888 1589
Ruled out of order S. 3920 1589
Ruled out of order S. 3921 1589
Ruled out of order S. 3922 1589
Ruled out of order S. 3927 1589
Ruled out of order S. 3928 1589
Ruled out of order S. 3890 1590
Ruled out of order S. 3891 1590
Ruled out of order S. 3892 1590
Ruled out of order S. 3893 1590
Ruled out of order S. 3894 1590
Ruled out of order S. 3895 1590
Ruled out of order S. 3896 1590
Ruled out of order S. 3897 1590
Ruled out of order S. 3898 1590
Ruled out of order S. 3899 1590
Ruled out of order S. 3900 1590
Ruled out of order S. 3901 1590
Ruled out of order S. 3902 1590
Ruled out of order S. 3903 1590
Ruled out of order S. 3905 1590
Ruled out of order S. 3906 1590
Ruled out of order S. 3907 1590
Ruled out of order S. 3908 1590
Ruled out of order S. 3909 1590
Ruled out of order S. 3910 1590
Ruled out of order S. 3911 1590
Ruled out of order S. 3912 1590
Ruled out of order S. 3930 1590
Ruled out of order S. 3931 1590
Ruled out of order S. 3932 1590

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Ruled out of order S. 3933 1590
Ruled out of order S. 3934 1590
Ruled out of order S. 3935 1590
Ruled out of order S. 3936 1590
Ruled out of order S. 3937 1590
Ruled out of order S. 3938 1590
Ruled out of order S. 3939 1590
Ruled out of order S. 3940 1590
Ruled out of order S. 3941 1590
Ruled out of order S. 3942 1590
Ruled out of order S. 3943 1590
Ruled out of order S. 3944 1590
Ruled out of order S. 3945 1590
Ruled out of order S. 3946 1590
Committee amendment S. 3874 as amended, adopted 1590
Ruled out of order S. 3466 1590
Ruled out of order S. 3913 1590
Passed Senate, ayes 41, nays 8 ..1591
Message from House 1636
Senate insisted 1643
Conference committee appointed.1831
Message from House 1857
Conference committee report 1881
Message from House 1882
Second conference committee appointed 1884
Second conference committee report 2131
Message from House 2154
Second conference committee report adopted 2168
Passed Senate, ayes 41, nays 7 ..2169

217 By Avenson, Fitzgerald, Newhard, Poncy, Small, Varley, Wyckoff, Drake, Harper, Pellett, Dyrland, Middleswart, Brunow, Husak, Rinas, Monroe, Horn, Woods, Krause, Caffrey, Doyle, O'Halloran, Schroeder, Clark, Patchett, Connors, Wells, Welden, Jesse, Hutchins, Stromer, Miller of Buchanan, West, Tofte, Mennenga, Griffee, Hargrave, Crawford, Miller of Cerro Gordo, Pavich, Millen, Norland, Hennessey, Jordan, Oakley, Howell, Hinkhouse, Menke, Jochum, Cusack, Daggett, Lonergan, Higgins, Svoboda, Danker, Middleton, Hines, Gilloon, Brandt, Spencer, Anderson, Walter, Miller of Calhoun, Koogler, Baker, Bina, Dieleman, Hullinger, Scheelhaase, Perkins and Dunton. A bill for an act relating to the filing of reports relating to land ownership by nonresident aliens, corporations incorporated in any foreign country, or corporations organized in this country of which one-half or more of the stock is owned or controlled by nonresident aliens, and providing penalties for violations.
Message from House 1464
Read first time passed on file ..1465
Referred to Agriculture 1487
Amendment S. 3914 filed 1551

221 By Tofte. A bill for an act relating to the right of minors to change their name.
Message from House 828
Read first time, passed on file .. 828
Referred to Judiciary 850

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Subcommittee, Kelly, Miller of Des Moines, and Doderer 916

225 By Education. A bill for an act relating to the functions of the laboratory at the state university of Iowa and to change its title to the state hygienic laboratory.
Message from House 392
Read first time, passed on file .. 392
Substituted for S.F. 199 526
Passed Senate, ayes 39, nays none 527
Explanation of votes 569

228 By Appropriations. A bill for an act relating to the payment of witnesses by the labor commissioner.
Message from House 454
Read first time, passed on file .. 454
Referred to Appropriations 468
Subcommittee, State Departments 511
Committee report 595
Recommended passage 595
Committee report adopted 656
Passed Senate, ayes 48, nays none 657

229 By Appropriations. A bill for an act relating to the payment of expenses of presidential electors.
Message from House 454
Read first time, passed on file .. 454
Referred to Appropriations 468
Subcommittee, State Departments 511
Committee report 596
Recommended passage 596
Committee report adopted 657
Passed Senate, ayes 48, nays none 657

230 By Ways and Means. A bill for an act relating to uniformity of time limits in the inheritance and estate tax laws.
Message from House 538
Read first time, passed on file ... 539
Referred to Ways and Means 567
Subcommittee, Burroughs, Lamborn, and Nolting 595
Committee report 854
Recommended passage 854
Committee report adopted 873
Passed Senate, ayes 44, nays none 874

238 By Jochum, Hines, Higgins, Small, Gilloon, Middleton, Readinger, Dyrland and Tauke. A bill for an act relating to the use of polygraph examination during the interview of a prospective employee and providing a penalty.
Message from House 647
Read first time, passed on file .. 647
Referred to Judiciary 663
Subcommittee, Kelly, Rodgers, and Redmond 739

243 By Patchett, Brandt, O'Halloran, Bina, Dyrland, Hines, Monroe, Mennenga, Koogler, Middleton, Jochum, Dunton and Howell. A bill for an act relating to absences of public

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employees for pregnancy and recovery from pregnancy and to provide a penalty.
Message from House 946
Read first time, passed on file ... 947
Referred to Labor and Industrial Relations 958
Subcommittee, Redmond, Rabedeaux, and Glenn 1131
Committee report 1265
Recommended passage 1265

251 By Appropriations. A bill for an act making an appropriation from the general fund of the state to regulatory boards governing the practices of accountancy, architecture, engineering, watchmaking and landscape architecture, and amending certain Code sections relating to these boards.
Message from House 475
Read first time, passed on file ... 475
Substituted for S.F. 166 518
Passed Senate, ayes 41, nays 3 .. 519
Explanation of vote 569

262 By Natural Resources. A bill for an act relating to the sale of game by a game breeder for food purposes.
Message from House 507
Read first time, passed on file ... 508
Referred to Natural Resources .. 535
Subcommittee, Bergman, Culver, and Norpel 664
Committee report 834
Recommended passage 834
Committee report adopted 967
Passed Senate, ayes 49, nays 1 .. 967

264 By Agriculture. A bill for an act to allow the destruction of abandoned animals by veterinarians, boarding and commercial kennels.
Message from House 574
Read first time, passed on file ... 574
Amendment S. 3279 filed 581
Referred to Human Resources .. 593
Subcommittee, Gluba, Kelly, and Palmer 665
Committee report 1299
Recommended amendment, passage 1299
Committee report adopted 1567
Amendment S. 3279 adopted 1568
Amendment S. 3929 filed 1568
Amendment S. 3929 adopted 1568
Passed Senate, ayes 35, nays none 1568
Message from House 1677

267 By Appropriations. A bill for an act making an appropriation for use of the Herbert Hoover Birthplace Foundation, Incorporated, the Mississippi River Parkway Commission, the Midwest Nuclear Compact, and the Iowa American Revolution Bicentennial Commission.
Message from House 475
Read first time, passed on file ... 475
Referred to Appropriations 509
Subcommittee, Natural Resources 595
Committee report 596

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Recommended passage 596
Amendment S. 3300 filed 614
Committee report adopted 658
Point of order raised 658
Ruled out of order S. 3300 658
Passed Senate, ayes 44, nays 4 .. 658

275 By Education. A bill for an act relating to the date of organization of the state board of public instruction.
Message from House 507
Read first time, passed on file ... 509
Referred to Education 535
Subcommittee, Norpel, Carr, and Shaw 595
Committee report 853
Recommended passage 853
Committee report adopted 1003
Passed Senate, ayes 41, nays none 1003
Explanation of vote 1053

283 By Small. A bill for an act relating to interest payments to customers of public utilities.
Message from House 1276
Read first time, passed on file ...1277
Referred to Commerce 1310
Subcommittee, Priebe, Briles, and Rodgers 1438

286 By Transportation. A bill for an act relating to the duties, responsibilities and powers of the state department of transportation and the counties regarding secondary roads.
Message from House 539
Read first time, passed on file ... 539
Referred to County Government.. 567
Committee report 578
Recommended amendment, passage 578
Committee amendment S. 3283 ... 578
Subcommittee, Scott, Robinson, and Briles 595
Committee report adopted 684
Committee amendment S. 3283 adopted 685
Passed Senate, ayes 46, nays none 685

287 By Education. A bill for an act relating to the date of the meeting of boards of school corporations for settlement of business.
Message from House 507
Read first time, passed on file ... 509
Referred to Education 535
Subcommittee, Norpel, Carr, and Shaw 595
Committee report 854
Recommended passage 854
Committee report adopted 1004
Passed Senate, ayes 38, nays none 1004
Explanation of vote 1054

292 By Human Resources. A bill for an act to abolish certain liens and provide procedures for determining liability for payment of charges for care and treatment at certain institutions or facilities.
Message from House 621

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Read first time, passed on file ... 621
Referred to Human Resources .. 629
Subcommittee, Miller of Des Moines, Murray, and Sovern ... 665
Amendment S. 3399 filed 763
Amendment S. 3431 filed 791
Committee report 947
Recommended amendment, passage 947
Committee amendment S. 3536 .. 947

313 By Agriculture. A bill for an act relating to railroad rights-of-way acquired by the state conservation commission and political subdivisions.
Message from House 839
Read first time, passed on file ... 839
Referred to Commerce 865
Subcommittee, Rabedeaux, Glenn, and Gallagher 916

317 By Ways and Means. A bill for an act relating to the taxation of cigarettes by providing for the sale and exchange of cigarette stamps and defining cigarettes and package of cigarettes.
Message from House 607
Read first time, passed on file ... 608
Referred to Ways and Means ... 629
Subcommittee, Lamborn, Culver, and Hill of Jasper 665
Committee report 1300
Recommended passage 1300
Committee report adopted 1327
Passed Senate, ayes 36, nays 1 ..1327
Explanation of vote 1355

324 By Transportation. A bill for an act relating to abandoned vehicles.
Message from House 694
Read first time, passed on file ... 695
Referred to Transportation 718
Amendment S. 3653 filed 1169
Subcommittee, Orr, Gallagher, and Murray 1334
Committee report 1420
Recommended amendment, passage 1420
Committee amendment S. 3826 ...1420

332 By Connors, Higgins, Caffrey, Hargrave, Daggett, Pavich, Harper, Varley, Miller of Calhoun, Fitzgerald, Woods, Brandt, Middleton, Hullinger, Husak, Millen and Walter (Palmer, Gluba, Andersen, Hill of Polk, Murray, Briles and Nystrom). A bill for an act to establish a service program for the deaf within the department of health.
Message from House 737
Read first time, passed on file .. 737
Referred to State Government .. 757
Subcommittee, Glenn, Gluba, and Miller of Marshall 831
Committee report 987
Recommended passage 987
Committee report adopted 1113
Passed Senate, nays 41, nays 3 ..1113

333 By Appropriations. A bill for an act making a appropriation from the general fund

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of the state to examining boards governing the practices of medicine, nursing and pharmacy.
Message from House 539
Read first time, passed on file .. 539
Referred to Appropriations 567
Subcommittee, Human Resources 595
Committee report 596
Recommended passage 596
Committee report adopted 659
Passed Senate, ayes 47, nays none 659

334 By Appropriations. A bill for an act appropriating funds to the Iowa state commerce commission and the department of public defense and providing for the deposit of receipts of such departments in the general fund of the state.
Message from House 616
Read first time, passed on file .. 616
Referred to Appropriations 629
Subcommittee, Transportation .. 665
Committee report 898
Recommended passage 898
Committee report adopted 922
Passed Senate, ayes 47, nays none 922
Explanation of vote 933

335 By Appropriations. A bill for an act relating to exemptions from the state merit system.
Message from House 992
Read first time, passed on file .. 992
Referred to State Government ..1053
Subcommittee, Nolin, Coleman, and Andersen 1131
Committee report 1225
Recommended passage 1225
Committee report adopted 1322
Passed Senate, ayes 37, nays none 1322
Explanation of vote 1355

336 By Commerce. A bill for an act relating to the quantity of alcoholic liquor an individual may import into and possess within the state for the purpose of personal consumption.
Message from House 523
Read first time, passed on file .. 523
Referred to Commerce 548
Subcommittee, Carr, Rabedeaux, and Glenn 665
Committee report 832
Recommended passage 832
Steering recommends calendar .1090
Committee report adopted 1092
Points of order raised 1092
Placed on calendar under unfinished business 1092
Fiscal note SCS

345 By Jordan, Miller of Buchanan and Wyckoff. A bill for an act relating to fences on another's land.
Message from House 825
Read first time, passed on file .. 825
Referred to Agriculture 850
Subcommittee, Priebe, Heying, and Tieden 916

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348 By Fitzgerald and Monroe. A bill for an act relating to exemptions of temporary employees subject to a federally funded emergency employment utilization program from the state merit system and providing penalties.
Message from House 1007
Read first time, passed on file ...1007
Substituted for S.F. 477 1120
Passed Senate, ayes 38, nays none 1121

351 By Labor and Industrial Relations. A bill for an act relating to the payment of wages and expenses by an employer and providing a civil money penalty.
Messages from House 679
Read first time, passed on file .. 679
Referred to Labor and Industrial Relations 703
Subcommittee, Robinson, Kinley, and DeKoster 739
Amendment S. 3434 filed 791
Committee report 866
Recommended amendment, passage 866
Committee amendment S. 3480 . 866
Made special order Apr. 14, 1975 . 875
Amendment S. 3487 filed 888
Amendment S. 3515 filed 917
Committee amendment S. 3514 filed 919
Special order 926
Committee report adopted 926
Amendment S. 3524 filed 926
Amendment S. 3524 lost 927
Amendment S. 3515 lost 927
Amendment S. 3523 filed 928
Amendment S. 3523 lost 928
Amendment S. 3527 filed 928
Amendment S. 3527 adopted 928
Committee amendment S. 3514 adopted 929
Amendment S. 3529 filed 929
Amendment S. 3529 lost 929
Amendment S. 3530 filed 929
Amendment S. 3530 adopted 930
Committee amendment S. 3480 as amended, adopted 930
Amendment S. 3525 filed 930
Amendment S. 3525 lost 930
Amendment S. 3520 filed 930
Ruled out of order S. 3520 930
Ruled out of order S. 3434 930
Amendment S. 3517 filed 930
Amendment S. 3517 lost 931
Amendment S. 3487A lost 931
Amendment S. 3487B adopted ... 931
Amendment S. 3487C adopted ... 932
Amendment S. 3487D adopted ... 932
Amendment S. 3532 filed 934
Amendment S. 3519 filed 935
Amendment S. 3526 filed 935
Amendment S. 3531 filed 936
Amendment S. 3521 filed 936
Amendment S. 3532A adopted .. 940
Amendment S. 3532B lost 940
Amendment S. 3538 filed 941
Amendment S. 3538 adopted 941
Amendment S. 3537 filed 941
Amendment S. 3537 adopted 942
Amendment S. 3519 withdrawn . 942
Amendment S. 3539 filed 942
Amendment S. 3539 adopted 942

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Amendment S. 3526 withdrawn . 942
Point of order raised 943
Ruled out of order S. 3531 943
Amendment S. 3521 withdrawn . 943
Passed Senate, ayes 31, nays 18 . 943
Message from House 1276

352 By Oakley (Shaw). A bill for an act relating to dissolution of marriage.
Message from House 1097
Read first time, passed on file ...1098
Referred to Judiciary 1130
Subcommittee, Doderer, Shaw, and Coleman 1199
Committee report 1811
Recommended amendment, passage 1811
Committee amendment S. 4078 ..1811
Steering recommends calendar .2054
Amendment S. 4213 filed 2088
Committee report adopted 2119
Amendment S. 4213 adopted 2119
Committee amendment S. 4078 as amended, adopted 2120
Passed Senate, ayes 43, nays 1 ..2120
Message from House 2144

362 By Jesse. A bill for an act relating to the exclusion of banks from membership sales licensing requirements of the Code.
Message from House 1171
Read first time, passed on file ...1171
Referred to Commerce 1198
Subcommittee, Glenn, Bergman, and Rabedeaux 1334

368 By Appropriations. A bill for an act appropriating funds to the department of transportation to be used to match federal funds available for state and local projects.
Message from House 608
Read first time, passed on file ... 608
Referred to Appropriations 622
Committee report 630
Recommended passage 630
Amendment S. 3320 filed 634
Committee report adopted 639
Amendment S. 3325 filed 639
Amendment S. 3325A lost 640
Amendment S. 3329 filed 640
Amendment S. 3329 lost 641
Amendment S. 3325B lost 641
Amendment S. 3320 withdrawn .. 642
Amendment S. 3327 filed 642
Amendment S. 3327 withdrawn .. 642
Amendment S. 3332 filed 642
Amendment S. 3332 lost 643
Amendment S. 3337 filed 643
Point of order raised 643
Amendment S. 3337 lost 643
Amendment S. 3333 filed 644
Amendment S. 3333 withdrawn .. 644
Amendment S. 3338 filed 644
Amendment S. 3338 lost 644
Amendment S. 3339 filed 644
Point of order raised 645
Ruled out of order S. 3339 645
Passed Senate, ayes 28, nays 22 .. 645
Motion to reconsider vote 645
Motion to reconsider vote laid on table 645
Motion to reconsider vote laid on table prevailed 646
Subcommittee, Transportation ... 665

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374 By Hinkhouse. A bill for an act relating to the filing date for library referendum.
Message from House 1038
Read first time, passed on file ...1040
Referred to County Government..1098
Subcommittee, Ramsey, Taylor, and Merritt 1199

386 By Education. A bill for an act relating to the issuance of high school equivalency diplomas, including changes in fees.
Message from House 976
Read first time, passed on file ... 977
Referred to Education 1009
Subcommittee, Carr, Griffin, and Sovern 1131
Committee report 1516
Recommended passage 1516
Committee report adopted 1850
Passed Senate, ayes 47, nays 1 ..1850

390 By Bortell and Hutchins. A bill for an act authorizing the expenditure of federal funds or grants for the support of mental health centers, programs for the mentally retarded, and capital improvements by counties.
Message from House 1019
Read first time, passed on file ...1020
Referred to Human Resources ..1053
Subcommittee, Hill of Polk, Miller of Des Moines, and Palmer..1131
Committee report 1164
Recommended amendment, passage 1164
Committee amendment S. 3648 ...1164
Committee report adopted 1402
Committee amendment S. 3648 adopted 1402
Passed Senate, ayes 31, nays 10 ..1403
Motion filed to reconsider vote ..1427
Explanation of votes 1468
Amendment S. 3855 filed 1490
Motion to reconsider vote failed..1555
Message from House 1677

392 By Ways and Means. A bill for an act relating to the definition of tax year for corporation and individual income tax returns.
Message from House 717
Read first time, passed on file ... 718
Referred to Ways and Means 738
Subcommittee, Hill of Jasper, Curtis, and Taylor 831

393 By Natural Resources. A bill for an act relating to reports filed by the holder of a commercial fishing license.
Message from House 660
Read first time, passed on file ... 661
Referred to Natural Resources .. 687
Subcommittee, Hultman, Norpel, and Culver 739

394 By Transportation. A bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities.
Message from House 660
Read first time, passed on file ... 661

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Referred to Transportation 687
Subcommittee, Shaff, Gallagher, and Doderer 739
Subcommittee, Shaff, Gallagher, and Doderer 831

395 By Cities and Towns. A bill for an act relating to the civil service systems of cities.
Message from House 836
Read first time, passed on file ... 837
Referred to Cities 865
Subcommittee, Redmond, Nolting, and Schwengels 916
Committee report 979
Recommended amendment, passage 979
Committee amendment S. 3556 ... 979
Amendment S. 3549 filed 989
Steering recommends calendar ..1299
Amendment S. 3821 filed 1391
Committee report adopted 1455
Committee amendment S. 3556 lost 1456
Amendment S. 3821 adopted 1456
Amendment S. 3549 withdrawn ..1456
Amendment S. 3840 filed 1456
Amendment S. 3840 lost 1457
Passed Senate, ayes 46, nays none 1457
Explanation of vote 1487
Message from House 1598

396 By Agriculture. A bill for an act relating to the issuing of certificates to veterinary lay assistants.
Message from House 737
Read first time, passed on file ... 737
Referred to Agriculture 757
Subcommittee, Van Gilst, Merritt, and Taylor 831
Committee report 1420
Recommended passage 1420
Committee report adopted 1570
Passed Senate, ayes 34, nays none 1570

398 By State Government. A bill for an act relating to the board of psychology examiners.
Message from House 717
Read first time, passed on file ... 718
Referred to State Government .. 738
Committee report 822
Recommended passage 822
Subcommittee, Redmond, Doderer, and Winkelman 831
Committee report adopted 1111
Passed Senate, ayes 43, nays none 1111

399 By Appropriations. A bill for an act to appropriate for programs under the jurisdiction of the Iowa commission for the blind, the bonus board, and the educational radio and television division of the department of general services.
Message from House 616
Read first time, passed on file ... 616
Referred to Appropriations 629
Subcommittee, Education 665
Committee report 831
Recommended passage 831
Committee report adopted 859
Passed Senate, ayes 48, nays none 859

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Motion filed to reconsider vote .. 885
Motion to reconsider vote withdrawn 905

411 By Wyckoff and Harper. A bill for an act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict.
Message from House 1464
Read first time, passed on file ...1465
Amendment S. 3848 filed 1469
Amendment S. 3861 filed 1491
Amendment S. 3947 filed 1596
Substituted for S.F. 280 1606
Committee report adopted 1606
Amendment S. 3848 withdrawn ..1606
Amendment S. 3861 withdrawn ..1606
Point of order raised 1607
Ruled out of order S. 3947 1607
Passed Senate, ayes 46, nays 1 ..1607

414 By Commerce. A bill for an act to require certain financial agencies to notify holders of certificates of deposit or similar instruments at least ten days prior to the maturity date of the deposit.
Message from House 1038
Read first time, passed on file ...1040
Referred to Commerce 1098
Subcommittee, Rabedeaux, Gallagher, and Glenn 1199
Committee report 1645
Recommended passage 1646

421 By Transportation. A bill for an act relating to equipment of motorcycles and motorcycle riders subject to a penalty provided by law.
Message from House 836
Read first time, passed on file ... 837
Referred to Transportation 865
Committee report 900
Recommended amendment, passage 900
Committee amendment S. 3499 .. 900
Amendment S. 3504 filed 901
Subcommittee, Doderer, Gallagher and Norpel 916
Committee report adopted 970
Amendment S. 3559 filed 970
Amendment S. 3559 lost 970
Committee amendment S. 3499 lost 971
Amendment S. 3555 filed 971
Amendment S. 3555 lost 971
Amendment S. 3558 filed 971
Amendment S. 3558 adopted 972
Amendment S. 3563 filed 972
Amendment S. 3563 lost 973
Amendment S. 3504 lost 973
Passed Senate, ayes 30, nays 19 .. 974
Explanation of vote 1009
Message from House 1655
Senate receded 1787
Passed Senate, ayes 27, nays 20 ..1787

422 By Education. A bill for an act relating to the levy of a tax for buildings and sites in merged areas.
Message from House 955
Read first time, passed on file ... 955
Referred to Ways and Means 978
Subcommittee, Hill of Jasper, Nolting, and Schwengels 1131

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424 By Appropriations. A bill for an act to appropriate and authorize expenditures for centralized printing, centralized purchasing and the vehicle dispatcher.
Message from House 957
Read first time, passed on file ... 957
Referred to Appropriations 978
Subcommittee, State Departments.1131
Committee report 1179
Recommended passage 1179
Committee report adopted 1213
Passed Senate, ayes 44, nays none 1213
Explanation of vote 1265

431 By Appropriations. A bill for an act making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state.
Message from House 2059
Read first time, passed on file ...2059
Referred to Appropriations 2086
Committee report 2087
Recommended passage 2088
Amendment S. 4230 filed 2089
Amendment S. 4231 filed 2089
Committee report adopted 2098
Amendment S. 4230 adopted 2099
Amendment S. 4231A withdrawn.2099
Amendment S. 4231B lost 2100
Amendment S. 4231C withdrawn.2100
Amendment S. 4236 filed 2100
Amendment S. 4236 adopted 2100
Passed Senate, ayes 46, nays none 2100
Message from House 2167
Amendment S. 4256 filed 2167
Senate concurred 2168
Passed Senate, ayes 41, nays 4 ..2168

432 By Transportation. A bill for an act relating to the requirement that motor vehicles be inspected upon transfer and providing a penalty.
Message from House 836
Read first time, passed on file ... 837
Referred to Transportation 865
Subcommittee, Doderer, Gallagher, and Rabedeaux 916
Committee report 988
Recommended passage 988
Committee report adopted 1001
Passed Senate, ayes 35, nays 4 ..1001
Explanation of vote 1054

433 By Energy. A bill for an act relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

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Message from House 717
Read first time, passed on file ... 718
Substituted for S.F. 286 728
Passed Senate, ayes 40, nays 2 .. 728

450 By Transportation. A bill for an act relating to persons engaged in the buying and selling of certain motor vehicles and relating to vehicle registration by revising the registration application form and the registration filing system, requiring a bond to be posted in situations where vehicle ownership is not established, providing for publication of notice regarding vehicle registration renewals, increasing motorcycle and hearse registration fees, providing for receipt of new registration for all vehicles transferred in December, relating to braking and hitching requirements for certain travel trailers and semitrailers operated on the highways, relating to the width of vehicles carrying hay, straw or stover, and relating to the base price of a vehicle for registration purposes, subject to penalties provided by law.

Message from House 913
Read first time, passed on file ... 913
Referred to Transportation 932
Amendment S. 3545 filed 960
Committee report 988
Recommended amendment, passage 988
Committee amendment S. 3553 ... 988
Amendment S. 3562 filed 990
Subcommittee, Nolin, Norpel, and Murray 1010
Amendment S. 3570 filed 1025
Amendment S. 3652 filed 1169
Amendment S. 3778 filed 1336
Amendment S. 3803 filed 1367
Amendment S. 3959 filed 1596
Amendment S. 3994 filed 1688
Amendment S. 4169 filed 2015
Steering recommends calendar ..2054
Committee report adopted 2214
Committee amendment S. 3553 adopted 2215
Ruled out of order S. 3545 2215
Ruled out of order S. 3570 2215
Amendment S. 3778 withdrawn ..2215
Amendment S. 3562 lost 2215
Amendment S. 3652 adopted 2216
Amendment S. 3803 withdrawn ..2216
Amendment S. 3959 withdrawn ..2216
Amendment S. 3994 adopted 2216
Amendment S. 4169 adopted 2217
Amendment S. 4280 filed 2217
Amendment S. 4280 lost 2217
Passed Senate, ayes 45, nays none 2217
Message from House 2228

451 By Agriculture. A bill for an act relating to gasoline receptacles, repealing provisions relating to illuminating oil, and having the effect of imposing a penalty for violations.

Message from House 839

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Read first time, passed on file ... 839
Referred to Agriculture 865
Subcommittee, Tieden, Merritt, and Taylor 916
Committee report 1085
Recommended amendment, passage 1085
Committee amendment S. 3599 ..1085
Committee report adopted 1120
Amendment S. 3630 filed 1127
Amendment S. 3630 adopted 1127
Committee amendment S. 3599 withdrawn 1127
Passed Senate, ayes 35, nays none 1128
Message from House 1224

455 By Appropriations. A bill for an act making appropriations to the Iowa state fair board, agricultural societies, the geological survey, and the Iowa natural resources council.

Message from House 695
Read first time, passed on file ... 695
Referred to Appropriations 718
Committee report 832
Recommended passage 832
Committee report adopted 860
Passed Senate, ayes 48, nays none 860

459 By Human Resources. A bill for an act permitting the issuance of a special license by the board of medical examiners to authorize the licensee to practice medicine and surgery.

Message from House 821
Read first time, passed on file ... 821
Referred to Human Resources .. 821
Committee report 832
Recommended passage 832
Amendment S. 3478 filed 871
Committee report adopted 881
Placed on calendar under unfinished business 881
Amendment S. 3478A withdrawn.. 994
Amendment S. 3478B adopted 994
Passed Senate, ayes 40, nays none 994
Explanation of vote 1053
Message from House 1171

463 By Human Resources. A bill for an act relating to remedial eye care.

Message from House 839
Read first time, passed on file ... 840
Referred to Human Resources .. 865
Subcommittee, Gluba, Hill of Polk, and Scott 916
Committee report 1085
Recommended passage 1085
Committee report adopted 1118
Passed Senate, ayes 40, nays none 1119

464 By State Government. A bill for an act relating to contracts among public agencies under section 28E.12 of the Code.

Message from House 976
Read first time, passed on file ... 977
Referred to State Government ..1009

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Subcommittee, Coleman, Nystrom, and Redmond 1199

465 By Education. A bill for an act relating to the transportation of nonpublic school pupils outside the boundary lines of the school district of residence.
Message from House 976
Read first time, passed on file ... 977
Referred to Education 1009
Subcommittee, Carr, Griffin, and Sovern 1131
Committee report 1366
Recommended passage 1366
Steering recommends calendar ..1460
Committee report adopted 1601
Amendment S. 3963 filed 1601
Point of order raised 1601
Ruled out of order S. 3963 1601
Passed Senate, ayes 33, nays 15 ..1601

467 By Education. A bill for an ace relating to approval of plans for erecting school buildings.
Message from House 977
Read first time, passed on file ... 978
Referred to Education 1009
Subcommittee, Shaw, Willits, and Sovern 1131

479 By Transportation. A bill for an act relating to the movement of mobile homes and factory-built structures of excessive size subject to penalties provided by law.
Message from House 977
Read first time, passed on file ... 978
Referred to Transportation 1009
Subcommittee, Rabedeaux, Nolin, and Norpel 1131
Committee report 1421
Recommended passage 1421
Steering recommends calendar ..1460
Committee report adopted 1586
Amendment S. 3949 filed 1586
Amendment S. 3949 lost 1586
Amendment S. 3951 filed 1587
Amendment S. 3951A lost 1587
Amendment S. 3951B lost 1587
Amendment S. 3952 filed 1591
Amendment S. 3952 withdrawn ..1591
Passed Senate, ayes 42, nays 7 ..1591

485 By Appropriations. a bill for an act appropriating funds 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.
Message from House 836
Read first time, passed on file... 837
Committee report 898
Recommended passage 898
Subcommittee, State Departments. 916
Committee report adopted 923
Passed Senate, ayes 48, nays none 923

486 By Appropriations. A bill for an act to appropriate funds to defray expenses of the inaugural ceremonies.
Message from House 837

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Read first time, passed on file ... 837
Referred to Appropriations 865
Subcommittee, State Departments 916
Committee report 958
Recommended amendment, passage 959
Committee amendment S. 3547 .. 959
Committee report adopted 1015
Committee amendment S. 3547 adopted 1016
Passed Senate, ayes 39, nays 8 ..1016
Message from House 1464

488 By Middleswart. A bill for an act to allow the state conservation commission to gather or remove certain plant life from parks.
Message from House 977
Read first time, passed on file ... 978
Referred to Natural Resources ..1009
Committee report 1086
Recommended passage 1086
Committee report adopted 1119
Amendment S. 3625 filed 1119
Amendment S. 3625 adopted 1120
Amendment S. 3628 filed 1129
Amendment S. 3628 adopted 1129
Amendment S. 3626 filed 1129
Amendment S. 3626 lost 1129
Subcommittee, Heying, Priebe, and Winkelman 1131
Passed Senate, ayes 35, nays 3 ..1129
Message from House, with amendment S. 3726 1262
Senate concurred 1325
Passed Senate, ayes 35, nays 4 ..1325
Explanation of vote 1355

497 By Natural Resources. A bill for an act relating to the conservation management and protection of fish, plant life, and wildlife species endangered or threatened with extinction and prescribing penalties.
Message from House 1038
Read first time, passed on file ...1040
Referred to Natural Resources ..1098
Subcommittee, Hultman, Miller of Marshall, and Culver 1199
Committee report 1266
Recommended passage 1267
Committee report adopted 1567
Passed Senate, ayes 37, nays none 1567

498 By Transportation. A bill for an act to provide that the making or delivering of a false odometer statement is an offense subject to a penalty provided by law.
Message from House 1039
Read first time, passed on file ...1041
Referred to Judiciary 1098
Subcommittee, Coleman, DeKoster, and Ramsey 1199
Committee report 1390
Recommended passage 1390
Committee report adopted 1663
Passed Senate, ayes 43, nays 1 ..1664
Explanation of vote 1709

501 By Education. A bill for an act relating to the requirement for admission to the school for the deaf.
Message from House 1019

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Read first time, passed on file...1020
Referred to Education 1053
Committee report 1099
Recommended passage 1099
Subcommittee, Willits, Merritt, and Plymat 1131
Committee report adopted 1189
Passed Senate, ayes 43, nays none 1189

502 By Transportation. A bill for an act relating to vehicle inspection and issuing inspection orders by authorizing employees.
Message from House 1698
Read first time, passed on file ..1701
Referred to Transportation 1754
Subcommittee, Gallagher, Nolin, and Norpel 1807
Committee report.. 2009
Recommended passage 2009
Steering recommends calendar ..2054
Committee report adopted 2118
Passed Senate, ayes 26, nays 18 ..2118

503 By Human Resources. A bill for an act relating to transfer of prisoners of institutions administered by the department of social services.
Message from House 1019
Read first time, passed on file ..1020
Referred to Human Resources ..1053
Subcommittee, Kelly, Scott, and Hill of Polk 1131

505 By Natural Resources. A bill for an act to provide for a state land use policy, and to create a department of soil conservation and land use, a state land use policy commission, county land use policy commissions, and to specify the powers duties and of such agencies.
Message from House 992
Read first time, passed on file .. 992
Referred to Natural Resources ..1053
Subcommittee, Priebe, Norpel and Miller of Marshall 1199
Amendment S. 3988 filed 1649
Committee report 1938
Without recommendation, but with amendment 1938
Committee amendment S. 4147 ..1938

521 By Appropriations. A bill for an act relating to the time of incurring obligations for and reversion of funds contained in legislation appropriating funds.
Message from House 839
Read first time, passed on file ... 840
Referred to Appropriations 865
Subcommittee, State Departments 916
Committee report 959
Recommended passage 959
Committee report adopted 1016
Passed Senate, ayes 46, nays none 1017

558 By Education. A bill for an act relating to elementary, secondary and prekindergarten education, by changing the certification date of school budgets, providing for enforcement of school standards and prescribing time periods for compliance, clarifying the provision of auxiliary services, clarifying duties of the area education agency board and administrator, the director of special education, the department of public instruction, and the state comptroller, limiting reorganization under certain conditions, modifying reimbursement provisions for driver education, modifying the two hundred dollar minimum state foundation aid, providing new methods for defining enrollment and augmenting declining enrollment, clarifying authorized expenditures, providing a state percent of growth for the 1975-76 school year, new methods for determining state percent of growth and allowable growth, correcting methods of computing state cost and district cost per pupil, modifying the authority of the school budget review committee to reduce allowable growth, authorizing an enrichment program funded by property tax, state aid, and an income surtax to replace the former income surtax provisions, providing new methods for determining and funding costs of media services and other services provided through the area education agencies, providing an advance to compensate for increasing enrollment, modifying reimbursement for special education services formerly offered by local districts and county or joint county school systems, providing certain special education support funds in addition to the programmed and approved costs, correcting references, making an appropriation, and providing a retroactive effective date.
Message from House 856
Read first time, passed on file .. 856
Referred to Education 886
Amendment S. 3494 filed 901
Subcommittee, Hansen, Sovern, Orr, Shaw, and Willits 916
Made special order Apr. 22, 1975 . 978
Committee report 979
Recommended amendment, passage 980
Committee amendment S. 3564 .. 980
Amendment S. 3552 filed 990
Amendment S. 3567 filed 1011
Committee amendment S. 3575 filed 1025
Amendment S. 3576 filed 1033
Amendment S. 3579 filed 1033
Amendment S. 3578 filed 1035
Amendment S. 3580 filed 1035
Special order 1041
Committee report adopted 1042

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Committee amendment S. 3564 withdrawn 1042
Amendment S. 3580 withdrawn .1042
Committee amendment S. 3575A adopted 1050
Committee amendment S. 3575B adopted 1050
Amendment S. 3576 adopted 1050
Amendment S. 3589 filed 1050
Amendment S. 3589 adopted 1050
Committee amendment S. 3575C adopted 1051
Committee amendment S. 3575D adopted 1051
Committee amendment S. 3575E adopted 1052
Committee amendment S. 3575F adopted 1052
Committee amendment S. 3575G adopted 1052
Committee amendment S. 3575H adopted 1052
Amendment S. 3595 filed 1052
Amendment S. 3595 adopted 1052
Point of order raised 1052
Ruled germane S. 3575I 1052
Committee amendment S. 3575I lost 1053
Amendment S. 3590 filed 1057
Amendment S. 3581 filed 1057
Amendment S. 3583 filed 1058
Amendment S. 3582 filed 1058
Amendment S. 3592 filed 1059
Amendment S. 3588 filed 1059
Amendment S. 3584 filed 1059
Amendment S. 3587 filed 1059
Amendment S. 3585 filed 1060
Amendment S. 3594 filed 1061
Amendment S. 3593 filed 1061
Amendment S. 3596 filed 1061
Committee amendment S. 3575N adopted 1070
Committee amendment S. 3575K adopted 1070
Committee amendment S. 3575L as amended, adopted 1070
Amendment S. 3584 withdrawn .1070
Amendment S. 3602 filed 1070
Amendment S. 3602 lost 1071
Committee amendment S. 3575M lost 1072
Amendment S. 3585 withdrawn .1072
Amendment S. 3587 lost 1072
Committee amendment S. 3585N as amended, adopted 1072
Amendment S. 3593 lost 1073
Committee amendment S. 3575O adopted 1073
Amendment S. 3594 withdrawn .1073
Amendment S. 3601 filed 1073
Amendment S. 3601 adopted 1073
Committee amendment S. 3575P as amended, adopted 1073
Amendment S. 3596 adopted 1074
Committee amendment S. 3575Q as amended, adopted 1075
Committee amendment S. 3575R as amended, adopted 1075
Committee amendment S. 3575S adopted 1075
Amendment S. 3590 lost 1076
Amendment S. 3581 adopted 1076
Amendment S. 3552 withdrawn .1076
Amendment S. 3583 withdrawn .1077
Amendment S. 3604 filed 1077
Amendment S. 3604 lost 1077
Point of order raised.....1077
Ruled out of order S. 3588 1078

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Ruled out of order S. 3567 1078
Amendment S. 3579 lost 1079
Amendment S. 3603 filed 1080
Amendment S. 3603 lost 1080
Amendment S. 3582 withdrawn .1080
Amendment S. 3605 filed 1080
Amendment S. 3605B withdrawn .1080
Amendment S. 3605A lost 1081
Amendment S. 3578 withdrawn .1081
Amendment S. 3592 adopted 1081
Amendment S. 3494 lost 1082
Committee amendment S. 3575T withdrawn 1083
Committee amendment S. 3575U adopted 1083
Motion to reconsider vote 1083
Motion to reconsider vote prevailed 1083
Committee amendment S. 3575L as amended, lost 1084
Motion to reconsider vote 1084
Motion to reconsider vote prevailed 1084
Committee amendment S. 3575U withdrawn 1084
Committee amendment S. 3575V adopted 1084
Passed Senate, ayes 42, nays 5 ..1084
Explanation of vote 1099
Message from House, with amendment H. 3801 1361
Amendment S. 3808 filed 1373
Point of order raised 1374
Ruled out of order S. 3808 1374
Point of order raised 1374
Motion to suspend rules 1374
Motion failed 1374
Amendment S. 3813 filed 1375
Motion to suspend rules 1376
Motion failed 1377
Point of order raised 1377
Ruled out of order S. 3813 1377
Senate concurred 1377
Senate concurred 1378
Senate concurred 1379
Passed Senate, ayes 44, nays 4 ..1379
Explanation of vote 1468

575 By Cusack. A bill for an act relating to eligibilty for low-rent housing.
Message from House 1097
Read first time, passed on file ..1098
Referred to Human Resources ..1130
Subcommittee, Gluba, Palmer, and Murray 1199
Committee report 1200
Recommended passage 1200
Committee report adopted 1454
Passed Senate, ayes 45, nays 1 ..1455
Explanation of vote 1487

584 By Judiciary and Law Enforcement. A bill for an act relating to competition between business, commercial or professional entities, prohibiting unreasonable restraints of economic activities, providing for enforcement, and providing criminal and civil penalties.
Message from House 1263
Read first time, passed on file ...1263
Referred to Judiciary 1299
Subcommittee, Redmond, Shaw, and Willits 1334

614 By Human Resources. A bill for an act relating to termina-

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tion of parental rights and adoption and providing penalties.
Message from House 956
Read first time, passed on file ... 956
Referred to Human Resources .. 978
Subcommittee, Ramsey, Gluba, and Palmer 1010
Committee report 1681
Recommended amendment, passage 1681
Committee amendment S. 3991 ..1681
Committee amendment S. 3992 ..1681
Steering recommends calendar ..1838
Amendment S. 4133 filed 1951
Amendment S. 4181 filed 2015
Committee amendment S. 4245 filed 2141
Amendment S. 4246 filed 2141

617 By Transportation. A bill for an act relating to mobile home tiedowns and providing a penalty.
Message from House 1835
Read first time, passed on file ...1836
Referred to Commerce 1885
Amendment S. 4156 filed 2015

623 By Transportation. A bill for an act providing for the approval of the transportation regulation board of ordinances and resolutions adopted by political subdivisions of the state which regulate the operation of railroad trains within the political subdivisions of the state.
Message from House 1464
Read first time, passed on file ...1465
Substituted for S.F. 472 1853
Passed Senate, ayes 46, nays 1..1854

625 By Agriculture. A bill for an act relating to persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter, and providing penalties.
Message from House 1298
Read first time, passed on file ..1298
Amendment S. 3760 filed 1302
Amendment S. 3755 filed 1302
Amendment S. 3761 filed 1302
Amendment S. 3758 filed 1303
Amendment S. 3782 filed 1336
Substituted for S.F. 421 1359
Amendment S. 3760 adopted 1359
Amendment S. 3755 lost 1360
Amendment S. 3761A withdrawn.1361
Amendment S. 3800 filed 1367
Amendment S. 3799 filed 1367
Amendment S. 3797 filed 1367
Amendment S. 3796 filed 1367
Amendment S. 3798 filed 1368
Amendment S. 3802 filed 1368
Amendment S. 3802 adopted 1384
Amendment S. 3782 as amended, adopted 1384
Amendment S. 3798 adopted 1384
Amendment S. 3758 as amended, lost 1385
Amendment S. 3799 lost 1385
Amendment S. 3797 adopted 1385
Amendment S. 3761B withdrawn.1385
Point of order raised 1386
Amendment S. 3822 filed 1386

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Amendment S. 3822 lost 1386
Amendment S. 3796 adopted 1387
Amendment S. 3800 adopted 1387
Passed Senate, ayes 40, nays 1 ..1387
Explanation of vote 1419
Message from House, with amendment S. 3968 1613
Senate concurred 1697
Passed Senate, ayes 48, nays 1 ..1697

628 By Education. A bill for an act relating to school bus transportation requirements.
Message from House 1298
Read first time, passed on file ..1298
Referred to Education 1310
Subcommittee, Carr, Griffin, and Sovern 1334
Committee report 1755
Recommended passage 1755
Amendment S. 4081 filed 1813
Amendment S. 4108 filed 1886
Amendment S. 4220 filed 2089

652 By Byerly. A bill for an act relating to the restraint of dogs.
Message from House 2180
Read first time, passed on file ..2184
Referred to Human Resources ..2206

654 By Human Resources. A bill for an act relating to the commission on aging.
Message from House 1145
Read first time, passed on file ...1145
Referred to Human Resources ..1162
Subcommittee, Gluba, Palmer, and Murray 1199

670 By Judiciary and Law Enforcement. A bill for an act relating to the salaries of juvenile court employees.
Message from House 1138
Read first time, passed on file ..1139
Referred to State Government ..1162
Subcommittee, Nolin, Kinley, and Schwengels 1199
Committee report 1312
Recommended amendment, passage 1312
Committee amendment S. 3777 ..1312
Committee report adopted 1611
Amendment S. 3972 filed 1611
Amendment S. 3972 adopted 1612
Committee amendment S. 3777 as amended, adopted 1612
Point of order raised 1612
Passed Senate, ayes 38, nays 4 ..1612
Message from House 1725

679 By Ways and Means. A bill for an act relating to the final return, payment and refund, and appeal procedures for the state inheritance tax.
Message from House 955
Read first time, passed on file .. 955
Referred to Ways and Means .. 978
Subcommittee, Curtis, Junkins, and Shaff 1131
Committee report 1147
Recommended passage 1147
Committee report adopted 1458
Passed Senate, ayes 46, nays none 1459
Explanation of vote 1487

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698 By Natural Resources. A bill for an act to include the director of transportation as a member of the department of environmental quality executive committee.
Message from House 1067
Read first time, passed on file ..1068
Referred to Energy 1098
Subcommittee, Tieden, Rodgers, and Robinson 1199

700 By State Government. A bill for an act relating to procedures for preparing for, giving notice of, conducting and canvassing elections, to the election of presidential electors, and to the registration of voters, and prescribing penalties.
Message from House 1173
Read first time, passed on file ..1174
Referred to State Government ..1198
Amendment S. 3765 filed 1314
Subcommittee, Doderer, Redmond, and Nystrom 1334
Amendment S. 3827 filed 1422
Amendment S. 3824 filed 1422
Committee report 1439
Recommended amendment, passage 1439
Committee amendment S. 3830 ..1439
Made special order May 21, 1975 .1449
Amendment S. 3841 filed 1470
Amendment S. 3846 filed 1470
Amendment S. 3839 filed 1470
Amendment S. 3838 filed 1471
Amendment S. 3859 filed 1491
Amendment S. 3862 filed 1492
Amendment S. 3860 filed 1492
Amendment S. 3863 filed 1492
Amendment S. 3853 filed 1493
Special order 1496
Committee report adopted 1496
Amendment S. 3841 adopted 1497
Amendment S. 3846 adopted 1497
Amendment S. 3853 adopted 1498
Committee amendment S. 3830A as amended, adopted 1498
Committee amendment S. 3830C adopted 1498
Amendment S. 3859A adopted ...1499
Amendment S. 3859B adopted ...1499
Amendment S. 3876 filed 1499
Amendment S. 3876 adopted 1500
Amendment S. 3859C as amended, adopted 1500
Amendment S. 3869 filed 1500
Amendment S. 3869 lost 1502
Amendment S. 3862 adopted 1503
Amendment S. 3827 adopted 1503
Amendment S. 3867 filed 1503
Amendment S. 3867 withdrawn .1503
Amendment S. 3868 filed 1503
Amendment S. 3868 withdrawn .1503
Amendment S. 3870 filed 1504
Amendment S. 3870 withdrawn .1504
Amendment S. 3865 filed 1504
Amendment S. 3865 withdrawn .1504
Amendment S. 3860 adopted 1504
Amendment S. 3839 adopted 1505
Amendment S. 3863 adopted 1505
Amendment S. 3872 filed 1505
Amendment S. 3872 lost 1506
Motion to reconsider vote 1506
Motion to reconsider vote prevailed 1506
Amendment S. 3879 filed 1506

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Amendment S. 3879 adopted 1506
Committee amendment S. 3830A as amended, adopted 1506
Amendment S. 3871 filed 1520
Amendment S. 3866 filed 1520
Amendment S. 3873 filed 1520
Amendment S. 3871A lost 1529
Amendment S. 3871B lost 1529
Amendment S. 3871C adopted ...1529
Amendment S. 3885 filed 1530
Amendment S. 3885 adopted 1531
Amendment S. 3866 as amended, lost 1531
Amendment S. 3838 adopted 1532
Amendment S. 3873 lost 1532
Amendment S. 3824 adopted 1532
Amendment S. 3765 adopted 1533
Amendment S. 3883 filed 1533
Amendment S. 3883 withdrawn .1533
Amendment S. 3886 filed 1533
Amendment S. 3886 withdrawn .1533
Amendment S. 3889 filed 1534
Amendment S. 3889 adopted 1534
Committee amendment S. 3830B withdrawn 1534
Motion to reconsider vote 1534
Motion to reconsider vote failed .1534
Motion to reconsider vote 1534
Motion to reconsider vote prevailed 1535
Amendment S. 3859A withdrawn .1535
Passed Senate, ayes 32, nays 15 ..1535
Message from House 1678

704 By Transportation. A bill for an act relating to operation of motorcycles by persons issued instruction permits.
Message from House 1464
Read first time, passed on file ..1465
Referred to Transportation 1487
Subcommittee, Gallagher, Murray, and Shaff 1808

720 By Education. A bill for an act relating to the days school is in session during the school year.
Message from House 977
Read first time, passed on file .. 978
Referred to Education 1009
Subcommittee, Shaw, Orr, and Willits 1131

723 By Cities and Towns. A bill for an act correcting, amending and clarifying provisions in the city code of Iowa and increasing the allowable levy for support of a symphony orchestra.
Message from House 1067
Read first time, passed on file ..1068
Substituted for S.F. 374 1090
Amendment S. 3612 filed 1091
Amendment S. 3612 adopted 1091
Passed Senate, ayes 48, nays none 1091
Motion filed to reconsider vote ..1091
Motion to reconsider vote prevailed 1124
Amendment S. 3617 filed 1125
Amendment S. 3617 adopted 1125
Passed Senate, ayes 37, nays none 1125
Motion filed to reconsider vote ..1137
Amendment S. 3633 filed 1152
Motion to reconsider vote prevailed 1250

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Motion to reconsider vote 1250
Motion to reconsider vote prevailed 1250
Amendment S. 3617 withdrawn..1250
Amendment S. 3633 adopted 1250
Passed Senate, ayes 45, nays none 1250
Message from House, with amendment S. 3845 1464
Referred to Ways and Means ..1585
Subcommittee, Gluba, Nolting, and Schwengels 1645
Committee report 2010
Recommended passage 2010
Amendment S. 4187 filed 2016
Committee report adopted 2044
Amendment S. 4187 adopted 2044
Senate concurred 2045
Passed Senate, ayes 39, nays 9 ..2045
Message from House 2130

724 By Transportation. A bill for an act relating to motor vehicles providing for registration of trailers and semitrailers for a three-year period and trip permits fo commercial vehicles and the authority of the state department of transportation to negotiate vehicle registration apportionment agreements and providing a penalty.
Message from House 1305
Read first time, passed on file ...1305
Referred to Transportation 1333
Subcommittee, Rabedeaux, Nolin, and Murray 1438
Committee report 1538
Recommended passage 1539
Committee report adopted 2127
Passed Senate, ayes 44, nays none 2127

725 By Ways and Means. A bill for an act relating to the issuance of permits for the sale of cigarettes.
Message from House 1019
Read first time, passed on file ...1020
Referred to Ways and Means ...1053
Subcommittee, Lamborn, Hill of Jasper, and Culver 1131
Committee report 2010
Recommended amendment, passage 2010
Committee amendment S. 4192 ..2010
Committee report adopted 2045
Committee amendment S. 4192 adopted 2046
Passed Senate, ayes 44, nays 1 ...2046
Message from House 2130

728 By Judiciary and Law Enforcement. A bill for an act to legalize proceedings taken by the county supervisors of Buchanan County relating to the purchase of certain land.
Message from House 1067
Read first time, passed on file ...1068
Referred to Judiciary 1098
Subcommittee, Hill of Polk, Coleman, and Carr 1199
Committee report 1300
Recommended passage 1300
Committee report adopted 1329
Passed Senate, ayes 33, nays 4 ..1330
Explanation of vote 1355

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736 By Energy. A bill for an act relating to the reporting of accidents involving the transportation of hazardous materials.
Message from House 1067
Read first time, passed on file ...1068
Referred to Energy 1098
Subcommittee, Hultman, Culver, and Scott 1199

738 By Commerce. A bill for an act permitting licensed insurance agents to place coverage through other licensed agents when their insurer is unable to accept the risk.
Message from House 1138
Read first time, passed on file ..1139
Referred to Commerce 1162
Subcommittee, Rodgers, Bergman, and Priebe 1199

739 By Transportation. A bill for an act relating to the priority of secondary road assessment district projects in a secondary road construction program.
Message from House 1648
Read first time, passed on file ..1648
Referred to Transportation 1679
Subcommittee, Norpel, Orr, and Rabedeaux 1808

741 By Judiciary and Law Enforcement. A bill for an act to legalize and validate the proceedings for the organization and operation of the Western Iowa Municipal Electric Cooperative Association and declaring said cooperative association to be legally established and its acts to have been legally taken.
Message from House 1067
Read first time, passed on file ..1068
Referred to Judiciary 1098
Subcommittee, Ramsey, Kelly, and Shaw 1199
Committee report 1300
Recommended passage 1300
Committee report adopted 1330
Passed Senate, ayes 36, nays 2 ..1330
Explanation of vote 1355

742 By Judiciary and Law Enforcement. A bill for an act to legalize and validate proceedings of the city council of the city of Missouri Valley, Harrison County, Iowa vacating and disposing of certain streets and alleys.
Message from House 1019
Read first time, passed on file ..1020
Referred to Judiciary 1053
Subcommittee, Kelly, DeKoster, and Willits 1131
Committee report 1390
Recommended passage 1390
Committee report adopted 1605
Passed Senate, ayes 48, nays none 1606

743 By Transportation. A bill for an act relating to the use

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of flashing amber lights on animal-drawn vehicles.
Message from House 1643
Read first time, passed on file..1644
Referred to Transportation 1679
Committee report 1756
Recommended passage 1756
Subcommittee, Rabedeaux, Nolin, and Shaff 1808
Steering recommends calendar ..2054
Committee report adopted 2218
Passed Senate, ayes 40, nays 6 ..2218

744 By Transportation. A bill for an act relating to registration of travel trailers.
Message from House 1068
Read first time, passed on file ..1068
Referred to Transportation 1098
Subcommittee, Rabedeaux, Murray, and Norpel 1199

748 By Ways and Means. A bill for an act relating to sales delivered within the state for corporation tax purposes.
Message from House 1138
Read first time, passed on file ..1139
Referred to Ways and Means ..1162
Subcommittee, Hill of Jasper, Van Gilst, and Taylor 1199
Committee report 1226
Recommended passage 1226
Committee report adopted 1326
Passed Senate, ayes 34, nays 1 ..1326
Explanation of vote 1355

749 By Ways and Means. A bill for an act relating to interest payments and interest penalties under the retail sales and income taxes.
Message from House 1138
Read first time, passed on file ..1139
Referred to Ways and Means ..1162
Subcommittee, Taylor, Hill of Jasper and Nolting 1199

753 By Transportation. A bill for an act relating to the speed restrictions for motor vehicles towing disabled motor vehicles.
Message from House 1171
Read first time, passed on file ..1171
Referred to State Government ..1198
Subcommittee, Coleman, Nolin, and Andersen 1334

760 By Appropriations. A bill for an act making an appropriation to provide funds for the development of a statewide comprehensive water plan and requiring approval of the plan by the general assembly.
Message from House 1138
Read first time, passed on file ..1139
Referred to Appropriations 1162
Committee report 1180
Recommended passage 1180
Committee report adopted 1213
Passed Senate, ayes 45, nays none 1314
Explanation of vote 1265

764 By Ways and Means. A bill for an act relating to individual income tax rates and deductions and making the Act retroactive.
Message from House 1361
Read first time, passed on file ..1361
Referred to Ways and Means ..1388
Subcommittee, Rodgers, Curtis, Gluba, Nolting, and Schwengels 1438
Committee report 1646
Recommended amendment, passage 1647
Committee amendment S. 3989 ..1647
Amendment S. 4012 filed 1688
Amendment S. 4014 filed 1713
Amendment S. 4024 filed 1714
Committee report adopted 1739
Amendment S. 4052 filed 1740
Motion to suspend rules 1742
Point of order raised 1742
Ruled out of order S. 4052 1742
Amendment S. 4042 filed 1742
Amendment S. 4042 lost 1743
Amendment S. 4012 lost 1745
Amendment S. 4014 lost 1746
Amendment S. 4024 lost 1747
Amendment S. 4055 filed 1747
Amendment S. 4055 lost 1748
Amendment S. 4047 filed 1748
Amendment S. 4047 withdrawn .1748
Amendment S. 4048 filed 1748
Amendment S. 4048 withdrawn..1748
Amendment S. 4039 filed 1749
Amendment S. 4039 withdrawn..1749
Amendment S. 4045 filed 1750
Amendment S. 4045 withdrawn .1750
Amendment S. 4051 filed 1750
Amendment S. 4051 withdrawn .1750
Amendment S. 4050 filed 1751
Amendment S. 4050 withdrawn .1751
Committee amendment S. 3989 adopted 1751
Passed Senate, ayes 29, nays 20 .1752
Motion to reconsider vote 1752
Motion to reconsider vote laid on table 1752
Motion to reconsider vote laid on table prevailed 1752
Motion to suspend rules 1753
Motion failed 1753
Explanation of vote 1753
Message from House 1835
Senate insisted 1850
Conference committee appointed.1850
Message from House 1857
Conference committee report ...1880
Message from House 1882
Second conference committee appointed 1884
Explanation of vote 1886
Message from House 2226
Second conference committee report 2226
Second conference committee report adopted 2226
Passed Senate, ayes 28, nays 20 .2226
Message from House 2240

765 By Commerce. A bill for an act relating to labeling of late penalty charges on bills issued by public utilities.
Message from House 1154
Read first time, passed on file ..1154
Referred to Commerce 1178
Subcommittee, Rodgers, Carr, and Briles 1334

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766 By Judiciary and Law Enforcement. A bill for an act to establish an office of prosecuting attorneys training coordinator and to pescribe the functions and duties.
Message fom House 1139
Read first time, passed on file ..1139
Referred to Judiciary 1163
Committee report 1812
Recommended passage 1812
Subcommittee, Doderer, Ramsey, and Hill of Polk 1334
Steering recommends calendar ..2054
Committee report adopted 2059
Point of order raised 2059
Motion to suspend rules 2059
Motion to suspend rules prevailed 2060
Passed Senate, ayes 42, nays 4 .2060

774 By Judiciary and Law Enforcement. A bill for an act relating to the contents of a certificate of marriage.
Message from House 1495
Read first time, passed on file ..1495
Referred to Judiciary 1537
Subcommittee, Doderer, Kelly, and Shaw 1808

775 By Natural Resources. A bill for an act to change the expiration date of hunting, fishing and trapping licenses.
Message from House 1154
Read first time, passed on file ..1154
Referred to Natural Resources ..1178
Subcommittee, Winkelman, Bergman, and Sovern 1200

776 By Judiciary and Law Enforcement. A bill for an act permitting the commissioner of social services to grant an easement for sewage lines across certain land belonging to the state.
Message from House 1464
Read first time, passed on file ..1465
Referred to Judiciary 1487
Subcommittee, DeKoster, Hill of Polk, and Coleman 1571
Committee report 1812
Recommended passage 1812
Amendment S. 4162 filed 2016
Steering recommends calendar ..2054
Committee report adopted 2058
Amendment S. 4162 withdrawn ..2058
Passed Senate, ayes 44, nays none 2058

780 By Appropriations. A bill for an act making an appropriation to the department of soil conservation and department of agriculture, from the general fund of the state and various trust funds, and providing for changes in certain fees by the department of agriculture to provide funds sufficient to meet expenses of a program under the department of agriculture.
Message from House 1145
Read first time, passed on file ..1145
Referred to Appropriations 1163

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Committee report 1180
Recommended amendment, passage 1180
Committee amendment S. 3678 ..1180
Committee report adopted 1214
Committee amendment S. 3678 adopted 1214
Passed Senate, ayes 43, nays 2 ..1215
Explanation of vote 1265
Message from House 1464

782 By State Government. A bill for an act relating to providing codes to sheriff substations.
Message from House 1276
Read first time, passed on file ..1277
Referred to State Government ..1310
Subcommittee, Nolin, Coleman, and Andersen 1439

787 By Agriculture. A bill for an act relating to minimum percentages of plant nutrients in fertilizers.
Message from House 1626
Read first time, passed on file ..1627
Referred to Agriculture 1644
Committee report 1680
Recommended passage 1680
Subcommittee, Scott, Tieden, and Merritt 1808

790 By Judiciary and Law Enforcement. A bill for an act creating immunity from civil liability of persons serving on peer review committees.
Message from House 1626
Read first time, passed on file ...1627
Referred to Judiciary 1644
Subcommittee, DeKoster, Miller of Des Moines, and Coleman ..1808

792 By Agriculture. A bill for an act relating to the legal specifications for gasoline volatility.
Message from House 1171
Read first time, passed on file ..1172
Referred to Commerce 1198
Subcommittee, Carr, Gallagher, and Briles 1334
Committee report 1646
Recommended passage 1646
Committee report adopted 1907
Passed Senate, ayes 48, nays none 1907

793 By Agriculture. A bill for an act relating to the marketing board of the department of agriculture.
Message from House 1171
Read first time, passed on file ..1172
Referred to Appropriations 1198
Subcommittee, Junkins, Robinson, and Hultman 1572
Committee report 1572
Recommended passage 1572
Committee report adopted 1600
Passed Senate, ayes 46, nays 2 ..1600

795 By Education. A bill for an act relating to tuition paid by school districts.
Message from House 1725
Read first time, passed on file ..1726

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Referred to Education 1792
Subcommittee, Carr, Griffin, and Sovern 1808
Committee report 2008
Recommended passage 2008

798 By Human Resources. A bill for an act to provide for change of sex on birth certificates.
Message from House 1171
Read first time, passed on file ...1172
Referred to Human Resources ..1198
Subcommittee, Orr, Plymat, and Ramsey 1334
Committee report 1646
Recommended passage 1646

799 By State Government. A bill for an act relating to liability protection for state employees.
Message from House 1814
Read first time, passed on file ...1814
Referred to State Government ..1838
Committee report 2009
Recommended passage 2009
Steering recommends calendar ..2054
Amendment S. 4228 filed 2090
Amendment S. 4208 filed 2091
Amendment S. 4218 filed 2091
Subcommittee, Glenn, Gluba, and Andersen 2140
Committee report adopted 2190
Amendment S. 4228 adopted 2191
Amendment S. 4208 withdrawn .2191
Amendment S. 4218 lost 2192
Passed Senate, ayes 45, nays none 2192
Explanation of vote 2257
Message from House 2204

801 By Education. A bill for an act relating to education programs and services.
Message from House 1380
Read first time, passed on file ..1380
Referred to Education 1418
Subcommittee, Norpel, Carr, and Shaw 1439
Committee report 1516
Recommended passage 1516
Steering recommends calendar ..2054
Amendment S. 4212 filed 2092
Committee report adopted 2116
Amendment S. 4247 filed 2117
Amendment S. 4247 adopted 2117
Amendment S. 4212 as amended, adopted 2117
Passed Senate, ayes 41, nays 5 ..2117
Message from House 2144

802 By County Government (County Government). A bill for an act to create a county compensation board, to provide for its powers and responsibilities, and to provide for a cost of living adjustment for county officers.
Message from House 1814
Read first time, passed on file ..1815
Amendment S. 4128 filed 1951
Substituted for S.F. 481 1977
Amendment S. 4128 lost 1977
Amendment S. 4172 filed 1977
Amendment S. 4172 lost 1978
Amendment S. 4174 filed 1978

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Amendment S. 4174 lost 1978
Amendment S. 4171 filed 1978
Amendment S. 4171 withdrawn .1978
Amendment S. 4176 filed 1979
Amendment S. 4176 lost 1979
Amendment S. 4177 filed 1987
Amendment S. 4178 filed 1988
Amendment S. 4178 adopted 1988
Amendment S. 4177 as amended, lost 1988
Passed Senate, ayes 42, nays 4 ..1989

803 By Commerce. A bill for an act relating to the compensation of persons suffering loss as a result of medical malpractice.
Message from House 1599
Read first time, passed on file ..1599
Referred to Commerce 1618
Committee report 1646
Without recommendation, but with amendment 1646
Committee amendment S. 3998 filed 1689
Amendment S. 4028 filed 1714
Amendment S. 4037 filed 1758
Amendment S. 4031 filed 1759
Amendment S. 4044 filed 1759
Committee report adopted 1771
Amendment S. 4069 filed 1771
Amendment S. 4069 adopted 1772
Amendment S. 4072 filed 1772
Amendment S. 4072 lost 1773
Amendment S. 4028 as amended, lost 1773
Amendment S. 4067 filed 1773
Amendment S. 4067 lost 1781
Committee amendment S. 3998 adopted 1781
Amendment S. 4065 filed 1781
Amendment S. 4065 adopted 1782
Amendment S. 4037 lost 1783
Amendment S. 4031 lost 1784
Amendment S. 4044 withdrawn .1784
Amendment S. 4064 filed 1784
Amendment S. 4064 lost 1785
Amendment S. 4076 filed 1785
Amendment S. 4076 lost 1785
Amendment S. 4075 filed 1785
Amendment S. 4075 adopted 1786
Amendment S. 4073 filed 1786
Point of order raised 1786
Ruled out of order S. 4073 1786
Passed Senate, ayes 44, nays 1 ..1786
Explanation of vote 1806
Message from House 1857

811 By Ways and Means. A bill for an act relating to the military service tax exemption and making the Act retroactive.
Message from House 1263
Read first time, passed on file ...1263
Referred to Ways and Means 1299
Amendment S. 3775 filed 1315
Subcommittee, Lamborn, Junkins, and Van Gilst 1334
Committee report 1518
Recommended passage 1518
Amendment S. 3881 filed 1522
Fiscal note SCS
Committee report adopted 1609
Amendment S. 4125 filed 1887
Amendment S. 4125 adopted 2050
Amendment S. 3881 lost 2051
Amendment S. 3775 lost 2052

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Passed Senate, ayes 46, nays none 2052
Message from House 2130

812 By State Government. A bill for an act to allow the governor to appoint the directors of certain commissions.
Message from House 1726
Read first time, passed on file ..1726
Referred to State Government ..1792
Subcommittee, Coleman, Glenn, and Andersen 2140

814 By State Government. A bill for an act relating to the purchase and use of state motor vehicles and use of private motor vehicles for state business.
Message from House 1276
Read first time, passed on file ..1277
Referred to State Government ..1310
Subcommittee, Coleman, Nolin, and Winkelman 1439
Amendment S. 4103 filed 1843
Committee report 1950
Recommended passage 1950
Steering recommends calendar ..2054
Committee report adopted 2060
Amendment S. 4103 adopted 2061
Passed Senate, ayes 45, nays none 2061
Message from House 2130

816 By Judiciary and Law Enforcement. A bill for an act relating to tort, liability due to acts or omissions of directors, officers, employees, and members of nonprofit corporations and corporations not for pecuniary profit.
Message from House 1276
Read first time, passed on file ..1277
Referred to Judiciary 1310
Subcommittee, Miller of Des Moines, Kelly, and Carr 1439
Committee report 1573
Recommended amendment, passage 1573
Committee amendment S. 3926 ..1573
Amendment S. 3987 filed 1640
Committee report adopted 1855
Committee amendment S. 3926 adopted 1856
Placed on calendar under unfinished business 1856
Amendment S. 4140 filed 1951
Amendment S. 4140 adopted 1968
Amendment S. 3987 withdrawn .1968
Passed Senate, ayes 46, nays none 1968
Message from House 2072

820 By Transportation. A bill for an act relating to the authority of peace officers employed by the department of public safety.
Message from House 1678
Read first time, passed on file ..1678
Referred to Transportation 1708
Committee report 1756
Recommended passage 1756
Subcommittee, Doderer, Orr, and Murray 1808
Steering recommends calendar ..2054
Committee report adopted 2227

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Passed Senate, ayes 45, nays none 2227

823 By Human Resources. A bill for an act establishing the Iowa housing finance authority, prescribing its powers and duties, providing for related tax and other exemptions and appropriations, and providing coordinating amendments related to implementation of the authority's programs.
Message from House 1581
Read first time, passed on file ...1582
Amendment S. 3969 filed 1622
Amendment S. 3974 filed 1622
Amendment S. 3971 filed 1623
Committee amendment S. 3975 filed 1623
Amendment S. 3973 filed 1624
Substituted for S.F. 520 1628
Committee amendment S. 3975 adopted 1629
Amendment S. 3969 adopted 1629
Amendment S. 3974A adopted ...1630
Amendment S. 3974B withdrawn.1630
Amendment S. 3971A adopted ...1631
Amendment S. 3971B lost 1632
Amendment S. 3973 adopted 1632
Explanation of vote 1632
Amendment S. 3980 filed 1634
Amendment S. 3980 withdrawn ..1634
Amendment S. 3984 filed 1634
Amendment S. 3984 withdrawn ..1634
Amendment S. 3985 filed 1634
Amendment S. 3985 lost 1634
Amendment S. 3986 filed 1634
Amendment S. 3986 adopted 1635
Passed Senate, ayes 40, nays 10 ..1635
Message from House 1678

824 By Commerce. A bill for an act relating to the amount of capital and surplus required by insurance companies to transact business in Iowa.
Message from House 1464
Read first time, passed on file ...1466
Referred to Commerce 1487
Subcommittee, Rabedeaux, Carr, and Rodgers 1572

825 By Commerce. A bill for an act relating to the regulation of securities, and providing for the registration of securities and broker-dealers, prohibiting certain deceptive and manipulative transactions in securities, regulating broker-dealers, and providing civil remedies and criminal penalties for violations.
Message from House 1465
Read first time, passed on file ...1466
Referred to Commerce 1487
Subcommittee, Glenn, Carr, and Curtis 1572
Committee report 1646
Recommended passage 1646
Steering recommends calendar ..1838
Amendment S. 4121 filed 1888
Committee report adopted 1903
Amendment S. 4121 adopted 1904
Passed Senate, ayes 40, nays 1 ..1904
Message from House 1994

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826 By Judiciary and Law Enforcement. A bill for an act relating to the employment of full-time public prosecutors in certain counties.
Message from House 1643
Read first time, passed on file ...1644
Referred to Judiciary 1679
Subcommittee, Willits, Hill of Polk, and Redmond 1808
Committee report 2235
Recommended passage 2235
Committee report adopted 2235
Passed Senate, ayes 26, nays 17 ..2236

835 By Judiciary and Law Enforcement. A bill for an act providing that certain ammunition and firearms shall be deposited with the state criminalistics laboratory.
Message from House 1276
Read first time, passed on file ...1277
Referred to Judiciary 1310
Subcommittee, DeKoster, Rodgers, and Ramsey 1439
Committee report 1812
Recommended passage 1812

843 By Agriculture. A bill for an act relating to the width of certain vehicles or loads on such vehicles.
Message from House 1925
Read first time, passed on file ...1934
Referred to Agriculture 2002
Committee report 2087
Recommended passage 2087

844 By Ways and Means. A bill for an act relating to the filing of consolidated returns for corporation income tax purposes and making the Act retroactive.
Message from House 1398
Read first time, passed on file ...1398
Referred to Ways and Means ...1435
Subcommittee, Hill of Jasper, Van Gilst, and Taylor 1572
Committee report 2012
Recommended passage 2012
Committee report adopted 2046
Passed Senate, ayes 46, nays none 2046

848 By Appropriations. A bill for an act making appropriations to the Iowa crime commission and the department of public safety and providing for the administration and use of funds and personnel of such departments.
Message from House 1465
Read first time, passed on file ...1466
Referred to Appropriations 1487
Subcommittee, Transportation ...1572
Committee report 1709
Recommended amendment, passage 1709
Committee amendment S. 4026 ..1709
Committee amendment S. 4035 filed 1759
Amendment S. 4049 filed 1759
Amendment S. 4057 filed 1795
Committee report adopted 1817
Amendment S. 4049 adopted 1818

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Amendment S. 4086 filed 1818
Amendment S. 4086 withdrawn ..1822
Amendment S. 4088 filed 1822
Amendment S. 4088 withdrawn ..1822
Committee amendment S. 4026A adopted 1823
Committee amendment S. 4026B adopted 1823
Committee amendment S. 4035 adopted 1823
Point of order raised 1823
Ruled out of order S. 4057 1823
Passed Senate, ayes 49, nays 1 ..1823
Message from House 1994

863 By Labor and Industrial Relations. A bill for an act relating to workmen's compensation laws.
Message from House 1528
Read first time, passed on file ..1528
Referred to Labor and Industrial Relations 1571
Amendment S. 3978 filed 1640
Subcommittee, Merritt, Nolting, and DeKoster 1645

864 By Appropriations. A bill for an act providing for and making appropriations for financing state postsecondary education programs including programs under the state board of regents, the higher education facilities commission, and the department of public instruction.
Message from House 1345
Read first time, passed on file ...1346
Referred to Appropriations 1353
Committee report 1366
Recommended amendment, passage 1366
Committee amendment S. 3804 ...1366
Amendment S. 3816 filed 1392
Amendment S. 3814 filed 1392
Amendment S. 3815 filed 1392
Amendment S. 3806 filed 1392
Amendment S. 3805 filed 1392
Amendment S. 3817 filed 1393
Amendment S. 3829 filed 1422
Subcommittee, Education 1439
Amendment S. 3847 filed 1471
Committee report adopted 1475
Amendment S. 3816 lost 1475
Amendment S. 3814 lost 1476
Amendment S. 3815 withdrawn ..1478
Amendment S. 3854 filed 1478
Amendment S. 3854 lost 1478
Amendment S. 3805 lost 1479
Amendment S. 3806 lost 1480
Amendment S. 3850 filed 1480
Amendment S. 3850 withdrawn ..1480
Amendment S. 3817 lost 1481
Amendment S. 3829 lost 1482
Amendment S. 3847 lost 1483
Amendment S. 3858 filed 1483
Point of order raised 1484
Amendment S. 3858 lost 1484
Amendment S. 3851 filed 1484
Amendment S. 3851 lost 1485
Committee amendment S. 3804 lost 1486
Passed Senate, ayes 45, nays 3 ..1486
Motion filed to reconsider vote ..1486
Motion filed to reconsider vote ..1495
Motion to reconsider vote failed..1527
Motion to reconsider ruled out of order 1535

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867 By Ways and Means. A bill for an act relating to the definition of real property which is held solely for sale, lease, or rent as a part of a business regularly engaged in selling, leasing, or renting such property and if the property is not yet sold, leased, rented, or used by any person.
Message from House 1398
Read first time, passed on file ...1398
Referred to Ways and Means 1435
Subcommittee, Junkins, Gluba, and Shaff 1572

870 By Appropriations. A bill for an act relating to the eradication of bovine brucellosis and making an appropriation.
Message from House 1370
Read first time, passed on file ..1370
Referred to Appropriations 1418
Subcommittee, Natural Resources 1572
Committee report 2005
Recommended amendment, passage 2005
Committee amendment S. 4201 ..2005
Committee report adopted 2029
Committee amendment S. 4201 adopted 2029
Point of order raised 2029
Passed Senate, ayes 47, nays none 2030
Message from House 2144
Amendment S. 4251 filed 2176
Amendment S. 4260 filed 2176
Point of order raised 2176
Amendment S. 4269 filed 2177
Amendment S. 4269 adopted 2177
Amendment S. 4260 as amended, adopted 2178
Motion to reconsider vote 2207
Motion to reconsider vote prevailed 2207
Amendment S. 4260 withdrawn .2208
Amendment S. 4278 filed 2208
Amendment S. 4279 filed 2208
Amendment S. 4279 adopted 2208
Amendment S. 4278 as amended, adopted 2208
Senate concurred 2208
Passed Senate, ayes 40, nays none 2209
Explanation of vote 2257
Message from House 2228

877 By Oakley. A bill for an act relating to the placement and adoption of South Vietnamese children.
Message from House 2204
Read first time, passed on file ..2204
Referred to Human Resources ..2207
Committee report 2220
Recommended passage 2221
Committee report adopted 2221
Passed Senate, ayes 47, nays 1 ..2221

880 By Appropriations. A bill for an act appropriating funds to the Iowa state historical department, the Iowa library department, the Iowa state arts council and the academy of science and establishing a military library division within the Iowa library department.
Message from House 1370
Read first time, passed on file ..1370
Amendment S. 3807 filed 1393
Referred to Appropriations 1418
Subcommittee, State Departments 1572
Committee report 1572
Recommended passage 1572
Committee amendment S. 4022 filed 1723
Amendment S. 4034 filed 1759
Committee report adopted 1766
Committee amendment S. 4022 adopted 1767
Amendment S. 3807 withdrawn .1767
Amendment S. 4034 withdrawn .1767
Passed Senate, ayes 45, nays 1 ..1767
Explanation of vote 1793
Message from House 1994

881 By Ways and Means. A bill for an act relating to the taxation of individual retirement annuity premiums.
Message from House 1507
Read first time, passed on file ..1507
Fiscal note SCS
Substituted for S.F. 543 1608
Passed Senate, ayes 46, nays 1 ..1608

883 By Appropriations. A bill for an act relating to and appropriating funds to judicial courts and agencies and appropriating funds to the attorney general.
Message from House 1626
Read first time, passed in file ..1627
Referred to Appropriations 1644
Committee report 1710
Recommended amendment, passage 1710
Committee amendment S. 4021 ..1710
Amendment S. 4054 filed 1760
Committee report adopted 1801
Committee amendment S. 4021 adopted 1801
Amendment S. 4054 withdrawn .1824
Passed Senate, ayes 46, nays none 1824
Message from House 1994

885 By Ways and Means. A bill for an act to exempt the equalization of property from the provisions of the Iowa administrative procedure act.
Message from House 1561
Read first time, passed on file ..1562
Substituted for S.F. 553 1802
Passed Senate, ayes 41, nays none 1802

886 By Ways and Means. A bill for an act relating to changes in dates and clarification of dates for a fiscal year beginning July first of each calendar year.
Message from House 1561
Read first time, passed on file ..1562
Referred to Ways and Means ...1595
Subcommittee, Junkins, Curtis, and Culver 1645

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887 By Appropriations. A bill for an act making an appropriation to the state department of health to finance programs subject to administration by the department.
Message from House 1626
Read first time, passed on file ..1627
Referred to Appropriations 1644
Committee report 1710
Recommended passage 1710
Amendment S. 4066 filed 1796
Committee report adopted 1800
Amendment S. 4066 lost 1800
Amendment S. 4082 filed 1800
Amendment S. 4082 adopted 1800
Passed Senate, ayes 42, nays none 1801
Message from House 1882

889 By Appropriations. A bill for an act appropriating funds to the governor, lieutenant governor, office for planning and programming and the council of state governments.
Message from House 1678
Read first time, passed on file ..1678
Referred to Appropriations 1708
Subcommittee, State Departments 1808
Committee report 1840
Recommended passage 1841
Committee report adopted 1901
Amendment S. 4141 filed 1918
Amendment S. 4143 filed 1919
Point of order raised 1919
Ruled out of order S. 4141 1919
Ruled out of order S. 4143 1919
Passed Senate, ayes 44, nays none 1919

890 By Appropriations. A bill for an act appropriating funds for the financing of programs under the administration of the Iowa employment security commission, the industrial commissioner, the bureau of labor, the occupational safety and health review commission and the public employment relations board and relating to fees collected by the bureau of labor.
Message from House 1698
Read first time, passed on file ..1701
Referred to Appropriations 1754
Subcommittee, State Departments 1808
Committee report 1841
Recommended amendment, passage 1841
Committee amendment S. 4105 ..1841
Committee report adopted 1902
Amendment S. 4131 filed 1902
Amendment S. 4131 adopted 1902
Committee amendment S. 4105 withdrawn 1902
Passed Senate, ayes 48, nays none 1903
Message from House 2120
Amendment S. 4248 filed 2121
Senate concurred 2121
Passed Senate, ayes 46, nays none 2121

891 By Ways and Means. A bill for an act relating to fees collected by sheriffs and certain other police authorities.
Message from House 1643
Read first time, passed on file ...1644
Referred to Ways and Means 1679
Committee report 1794
Recommended passage 1794
Committee report adopted 2053
Passed Senate, ayes 44, nays 1 ..2053

892 By Appropriations. A bill for an act to appropriate from the road use tax fund, the primary road fund, the aeronautics fund, and the general fund, of the state to the state department of transportation for administration and other purposes, clarifying administrative duties of the state department of transportation, and funding the state department of transportation's share for administration of the state merit system.
Message from House 1753
Read first time, passed on file ...1753
Referred to Appropriations 1792
Committee report 1936
Recommended passage 1936
Committee report adopted 1981
Amendment S. 4179 filed 1981
Point of order raised 1981
Ruled out of order S. 4179 1981
Motion to suspend rules 1982
Motion failed 1982
Amendment S. 4182 filed 1982
Amendment S. 4182 withdrawn..1983
Passed Senate, ayes 49, nays none 1983

894 By Sifting. A bill for an act relating to correcting erroneous, inconsistent and obsolete sections of the Code.
Message from House 1970
Read first time, passed on file ...1972
Referred to Judiciary 2002
Committee report 2009
Recommended passage 2009
Amendment S. 4190 filed 2017
Amendment S. 4165 filed 2017
Steering recommends calendar ..2054
Amendment S. 4217 filed 2093
Amendment S. 4215 filed 2094
Committee report adopted 2123
Amendment S. 4190 adopted 2123
Amendment S. 4165 adopted 2123
Amendment S. 4217 adopted 2125
Amendment S. 4215 adopted 2125
Amendment S. 4241 filed 2125
Amendment S. 4241 adopted 2126
Passed Senate, ayes 41, nays none 2126
Message from House 2180

895 By Appropriations. A bill for an act making an appropriation to the department of social services and divisions of the department for the purpose of funding social service programs and providing for their administration.
Message from House 1790
Read first time, passed on file ...1790
Referred to Appropriations 1792
Committee report 1841
Recommended passage 1841

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Amendment S. 4102 filed 1844
Amendment S. 4090 filed 1844
Amendment S. 4092 filed 1844
Amendment S. 4100 filed 1844
Amendment S. 4089 filed 1844
Amendment S. 4101 filed 1844
Amendment S. 4099 filed 1844
Amendment S. 4091 filed 1845
Committee report adopted 1912
Amendment S. 4102 lost 1913
Amendment S. 4089 lost 1914
Amendment S. 4090 withdrawn ..1914
Amendment S. 4092 withdrawn ..1914
Amendment S. 4100 withdrawn ..1914
Amendment S. 4101 withdrawn ..1914
Amendment S. 4099 withdrawn ..1914
Amendment S. 4139 filed 1914
Motion to suspend rules 1915
Motion failed 1915
Point of order raised 1915
Ruled out of order S. 4139 1915
Amendment S. 4138 filed 1915
Point of order raised 1916
Ruled out of order S. 4138 1916
Amendment S. 4091 lost 1917
Passed Senate, ayes 45, nays 3 ..1917

896 By Appropriations. A bill for an act making an appropriation to the Iowa housing finance authority.

Message from House 1803
Read first time, passed on file ...1805
Referred to Appropriations 1838
Committee report 1936
Recommended passage 1936
Committee report adopted 1983
Passed Senate, ayes 40, nays 8 ..1984

897 By Appropriations. A bill for an act relating to the salaries of area school superintendents.

Message from House 1790
Read first time, passed on file ...1790
Referred to Appropriations 1792
Committee report 1937
Recommended passage 1937
Amendment S. 4180 filed 1984
Amendment S. 4180 adopted 1985
Amendment S. 4173 filed 1985
Point of order raised 1985
Amendment S. 4173 lost 1986
Motion to reconsider vote 1986
Motion to reconsider vote prevailed 1986
Point of order raised 1986
Amendment S. 4180 withdrawn ..1992
Passed Senate, ayes 39, nays 6 ..1993

898 By Appropriations. A bill for an act making appropriations to various state agencies for the purposes of providing for capital improvements, reimbursement of state educational institutions for deficiencies in operating funds from funds pledged to finance academic and administrative buildings and facility services, providing funds to lease data processing equipment, funding the purchase of certain equipment, providing funds for sewage work purposes, creating a hospital schools revolving fund and providing for expenditures from such fund, providing for land acquisition, providing a memorial for medal of honor recipients, and providing for the reversion of funds.

Message from House 1857
Read first time, passed on file ...1857
Referred to Appropriations 1885
Amendment S. 4142 filed 1951
Amendment S. 4136 filed 1952
Amendment S. 4137 filed 1952
Amendment S. 4148 filed 1952
Committee report 2006
Recommended amendment, passage 2006
Committee amendment S. 4198 ...2006
Committee amendment S. 4195 ...2007
Committee amendment S. 4199 ...2007
Committee amendment S. 4197 ...2007
Committee amendment S. 4196 ...2008
Amendment S. 4163 filed 2017
Amendment S. 4186 filed 2018
Amendment S. 4200 filed 2018
Committee report adopted 2062
Amendment S. 4210 filed 2063
Amendment S. 4210 adopted 2064
Amendment S. 4209 filed 2064
Amendment S. 4209 withdrawn ..2064
Committee amendment S. 4198A as amended, adopted 2064
Committee amendment S. 4198B adopted 2064
Committee amendment S. 4195A adopted 2065
Amendment S. 4200 lost 2065
Amendment S. 4195B adopted ...2066
Committee amendment S. 4199 adopted 2066
Committee amendment S. 4197 adopted 2067
Committee amendment S. 4196 adopted 2067
Amendment S. 4225 filed 2067
Amendment S. 4225 adopted 2068
Amendment S. 4142 withdrawn ..2068
Amendment S. 4207 filed 2068
Amendment S. 4207 adopted 2069
Amendment S. 4163 adopted 2069
Amendment S. 4204 filed 2069
Amendment S. 4204 lost 2069
Point of order raised 2070
Ruled out of order S. 4148 2070
Amendment S. 4202 filed 2070
Amendment S. 4202A adopted ...2071
Amendment S. 4202B adopted ...2071
Amendment S. 4232 filed 2071
Amendment S. 4232 lost 2071
Ruled out of order S. 4136 2071
Ruled out of order S. 4137 2072
Ruled out of order S. 4186 2072
Amendment S. 4142 withdrawn ..2072
Passed Senate, ayes 47, nays none 2072
Message from House 2109
Senate insisted 2110
Conference committee appointed..2118
Message from House 2144
Conference committee report 2243
Amendment S. 4283 filed 2247
Points of order raised 2248
Ruled out of order S. 4283 2248
Motion to suspend rules 2248
Motion to suspend rules prevailed 2248
Motion to suspend rules 2248
Motion failed 2249
Ruled out of order S. 4283 2249

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Conference committee report adopted 2249
Passed Senate, ayes 38, nays 7 ..2250
Message from House 2240

899 By Appropriations. A bill for an act relating to the printing and custody of cigarette and little cigar tax stamps.
Message from House 1821
Read first time, passed on file ...1821
Referred to Appropriations 1838
Committee report 1841
Recommended passage 1841
Committee report adopted 1901
Passed Senate, ayes 48, nays none 1901

900 By Appropriations. A bill for an act to make an appropriation from the motor vehicle fuel tax fund to the state comptroller.
Message from House 1821
Read first time, passed on file ...1821
Referred to Appropriations 1838
Committee report 1841
Recommended passage 1841
Committee report adopted 1901
Passed Senate, ayes 47, nays 1 ..1902

901 By Appropriations. A bill for an act to make a supplemental appropriation from the general fund of the state to the municipal assistance fund and to appropriate from the general fund of the state to the county government assistance fund created by this Act.
Message from House 1835
Read first time, passed on file ...1836
Referred to Appropriations 1886
Committee report 1937
Recommended passage 1937
Committee report adopted 1989
Passed Senate, ayes 47, nays none 1989

903 By Appropriations. A bill for an act to appropriate from the general fund of the state to the municipal assistance fund.
Message from House 1821
Read first time, passed on file ...1821
Referred to Appropriations 1838
Committee report 1937
Recommended passage 1937
Committee report adopted 1990
Passed Senate, ayes 46, nays none 1990

904 By Appropriations. A bill for an act relating to the railroad grade crossings on public highways and increasing funds allocated for such purposes.
Message from House 1846
Read first time, passed on file ...1847
Referred to Appropriations 1886
Committee report 1937
Recommended amendment, passage 1937
Committee amendment S. 4146 ...1937
Committee report adopted 1992
Committee amendment S. 4146 adopted 1992

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Passed Senate, ayes 45, nays none 1992

905 By Ways and Means. A bill for an act relating to the inspection of grain by the department of agriculture and providing penalties for violations.
Message from House 1882
Read first time, passed on file ...1882
Referred to Ways and Means ...1936
Amendment S. 4130 filed 1953

906 By Ways and Means. A bill for an act to provide for an annual special permit for operation of certain compacted rubbish trucks, subject to penalties provided by law.
Message from House 1970
Read first time, passed on file ...1972
Referred to Ways and Means 2003
Amendment S. 4193 filed 2018

907 By Ways and Means. A bill for an act relating to a fruit-tree and forest reservation which may qualify for a tax exemption.
Message from House 1925
Read first time, passed on file ...1935
Referred to Ways and Means ...1936
Committee report 2012
Recommended passage 2012
Committee report adopted 2047
Passed Senate, ayes 45, nays none 2047

908 By Ways and Means. A bill for an act to amend chapter three hundred ninety (390) of the Code relating to the authority of cities to participate in and finance jointly-owned facilities for the generation, acquisition, or transmission of electric energy, making its provisions retroactive and providing for the validity of contracts executed under said chapter.
Message from House 1925
Read first time, passed on file ...1935
Referred to Ways and Means ...1936
Committee report 2012
Recommended passage 2012
Committee report adopted 2048
Passed Senate, ayes 46, nays none 2048

910 By Appropriations. A bill for an act making an appropriation to the department of transportation to be used to reimburse nonprofit civic leagues or organizations for towing expenses incurred in the collection of abandoned motor vehicles.
Message from House 1925
Read first time, passed on file ...1935
Referred to Appropriations 2003
Committee report 2008
Recommended passage 2008
Committee report adopted 2030
Passed Senate, ayes 45, nays none 2030

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911 By Appropriations. A bill for an act appropriating funds for certain legal fees.
Message from House 1970
Read first time, passed on file ..1972
Referred to Appropriations 2003
Committee report 2008
Recommended passage 2008
Committee report adopted 2031
Passed Senate, ayes 42, nays none 2031

912 By Appropriations. A bill for an act relating to the duty of computing the Iowa consumer price index and making an appropriation.
Message from House 1995
Read first time, passed on file ..2001
Referred to Appropriations 2086
Committee report 2088
Recommended passage 2088
Committee report adopted 2097
Amendment S. 4234 filed 2097
Amendment S. 4234 adopted 2098
Failed to pass Senate, ayes 20, nays 28 2098

913 By Appropriations. A bill for an act creating an employment opportunity board authorized to grant funds for the creation of employment and making an appropriation.
Message from House 1995
Read first time, passed on file ..2002
Referred to Appropriations 2086
Committee report 2088
Recommended passage 2088
Committee report adopted 2127
Amendment S. 4243 filed 2127
Amendment S. 4243 adopted 2128
Amendment S. 4237 filed 2128
Amendment S. 4237 lost 2128
Passed Senate, ayes 29, nays 18 ..2129
Message from House 2144

914 By Appropriations. A bill for an act relating to retirement benefits for certain public employees engaged in public safety occupations.
Message from House 2144
Read first time, passed on file ...2145
Referred to Appropriations 2170
Committee report 2187
Recommended passage 2188

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Amendment S. 4258 filed 2189
Amendment S. 4259 filed 2189
Committee report adopted 2202
Amendment S. 4259A withdrawn.2202
Amendment S. 4259B adopted ...2202
Amendment S. 4258 withdrawn .2202
Amendment S. 4277 filed 2202
Amendment S. 4277 adopted 2203
Passed Senate, ayes 45, nays none 2203
Explanation of vote 2257

916 By Connors, Drake and Byerly. A bill for an act relating to employment security.
Message from House 2144
Read first time, passed on file ..2145
Referred to Labor and Industrial Relations 2170
Committee report 2170
Recommended passage 2170
Committee report adopted 2170
Amendment S. 4270 filed 2170
Amendment S. 4270 lost 2171
Amendment S. 4267 filed 2171
Amendment S. 4267 adopted 2172
Amendment S. 4271 filed 2173
Amendment S. 4271 lost 2173
Motion to reconsider vote 2173
Motion to reconsider vote prevailed 2174
Amendment S. 4267 lost 2174
Amendment S. 4273 filed 2174
Point of order raised 2175
Amendment S. 4273 lost 2175
Passed Senate, ayes 34, nays 14 .2175

917 By Appropriations. A bill for an act appropriating funds to the office of secretary of state to finance the administration of House File two hundred fifteen (215).
Message from House 2204
Read first time, passed on file ..2204
Referred to Appropriations 2207

918 By Appropriations. A bill for an act making an appropriation to pay attorney fees and expenses for counsel for the parties in the election contest of Spradling vs. Stephens.
Message from House 2241
Read first time, passed on file ..2243

SENATE CONCURRENT RESOLUTIONS

RELATING TO—

1—Ralph R. Brown, special consultant, compensation and vacation. 7-8 adopted.

2—Additional joint employees, joint committee appointed. 46, 128 adopted.

3—Joint committee to arrange for inauguration. 47, 61 adopted.

4—Current Codes and Sesisons Laws furnished legislators, staff and press. 47, 61 adopted.

5—Journals, bills and binders to be furnished free to county auditors—also to Iowa's United States Senators and Congressmen. 47-48, 61 adopted.

6—Joint Rules of the Senate and House. 48-54, 59, 123, 210-211, 214-215 adopted, 298, 553-554 refused to concur, 616 conference committee appointed, 1825 report, second conference committee appointed.

7—Adjournment Thursday, January 16, 1975—reconvene Monday, January 20, 1975, at 10:00 a.m.—also adjournment Friday, March 14, 1975—reconvene Monday, March 24, 1975, at 10:00 a.m. 54, 61 adopted.

8—Honor the memory of Reverend Martin Luther King, Jr. 54, 130, 217.

9—Designate northwest Iowa as a disaster area, provide aid. 73-74, 130.

10—Congratulate Lisbon, Iowa, on its 100th anniversary. (Same as HCR 2) 151, 160.

11—Include highway 520 in five year plan. 190-191, 198, 255.

12—Commend Adjutant General Joseph G. May, Colonel Eric P. Berner, the 186th Military Police Company, and Iowa National Guard for the excellent arranging of the inaugural ceremonies. 216, 228, 255.

13—Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as HCR 10) 235, 243, 255.

14—National network of youth advisory boards, encourage Congress enact legislation to implement this proposal. 235-236, 243, 320.

15—National Black History Week, February 9 through February 14, 1975. (Same as HCR 13) 267, 282, 436.

16—Conduct study of availability, cost and terms of professional liability insurance. 346, 375, 511.

17—Conduct study of Uniform Probate Code. 346-347, 375, 511.

18—Joint session Thursday, April 10, 1975, at 2:00 p.m., Pioneer Lawmakers present program. 459, 476 adopted.

19—That the I.R.C. of the National Conference of State Legislatures and the Midwestern Conference of the Council of State Governments appoint committees to develop proposals to aid farmers and ranchers for consideration by Congress and the states. 497, 535, 595.

20—Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as HCR 18) 540-541, 610-611, HCR 18 substituted 680, withdrawn 681.

21—International Women's Day, March 8, 1975, general assembly recognize. 592, 608, 664.

22—Iowa Bicentennial Commission organize and implement a "World Youth Festival", education. (Same as HCR 21) 592-593, 608, 664.

23—Urge Congress direct the Office of Technology Assessment study and investigate the entire nuclear cycle from mining through fuel reprocessing and waste management, safety, licensing, etc. 606-607, 622, 664.

24—Comprehensive energy program to inform public need for energy conservation, governor and energy policy council evaluate programs, etc., and initiate measures to achieve zero energy growth rate. 647, 663, 739, 898-899, 901, 1332-1333 adopted.

25—Compliment Missouri Valley, Iowa, as sponsors and participants of the 21st Annual World's Championship Goose Calling Contest. (Same as SR 9) 714, 737, 1010.

26—Adjourn May 1, 1975; reconvene Monday, January 12, 1976. 756, 783, 1010.

27—Red Rock and Coralville Reservoirs, committee to study damages to property, etc. 796-797, 821, 1010.

28—That the Iowa General Assembly make application to Congress to submit to the states for ratification an amendment to the U. S. Constitution that the President submit, at beginning of each new Congress, an annual budget, expenditures and estimated revenue, etc. 962-963, 1008, 1334.

29—Urge all citizens and citizen groups boost Iowa home communities and to build communities better, as good neighbors. 975, 1009, 1334.

30—Membership and qualifications of members of boards, councils, and commissions, their purposes and need for retaining, committee to study. 975-976, 1009, 1334.

31—That the general assembly continue to support bicentennial efforts, authorize funds for local and state celebrations and projects, and that the 66th General Assembly be named Iowa American Revolutionary Bicentennial General Assembly. 1007-1008, 1053, 1334.

32—Rail problems in Iowa, roadbeds and trackage, committee to study. 1008.

33—Urge federal government not delay in construction of the new Alton Lock and Dam. 1095-1096, 1331-1332 adopted.

34—Regulation of hazardous substances, committee to study. 1096-1097.

35—Mental health services, administration of, need for consolidation, etc. (Same as HCR 42) 1143, 1162, 1334.

36—State catastrophic illness program, expand and complete study of. (Same as HCR 40) 1144, 1162, 1334.

37—State juvenile justice system, continue study. (Same as HCR 41) 1144-1145, 1162, 1334.

38—Productive employment by unemployed, condition of unemployment compensation or welfare benefits, committee to study. 1177, 1198, 1571.

39—Petroleum products, marketing, distribution, and pricing of, committee to study. 1310.

40—Social services, committee to study functions, duties, and operation of; also need for reorganization. 1467-1468, 1487.

41—Civil defense and disaster assistance, committee to study. 1536, 1571.

42—Air conditioning for legislative lounges. 1613, 1637.

43—Energy facilities, committee to study. 1753-1754.

44—Property tax freeze, and revising method of valuing agricultural property, committee to study. (Similar subject matter as HCR 49 and HCR 54) 1791.

45—Insurance, unfair and discriminatory practices based on a person's sex or marital status, committee to study. 1791-1792.

46—Multistate Tax Commission, approve Iowa's participation as an associate member, etc. 1837, 1885.

47—Grain, grading and moisture testing of, committee to study. (Same as HCR 59) 1837-1838, 1885.

48—Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as HCR 61) 1883.

49—Optometry, feasibility of establishing a college, committee to study. 1883-1884, 1936.

50—Drainage districts, updating and needed corrections in law governing, committee to study. (Similar as HCR 57) 1932-1933, 1936.

51—Land use bill, HF 505, plan a legislative sponsored public forum for analysis, etc., of. (Same as HCR 62) 1933-1934, 1936.

52—County home rule and needed county governmental services, committee to study. 2001.

53—Public improvements, committee to study feasibility of financing without special assessments. 2074-2075, 2085.

54—Legislative sessions, handling of bills, and adjournment procedures, committee to study. (Same as HCR 55) 2075-2076, 2085.

55—Iowa family farmers, committee to study, available capital, etc. 2076, 2085.

56—Property, improvements to, committee to study feasibility of providing a tax moratorium. 2077, 2086.

57—Legislative internships, establish a joint committee to organize and supervise the program. 2077-2078.

58—Final adjournment, Saturday, June 14, 1975. 2078.

59—Expenses of committee members attending meetings be paid upon filing of their expense accounts. 2078-2079.

60—Claims, rejected by joint claims committee, action be approved. 2079-2085, 2096 adopted.

61—Elderly and handicapped, committee to study problems of, etc. 2184-2186, 2206.

62—Nursing home costs and reimbursement for care of medical assistance patients, human resources committees appoint joint interim subcommittee to hold hearings and review. 2204-2205, 2243.

63—Salary increase for officers and employees of the House and Senate. 2222, 2224-2225 adopted.

64—Inspection laws, buildings and housing, overlapping, subcommittees of Senate committee on cities and House committee on cities and towns, legislative council make appointments to for study. 2222, 2243.

65—Municipal financing, individual needs, aid to cities, committee to study. (Same as HCR 71) 2223, 2243.

66—Correction of SF 536. 2223-2224, 2225 adopted.

67—ADC program, human resources committees appoint joint interim subcommittee to determine if program may be restructured, etc. 2228-2229, 2243.

68—Department of youth services, juvenile justice system, human resources committees appoint joint subcommittee to study. 2229-2230, 2243.

SENATE RESOLUTIONS

RELATING TO—

1—Ralph R. Brown be employed as special consultant. 7 adopted.

2—Appointment of secretaries. 22, 61 adopted.

3—Rules of the Senate. 22-39, 57-58, 88-90, 100-114 adopted.

4—Extend appreciation and thanks to Ralph R. Brown. 8 adopted.

5—Code of Ethics, Senate. 39-41, 147-148 adopted.

6—Lobbyists, Senate rules governing. 41-46, 144, 148-151, 152-153, 155-159 adopted.

7—Iowa Congressional delegation scheduled to meet with Iowa Legislature, Friday, February 14, 1975. 291, 292, 436, 485, 563-566.

8—Congratulate the St. Alberts Falcons, their coaches, cheerleaders, etc., in winning the Class AA basketball championship. (Same as HR 19) 782-783, 806, 1010.

9—Compliment Missouri Valley, Iowa, as sponsors and participants of the 21st Annual World's Championship Goose Calling Contest. (Same as SCR 25) 797, 821, 1010.

10—Revise and print additional copies of The Golden Dome. 1178, 1186 adopted.

11—Address system of Senate, request Secretary of Senate have necessary repairs made for proper function. 1467, 1487.

12—Congratulate Ossian, Iowa, on its 125th anniversary. 1703-1704, 1754.

13—Congratulate Calmar, Iowa, on its 125th anniversary. 1704, 1754.

14—Congratulate Sheffield, Iowa, on its 100th anniversary. 1858, 1936.

15—Congratulate Larry Graham for his outstanding success and musical accomplishments and best wishes for continued success. (Same as HR 47) 2074, 2256-2257 adopted.

16—Volga River project, if conservation commission decides against, disbursement of funds appropriated. 2224, 2243.

HOUSE CONCURRENT RESOLUTIONS

RELATING TO—

1—Joint convention, January 13, 1975, 1:30 p.m.—Governor Ray's State of the State Message, January 14, 1975, 11:00 a.m., canvas of votes. 9 adopted.

2—Congratulate Lisbon, Iowa, on its 100th anniversary. (Same as SCR 10) 142, 160.

3—Joint convention, Governor Ray's Budget Message, Friday, January 24, 1975, at 9:30 a.m. 154-155, 162 adopted.

4—Joint Rules of House and Senate be adopted as temporary joint rules of 1975 session. 162-163.

5—Compensation of chaplains, officers and employees. 163-171 adopted.

6—Request Iowa Congressional delegation further investigate bankruptcy petition by American Beef Packers, Inc., etc. 208, 228, 255, 284, 307-308 adopted.

7—Urge Iowa Congressional delegation secure federal assistance for beef producers for loss of livestock (blizzard). 209, 228, 255, 284, 308-309 adopted.

9—Joint convention Wednesday, February 12, 1975, at 1:00 p.m., observance of Lincoln's Birthday. 231-232, 238 adopted.

10—Urge Congress and President establish program for making loans to farmers unable to collect money due from Amercian Beef Packers, inc. (Same as SCR 13) 260, 282, 437, 485, 575 adopted.

11—Commend ISU of science and technology re challenge of world food problems and endorse the World Food Conference of 1976 as a bicentennial project. 260-261, 282, 399, 437, 525, 561 adopted.

12—Urge United States Corps of Engineers provide full funding and cooperation to conservation commission for restocking game fish in Coralville Reservoir. 458, 484, 579, 595, 683-684 adopted.

13—National Black History Week, February 9 through February 14, 1975. (Same as SCR 15) 277-278, 292, 437.

15—Public instruction conduct study to evaluate the average state program costs per student, etc. 337-338, 375, 437, 469, 496 adopted.

18—Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as SCR 20) 541-542, 613, 680-681 adopted, 997 adopted.

23—That 1975 be proclaimed International Women's Year in Iowa. 794-795, 821, 1010.

24—Memorial session, Thursday evening, April 24, 1975, at 7:30 p.m. 795, 798 adopted.

26—Inspection and replacement of bridges, urge Congress appropriate funds. 795-796, 821, 1334.

28—Adjourn Thursday, March 27, 1975; reconvene Monday, March 31, 1975, Good Friday. 710-711 adopted.

34—That an environmental education advisory council be created within the department of public instruction for planning and developing an environmental education program. 1039-1040, 1098, 1200, 1366, 1968-1969 adopted.

38—Urge Congress to continue adequate funding of "priority primary" highway programs, highway 520. 1154-1155, 1163, 1180, 1200.

39—Request Congress call a convention amending the U. S. Constitution re usurping powers of the states, ratification. 1399, 1435, 1467-1468, 1572.

65—Resolutions calling for interim studies not adopted by both Houses be delivered to Chief Clerk and Secretary of the Senate for consideration by Legislative Council. 2241-2242, 2250 adopted.

68—Details of closing the 1975, First Regular Session of the 66th General Assembly, interim staff and work, reconvening 1976, Second Regular Session, etc. 2242-2243.

69—Final adjournment Thursday, June 19, 1975. 2243, 2257 adopted.

73—Transportation policy submitted by the department of transportation be adopted by the general assembly. 2180-2182, 2207 adopted.

SUBJECT INDEX

ABORTION—Also see Birth Control and/or Family Planning
General
Medical personnel may refuse to assist, perform, or participate in abortions. HF 167, Cusack.
Persons may refuse to participate in an abortion, also hospitals. SF 387, Human Resources—HF 821, Human Resources.

ACCIDENTS—
General
Vehicle accidents, reporting of, SF 6, Norpel—SF 18, Priebe. SSM. SF 6 withdrawn. SF 18 approved 7-19-75.
Accident records, delete if, motor vehicles. SF 11, Norpel. Withdrawn.
Motor vehicle accidents, sticker removed after repair. SF 17, Kelly.
Hazardous materials, transportation of, reporting accidents. HF 736, Energy.
Snowmobile accidents, committee to study. HCR 53—H.J. 2011.

ACCOUNTING—
General
Accountancy, board of, include auditor of state or designee. HF 25, Crabb.
Accounting procedures, state auditor, modify certain ones. HF 114, Appropriations.
Accountancy, architecture, engineering, watchmaking and landscape architecture, increase fees, appropriation. SF 166, Appropriations—HF 251, Appropriations. SF 166 withdrawn. HF 251 approved 3-14-75.
Accountancy, register annually, annual permit fee, and other changes. SF 364, Curtis. **Approved 7-3-75.**

ACTIONS—
General
Time in which actions arising out of patient care must be brought. SF 372, Miller of Des Moines, et al.—HF 530, Brunow, et al.
Actions arising out of patient care, requirements for, liability. SF 412, Priebe, et al.—HF 697, Brunow, et al.
Prohibit dollar amount in certain cases re actions against a medical practitioner or hospital. **HF 696, Bina, et al.—SF 478, Sovern, et al.**

ACTS—
General
Effective date of certain Acts or resolutions of the general assembly. SF 380, County Government—HF 560, County Government.

ADC—
General
ADC recipients, withholding of money, certain costs. SF 42, Andersen. Withdrawn.
Welfare benefits, eligibility, strikes. HF 113, Kreamer.
ADC, changes. HF 841, Human Resources.
ADC program, human resources committees appoint joint interim subcommittee to determine if program may be restructured, etc. SCR 67—S.J. 2228-2229, 2243.

ADJUTANT GENERAL—
General
Educational tuition grants or cash allowance, establish, national guard, appropriation. SF 325, Briles and Coleman—HF 472, Crabb.
Inaugural ceremonies, appropriation for expenses. HF 486, Appropriations. Approved 6-3-75. Became law by pub. 6-13-75.
Disaster services and county-municipal disaster services and emergency planning administrations, create office of. HF 620, Harvey and Rinas—HF 808, State Government. **Same.**

ADMINISTRATIVE CODE—
General
Administrative Code, code editor publish. SF 351, State Government—HF 559, State Government. HF 559 withdrawn. SF 351 approved 4-22-75. Became law by pub. 5-1-75.

ADMINISTRATIVE PROCEDURE—
General
Rules of board of parole subject to Administrative Procedures Act. SF 404, Kelly.
Reorganize administrative functions of the supreme court. SF 431, DeKoster.
Inheritance tax, final return, payment and refund, appeal procedures. HF 679, Ways and Means. Approved 6-3-75.
Consumer Credit Code, administration of. HF 829, Commerce.
Exempt equalization of property from provisions of the Administrative Procedure Act. HF 885, Ways and Means—SF 553, Judiciary. SF 553 withdrawn. HF 885 approved 6-16-75.

ADOPTIONS—Also see Minors
General
Adoptions, parental rights, etc. SF 41, Shaw, et al.—HF 92, Oakley, et al. (companion)—HF 614, Human Resources (similar). HF 92 withdrawn.
Vietnamese children, placement and adoption. HF 877, Oakley. Approved 7-8-75.

ADVERTISING—
General
Beer, advertisement of, inside ballpark fences. HF 43, Wells—SF 48, Norpel. SF 48 withdrawn. HF 43 approved 5-8-75. Became law by pub. 5-16-75.
Advertising, public utilities, paid from profits. HF 151, Patchett, et al.
Trade or vocational schools file with public instruction accreditation, advertising, selling courses, etc. HF 234, Harvey.
Public utilities, disclose in advertisements costs borne by consumer, higher rates. HF 260, Small.
Prescription drugs, retail price posted in every pharmacy, advertising. HF 636, Bina, et al.
Signs
Political signs, display of, certain times. SF 46, Redmond—HF 219, Patchett. SF 46 withdrawn.
Business signs on informational panels along highways, increase fees and permits. HF 91, Transportation.

ADVISORY—
General
National network of youth advisory boards, encourage Congress enact legislation to implement this proposal. SCR 14—S.J. 235-236, 243, 320.

ADVISORY COMMITTEES and/or COUNCILS—
General
State park advisory committees, create. HF 152, Patchett, et al.—SF 290, Doderer.
Advisory council of the employment security commission, membership of. HF 556, Monroe.
Abolish state advisory committee on area schools. SF 544, Education. Approved 7-3-75.

AERONAUTICS—
General
Airmen, instructors, and aircraft, application of herbicides and pesticides, increase fees. HF 105, Transportation. Approved 4-8-75.
Taxation of motor fuel used in aircraft, separate fund, returned for airport improvement. SF 409, Redmond and Kelly.
Reverse referendum procedure for disapproval of a resolution by an aviation authority to issue bonds. HF 750, Bortell.
Appropriate from road use tax fund, primary road fund, aeronautics fund, and general fund to department of transportation for administration and other purposes; and share for administration of merit system. HF 892, Appropriations. Approved 6-29-75.

AGE—AGE OF MAJORITY—
General
Age of officers appointed by conservation director, lower. SF 234, Doderer.
Marriage licenses, age requirements, legitimacy of children. SF 192, Doderer—HF 367, Brandt, et al. SF 192 approved 7-14-75.
Change age of majority, Uniform Gifts to Minors Act. SF 340, Griffin.
Mandatory retirement due to age, prohibit, exceptions. HF 549, Cusack.

AGENCIES—
General
Substate regional agencies and districts, committee to study. HCR 47—H.J. 1485-1486.
Certain state agencies report quarterly to standing Senate and House natural resources committees. SF 512, Natural Resources.
State agencies may employ only a certain maximum number of employees with funds appropriated, certain bills. SF 562, Appropriations. Approved 7-14-75.

AGING—Also see Elderly and/or Senior Citizens Commission on
Aging, area agencies, establish, appropriation. SF 36, Andersen. Withdrawn.
Aging, commission on, appropriation for nutrition programs. HF 130, Cusack.
Programs for elderly, commission on aging, elderly participate. HJR 7, Cusack, et al.
Retired Iowan employment program, appropriation. HF 566, Cusack.
Governor, with consent of Senate, appoint directors of aging and civil rights commission. HF 631, Cusack—HF 812, State Government. Same.
Aging, establish area or regional agencies, advisory boards. HF 654, Human Resources.

"Green Thumb", outdoor summer programs, employ elderly, appropriation. SF 326, Natural Resources—HF 685, Avenson. Similar subject matter in part to SF 573.
Aging, commission on, transfer to social services. HF 852, Cusack.
Aging, commission on, drug abuse authority, division on alcoholism, and committee on handicapped, appropriation, counties share certain costs. SF 572, Appropriations. Approved 6-30-75.

AGRICULTURE—
General
Tall hedge removed from list of noxious weeds. SF 61, Hultman—HF 67, McElroy and Bittle. SF 61 withdrawn. HF 67 approved 2-28-75.
Urge Iowa Congressional delegation secure federal assistance for beef producers for loss of livestock (blizzard). HCR 7—H.J. 135-136, 147 adopted—S.J. 209, 228, 255, 284, 308-309 adopted—H.J. 327, 378-379 adopted.
Request Iowa Congressional delegation further investigate bankruptcy petition by American Beef Packers, Inc., etc. HCR 6—H.J. 135, 147 adopted —S.J. 208, 228, 255, 284, 307-308 adopted—H.J. 327, 378 adopted.
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as SCR 13) HCR 10—H.J. 187, 220—S.J. 260, 282, 437, 485, 575 adopted.
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as HCR 10) SCR 13—S.J. 235, 243, 255.
Livestock feed lots, location and operation of. HF 129, Husak, et al.
Price increases of merchandise, retail. HF 247, Patchett, et al.
Price increases of food products, retail. HF 249, Patchett, et al.
Livestock dealers or brokers, slaughter, licensing, bonding, etc. SF 179, Rodgers, et al.—HF 252, Junker, et al. SF 179 withdrawn.
Agricultural information line and assistance service, create. HF 327, Svoboda, et al.
Slaughterhouses, require bonding or deposit. SF 291, Hultman.
Destruction of weeds along roads and highways, limit spraying. HF 443, Avenson.
Kerosene, etc., repeal chapter 208 on, retain identification of gas cans, etc. HF 451, Agriculture. Approved 5-15-75.
Agricultural credit corporations making consumer agricultural loans, raise interest ceiling. HF 500, Hansen.
Urge U.S. Department of Agriculture take necessary regulatory steps, if unwilling or unable then Congress, to require any purchaser of meat and meat products to pay for these commodities within 48 hours. HCR 37—H.J. 1156-1157.
Baby chicks, sold or delivered, label in lots. SF 479, Agriculture.
Non-self-propelled implements of agriculture included in 60 foot length of vehicles, transporting. HF 763, Wulff.
Agriculture, department of, and soil conservation, appropriation. HF 780, Appropriations. Approved 6-3-75.
Food establishments, hotels, and restaurants, establishment and maintenance of. HF 785, Agriculture.
Gasoline volatility, legal specifications for. HF 792, Agriculture. Approved 6-29-75.
Movement of mobile agricultural equipment, eliminate necessity for a special plate for each vehicle. SF 495, DeKoster.
Agricultural implements excluded from width requirements re movement. HF 843, Agriculture.
Bovine brucellosis, eradication of, appropriation. HF 870, Appropriations. Approved 7-14-75.
Supplemental appropriation to board of veterinary examiners fund. SF 522, Appropriations. Approved 6-6-75. Became law by pub. 6-13-75.
Livestock producers selling livestock for slaughter, liens and other safeguards for, committee to study. HR 40—H.J. 1915.
Property tax freeze, and revising method of valuing agricultural property, committee to study. (Similar subject matter as HCR 49 and HCR 54) SCR 44—S.J. 1791.
Animals
Livestock, transportation of, transportation certificate required. HF 185, Husak, et al. Approved 7-11-75.
Livestock, marketing of, history of, liability, eliminate department of agriculture veterinary inspection fees, etc. HF 199, Husak, et al.—SF 368, Agriculture. S.
Transporting cattle, swine, and grain, law enforcement. SF 366, Agriculture. Withdrawn.
Feedlots, location and operation of. SF 367, Agriculture—HF 805, Agriculture. SSM.
Identification of boars, sows and stags, slaughter. SF 378, Agriculture. Approved 7-11-75.
Persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter. SF 421, Agriculture—HF 625, Agriculture. SF 421 withdrawn. HF 625 approved 6-16-75.
Bovine and swine brucellosis, committee to study. HCR 82—H.J. 2731-2732.

Livestock, marketing of, implied warranty provisions, etc., committee to study. HCR 81—H.J. 2731.

Checkoff—Also see Checkoff

Corn promotion fund, establish. SF 148, Bergman, et al.—SF 449, Agriculture. S. SF 148 withdrawn.

Grain purchased by warehouses, assessment on, railroad branch line improvement. HF 677, Evans, et al.—HF 789, Agriculture. S.

Dairy—Also see Foods, Sub-Ref. Dairy

Milk used for manufacturing purposes, establish requirements for sanitary production and processing of. SF 55, Van Gilst. Withdrawn.

Sanitary production and processing of milk, requirements for. SF 203, Agriculture—HF 402, Hennessey. SSM.

Appropriate money from dairy industry fund to Iowa dairy industry commission. SF 505, Appropriations. Approved 6-16-75.

Farm

Corporation farming. HF 215, Husak, et al.—SF 171, Rodgers, et al. SF 171 withdrawn. HF 215 approved 7-11-75.

Land owned or controlled by nonresident aliens, corporations, etc., must file reports. HF 217, Avenson, et al.—SF 457, Schwengels. SSM.

Farming by domestic and foreign corporations, cooperative corporations, reports. HF 240, Wyckoff, et al.

Valuation of agricultural property for tax purposes, average mortgage loan rate for previous year. SF 183, Shaff, et al.

That the I.R.C. of the National Conference of State Legislatures and the Midwestern Conference of the Council of State Governments appoint committees to develop proposals to aid farmers and ranchers for consideration by Congress and the states. SCR 19—S.J. 497, 535, 595.

Retailer may recover part of price of farm machinery, other costs, cancellation of contract with manufacturer. HF 377, Hutchins.

Prohibit foreign corporations from farming, certain domestic corporations may, divestment of land, reports. SF 262, Taylor, et al.

Market value of agricultural property for tax purposes, determining. SF 279, Priebe, et al.

Correcting the amount of the farm equipment tax exemption. SF 313, Ways and Means. Approved 4-22-75.

Amend Uniform Commercial Code, place of filing to perfect a security interest, farm equipment, products, etc., collateral. HF 529, Bortell and Daggett.

Roads through rural farm land, consider placement of. HF 580, Bortell.

Iowa Legislature strongly objects to USDA calling for greater productivity from Iowa land while cutting funds for soil conservation. HCR 31—H.J. 910-911.

One farm liability insurance policy cover both owner and tenant. HF 660, Miller of Buchanan.

Interest payments by the state on certain farm acquisition loans, appropriation. HF 861, Branstad.

Iowa family farmers, committee to study, available capital, etc. SCR 55—S.J. 2076, 2085.

Iowa family farmers, available capital, etc., committee to study. (Same as SCR 55) HCR 66—H.J. 2498-2499.

Administration of HF 215, corporation farm bill, appropriation to secretary of state to finance. HF 917, Appropriations.

Feed

Weed seed in commercial feed. SF 12, Priebe—HF 28, Krause.

Fertilizer

Fertilizer storage tanks, placement of. SF 64, Gallagher, et al.

Minimum percentages of plant nutrients in fertilizers. HF 787, Agriculture.

Grain

Corn promotion fund, establish. SF 148, Bergman, et al.—SF 449, Agriculture. S. SF 148 withdrawn.

Grain dealers, abolish licensing of. HF 350, Brunow.

Exempt corn cribs used to store corn from property taxes. HF 364, Horn.

Grain purchased by warehouses, assessment on, railroad branch line improvement. HF 677, Evans, et al.—HF 789, Agriculture. S.

Grain inspection by department of agriculture. HF 786, Miller of Buchanan, et al.—HF 905, Ways and Means. SSM.

Grain dealers and warehousemen, regulation of. SF 529, Agriculture.

Grain, grading and moisture testing of, committee to study. (Same as HCR 59) SCR 47—S.J. 1837-1838, 1885.

Grain, grading and moisture testing of, committee to study. (Same as SCR 47) HCR 59—H.J. 2235-2236.

Grain dust explosions, appropriation to ISU of science and technology for research. SF 582, Appropriations. Approved 7-3-75.

Inspection

Livestock, marketing of, history of, liability, eliminate department of agriculture veterinary inspection fees, etc. HF 199, Husak, et al.—SF 368, Agriculture. S.

Grain inspection by department of agriculture. HF 786, Miller of Buchanan, et al.—HF 905, Ways and Means. SSM.

Dealers, commercial breeders, kennel operators, and public auction operators, federally and/or state licensed may be inspected and regulated by secretary of agriculture. SF 570, Gluba.

Licenses

Livestock dealers or brokers, slaughter, licensing, bonding, etc. SF 179, Rodgers, et al.—HF 252, Junker, et al. SF 179 withdrawn.

Veterinary lay assistants, licensing of. HF 396, Agriculture. Approved 6-3-75.

Marketing

Livestock, marketing of, history of, liability, eliminate department of agriculture veterinary inspection fees, etc. HF 199, Husak, et al.—SF 368, Agriculture. S.

Marketing board, members of, department of agriculture, receive per diem. HF 793, Agriculture. Approved 6-6-75.

Pesticides—Entomology—Also see Environmental Preservation and/or Pollution

Airmen, instructors, and aircraft, application of herbicides and pesticides, increase fees. HF 105, Transportation. Approved 4-8-75.

Secretary of Agriculture

Secretary of agriculture, appointed by governor. HF 51, Spear, et al.

Livestock, transportation of, transportation certificate required. HF 185, Husak, et al. Approved 7-11-75.

Sanitary production and processing of milk, requirements for. SF 203, Agriculture.

Transporting cattle, swine, and grain, law enforcement. SF 366, Agriculture. Withdrawn.

Persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter. SF 421, Agriculture—HF 625, Agriculture. SF 421 withdrawn. HF 625 approved 6-16-75.

Dealers, commercial breeders, kennel operators, and public auction operators, federally and/or state licensed may be inspected and regulated by secretary of agriculture. SF 570, Gluba.

Seed

Weed seed in commercial feed. SF 12, Priebe—HF 28, Krause.

Warehouses—Also see Warehouses

Bonded agricultural warehouses, changes. HF 807, Agriculture.

Weights and Measures—Also see Weights and Measures

Increase gross weight for hauling livestock, grain, fuel, and agricultural materials, permits issued, DOT. SF 480, Taylor, et al.

AIR CONDITIONING—

General

Air conditioner chilling unit, purchase and install, Area VII, appropriation. HF 680, Brandt.

Air conditioning for legislative lounges. SCR 42—S.J. 1613, 1637.

AIR POLLUTION—See Pollution and/or Environmental Preservation

AIRCRAFT—See Aeronautics

ALCOHOLIC BEVERAGES, ETC.—Also see Beer and Liquor Control Commission

General

Alcoholic liquor, increase amount an individual may import, personal consumption. HF 37, Junker—HF 336, Commerce (same)—SF 178, Gluba—HF 273, Higgins, et al. (companion) (all similar subject matter).

Beer, retail sale of, minimum prices for. SF 20, Griffin, et al.

Hours alcoholic beverages and beer may be sold, fees required. SF 22, Griffin, et al.—HF 100, Cusack.

Intoxicated persons, establish maximum civil liability. SF 26, Griffin and Norpel.

Liquor licensees, retail, repeal 15 percent tax. SF 27, Griffin, et al.—HF 87, Cusack.

Beer permits, may obtain any or all. SF 28, Griffin, et al.

Prohibit social grambling, or other, on premises where a liquor license or beer permit has been issued. SF 31, Glenn, et al. Withdrawn.

Beer, advertisement of, inside ballpark fences. HF 43, Wells—SF 48, Norpel. SF 48 withdrawn. HF 43 approved 5-8-75. Became law by pub. 5-16-75.

Operating a motor vehicle while intoxicated, penalties for. HF 52, Oakley.

Collector's bottles of alcoholic liquor, special permit. SF 59, Norpel.

Operating a motor vehicle while under the influence of alcohol, implied consent, penalties, etc. SF 76, Plymat, et al.—HF 245, Oakley, et al.

Persons convicted of driving while intoxicated pay costs of chemical test administered. SF 80, Winkelman.

Prohibit gambling (games of skill, chance, bingo and raffles) at premises covered by a "B" or "C" liquor license. SF 122, Andersen.

Operating a motor vehicle while under influence of alcohol, redefine offense, etc. HF 168, Daggett.

Class "E" liquor control license, create, for wine, certain class "B" beer permit holders. HF 278, Griffee.

Wine, sale, control, distribution and taxation of—17 percent alcohol. SF 218, Kelly, et al.—HF 408, Jesse, et al. (companion)—HF 769, State Government (same).
Special liquor retailers, establish. SF 248, Gallagher.
Sale of alcoholic liquor by packaged liquor retailer (stores), license, fees, and tax. HF 389, Hargrave.
Refund on beverage containers, prohibit sale of snap top cans, redemption centers. SF 275, Miller of Marshall, et al.—HF 413, O'Halloran, et al. (companion)—HF 797, Energy (same).
Manufacturers and wholesalers of alcoholic beverages excluded from paying certificate of compliance fee. SF 359, Griffin.
Special one day "Class E" liquor license, colleges and universities. HF 581, Wells.
Regulating open containers of alcoholic liquor, beer, or wine within a motor vehicle being operated on highways. HF 733, Hutchins.
Transportation of alcoholic liquors or beer, carriers or private individuals, prohibit open containers unless within a compartment, vehicles. HF 746, Transportation.
Sunday beer and liquor sales. HF 761, Judiciary and Law Enforcement.
Rules of the board of directors of an area school, tobacco, liquor or beer, use of. SF 534, Shaw.
Beer barrel tax rebate, eliminate; replace with reduction in tax collected. SF 577, Ways and Means.

ALCOHOLISM—
General
Aging, commission on, drug abuse authority, division on alcoholism, and committee on handicapped, appropriation, counties share certain costs. SF 572, Appropriations. Approved 6-30-75.

ALIENS—
General
Land owned or controlled by nonresident aliens, corporations, etc., must file reports. HF 217, Avenson, et al.—SF 457, Schwengels. SSM.

ALIMONY—See Divorce and/or Marriage

AMBULANCES—See Motor Vehicles, Sub-Ref. Ambulances

AMERICAN REVOLUTION BICENTENNIAL COMMISSION—
General
Herbert Hoover Foundation, Mississippi River Parkway, Midwest Nuclear Compact, and Iowa American Revolution Bicentennial Commission, appropriation. HF 267, Appropriations. Approved 4-8-75.
Iowa American revolution bicentennial commission, appropriation. SF 353, Coleman, et al. Approved 7-15-75.
That the general assembly continue to support bicentennial efforts, authorize funds for local and state celebrations and projects, and that the 66th General Assembly be named Iowa American Revolutionary Bicentennial General Assembly. SCR 31—S.J. 1007-1008, 1053, 1334.
Congratulate Edgewood, Iowa on being named an official bicentennial community. HR 31—H.J. 1567, 1697, 1831 adopted.
Iowa American revolution bicentennial commission, appropriation to finance Iowa musical groups at Kennedy Center in Washington, D. C. SF 567, Appropriations. Approved 7-15-75.
Congratulate Lime Springs Iowa on being designated an American revolution bicentennial town. HR 48—H.J. 2579-2580, 2727-2729 adopted.

ANIMALS—Also see Zoos
General
Bounties, certain wild animals, repeal. SF 16, Kelly—HF 88, Cusack.
Dogs, licensing of, change date. HF 44, Clark.
Dog licensing, vaccination exemptions, domestic animal fund, repeal certain provisions. HF 111, Doyle, et al.
Livestock dealers or brokers, slaughter, licensing, bonding, etc. SF 179, Rodgers, et al.—HF 252, Junker, et al. SF 179 withdrawn.
Slaughterhouses, require bonding or deposit. SF 291, Hultman.
Diseases
Regulation and vaccination of dogs, rabies, repeal licensing provision. SF 197, Griffin.
Identification of boars, sows and stags, slaughter. SF 378, Agriculture. Approved 7-11-75.
Bovine brucellosis, eradication of, appropriation. HF 870, Appropriations. Approved 7-14-75.
Bovine and swine brucellosis, committee to study. HCR 82—H.J. 2731-2732.
Domesticated Other Than Farm
Abandoned animals, humane disposal of. HF 264, Agriculture. Approved 6-16-75.
Regulation and vaccination of dogs, rabies, repeal licensing provision. SF 197, Griffin.

Dogs, seizure and destruction of. SF 222, Gluba.
Dogs, restraint of. SF 270, Willits and Palmer—HF 652, Byerly. S.
Dogs, licensing of, increase, repeal provisions re domestic animal fund. HF 536, Brockett.
Dogs, proper care and regulation of, committee to study. HCR 35—H.J. 1048-1049.

Farm

Urge Iowa Congressional delegation secure federal assistance for beef producers for loss of livestock (blizzard). HCR 7—H.J. 135-136, 147 adopted—S.J. 209, 228, 255, 284, 308-309 adopted—H.J. 327, 378-379 adopted.
Livestock, and property subject to moneys and credits tax be eliminated on assessments to department of revenue. HF 104, Ways and Means—SF 109, Ways and Means. HF 104 withdrawn. SF 109 approved 2-28-75.
Livestock feed lots, location and operation of. HF 129, Husak, et al.
Livestock, transportation of, transportation certificate required. HF 185, Husak, et al. Approved 7-11-75.
Five percent of funds collected from excise tax on cattle be remitted to Iowa livestock auction market association. SF 141, Briles and Scott.
Livestock, marketing of, history of, liability, eliminate department of agriculture veterinary inspection fees, etc. HF 199, Husak, et al.—SF 368, Agriculture. S.
Transporting cattle, swine, and grain, law enforcement. SF 366, Agriculture. Withdrawn.
Feedlots, location and operation of. SF 367, Agriculture—HF 805, Agriculture. SSM.
Identification of boars, sows and stags, slaughter. SF 378, Agriculture. Approved 7-11-75.
Persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter. SF 421, Agriculture—HF 625, Agriculture. SF 421 withdrawn. HF 625 approved 6-16-75.
Livestock producers selling livestock for slaughter, liens and other safeguards for, committee to study. HR 40—H. J. 1915.
Livestock, marketing of, implied warranty provisions, etc., committee to study. HCR 81—H.J. 2731.

Non-Domesticated

Wildlife (certain animals), civil damages for unlawfully taking. SF 82, Miller of Marshall, et al. Approved 4-28-75.
Nonresident hunting license, furbearing animals. HF 323, Baker.
Conservation management and protection of fish, plant life, and endangered wildlife, etc. HF 497, Natural Resources. Approved 6-3-75.

ANNEXATION—Also see Zoning

General

Annexation, cities give notice of to department of transportation. HF 74, Transportation. Approved 4-28-75.
Territory annexed to a municipal corporation included in same sanitary district. SF 108, Bergman and Scott.
Procedures and requirements for cities under City Code of Iowa, changes. HF 872, Cities and Towns—SF 526, Cities. SSM. SF 526 approved 7-19-75.

ANNUITIES—

General

Income tax exemption, civil service retirement and disability annuities. HF 71, Junker, et al.—SF 104, Gluba, et al.
Individual retirement annuity premiums exempt from taxation. SF 543, Ways and Means—HF 881, Ways and Means. SF 543 withdrawn. HF 881 approved 6-6-75.

ANTIQUE—

General

Antique gambling devices, legalize possession of. SF 145, Rodgers.

ANTITRUST—

General

Competition between business, commercial, or professional entities. HF 248, Jesse, et al.—HF 584, Judiciary and Law Enforcement. S.

APPEAL BOARD, STATE—

General

Emergency fund of a county, money may be transferred to general fund without approval of state appeal board. SF 124, County Government.

APPEALS—

General

Appeal procedures, department of revenue and board of tax review. SF 142, Redmond.
Condemnation actions, appeal procedures, notice to a lienholder. HF 756, Jesse.

APPLIANCES—
General

Repair of consumer products, household appliances, motor vehicles, etc. HF 355, Horn.

Labeling of appliances, energy consumed. HF 850, Cusack.

APPRAISE—
General

Schoolhouse sites, appraisal before purchase. HF 171, Horn.

Eminent domain procedures, amend. HF 207, Transportation.

APPROPRIATIONS—
General

Rural development commission, establish, appropriation. HF 84, Poncy—SF 269, Miller of Des Moines, et al.

Cost of living adjustments for public employees, appropriation. HF 94, Crabb, et al.—SF 216, Willits and Robinson—HF 434, Wells, et al. (similar)—SF 225, Nystrom, et al.—HF 490, Lonergan and Hines (companion)—HF 535, Crabb, et al.—HF 767, State Government (same) (all similar subject matter).

Research foundation, Iowa, establish, appropriation. SF 84, Murray.

State information and liaison office, create, Washington, D. C., appropriation. SF 99, Murray.

Sewage works construction fund, appropriation. SF 105, Carr and Norpel—HF 163, Tauke (companion)—HF 184, Cities and Towns—SF 149, Cities (companion)—(SF 105—HF 163 and HF 184—SF 149 are similar subject matter). HF 184 withdrawn. SF 149 approved 2-28-75. Became law by pub. 3-7-75.

Service compensation fund (Vietnam Veterans), appropriation. SF 133, Appropriations. Approved 3-18-75. Became law by pub. 3-28-75.

Appropriation included in auditor of state's budget for auditing department of transportation. SF 134, Appropriations. Approved 3-18-75.

Herbert Hoover Foundation, Mississippi River Parkway, Midwest Nuclear Compact, and Iowa American Revolution Bicentennial Commission, appropriation. HF 267, Appropriations. Approved 4-8-75.

Historical sites, establish an annual appropriation. HF 295, Patchett, et al.

Increase salaries of highway patrolmen and contribution to peace officers' retirement system, appropriation from primary road fund. HF 319, Harvey.

East-west railroad passenger service across the state, appropriation. SF 237, Gallagher—HF 588, O'Halloran.

Highway grade crossing safety fund, appropriation. HF 357, Daggett, et al.

Transportation, department of, appropriation, match federal funds. HF 368, Appropriations. Approved 4-8-75. Became law by pub. 4-18-75.

Blind, commission for the, bonus board, educational radio and TV, appropriation. HF 399, Appropriations. Approved 4-28-75.

Public employees, 7 percent salary increase. HF 406, Hennessey, et al.

Railroad passenger service, Davenport to Council Bluffs and Dubuque to Council Bluffs, appropriation. SF 281, Gluba, et al.—HF 578, Higgins.

Women, commission on the status of and board of parole, appropriation; also create parolee security fund. SF 282, Appropriations. Approved 7-9-75.

Spanish-American war veterans, and employment of the handicapped, appropriation. SF 283, Appropriations. Approved 4-16-75.

Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.

Disaster relief, political subdivisions, appropriation. HF 461, Oakley, et al.

Municipal assistance fund, appropriation. HF 128, Kreamer—HF 174, Cusack, et al.—HF 344, Daggett, et al.—HF 903, Appropriations (all similar subject matter). Also see SF 569. HF 344 withdrawn. HF 903 approved 6-29-75.

Educational tuition grants or cash allowance, establish, national guard, appropriation. SF 325, Briles and Coleman—HF 472, Crabb.

Iowa American revolution bicentennial commission, appropriation. SF 353, Coleman, et al. Approved 7-15-75.

Vocational youth organization fund, create, appropriation. HF 478, Kreamer.

Railroad passenger service, contract with national railroad passenger corporation for, purchase of depots, appropriation. HF 491, Patchett, et al.

Appropriation bills contain annual appropriations, amend section 8.33. HF 521, Appropriations. Approved 5-2-75.

State memorial for persons awarded congressional medal of honor, appropriation. HF 522, Harper and Wyckoff.

Arts council, appropriation. HF 540, Bina.

School foundation bill. HF 558, Education. Approved 6-3-75. Became law by pub. 6-11-75.

State grand jury, authorized, appropriation. SF 395, Kelly.

Health care centers, establish program for, public health nurse practitioners, appropriation. HF 591, Higgins, et al.

Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing, appropriation to department of transportation. HF 594, Hutchins, et al.
Freeway-expressway between Dubuque and Sioux City, appropriation. SF 402, Norpel—HF 718, Gilloon, et al.
Iowa legal services corporation, create, legal assistance to indigent and low-income persons, appropriation. HF 639, Higgins.
Rural mail delivery, all Iowans, appropriation. HF 646, Miller of Buchanan, et al.
State transportation fund, create, appropriation. HF 663, Small.
"Green Thumb", outdoor summer programs, employ elderly, appropriation. SF 326, Natural Resources—HF 685, Avenson. Similar subject matter in part to SF 573.
Medical malpractice insurance, interim study committee, appropriation. SJR 12, Commerce. Approved 6-16-75.
Tri light safety signal system, authorize study of, appropriation. HF 853, Woods.
Appropriate money from dairy industry fund to Iowa dairy industry commission. SF 505, Appropriations. Approved 6-16-75.
Crime commission and public safety, appropriation, traffic records of individuals, also additional employees of highway patrol. HF 848, Appropriations. Approved 7-15-75. Item Vetoed.
Interest payments by the state on certain farm acquisition loans, appropriation. HF 861, Branstad.
Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.
Professional people seeking and/or employed by the state may be paid expenses and/or moving costs. SF 521, Appropriations. Approved 6-16-75.
Great River Road, appropriation to department of transportation for. SF 540, Junkins, et al.
Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.
Mental health study, appropriation to legislative council for. SF 548, Appropriations. Approved 6-16-75.
Appropriate from road use tax fund, primary road fund, aeronautics fund, and general fund to department of transportation for administration and other purposes; and share for administration of merit system. HF 892, Appropriations. Approved 6-29-75.
State agencies may employ only a certain maximum number of employees with funds appropriated, certain bills. SF 562, Appropriations. Approved 7-14-75.
Administration of the motor fuel tax program, appropriation to department of revenue. SF 565, Appropriations. Approved 7-9-75.
Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agriculture aerial application services and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.
Iowa American revolution bicentennial commission, appropriation to finance Iowa musical groups at Kennedy Center in Washington, D. C. SF 567, Appropriations. Approved 7-15-75.
Moneys and credits replacement fund, appropriation. SF 560, Appropriations. Approved 6-16-75.
Social services, committee to study structure and functioning of. SJR 13, Appropriations. Approved 7-19-75.
Housing finance authority, appropriation. HF 896, Appropriations. Approved 6-29-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing expenses, appropriation. HF 910, Appropriations. Approved 7-8-75.
Legal fees, Welden vs Ray, appropriation. HF 911, Appropriations. Approved 7-14-75.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.
Iowa consumer price index, school aid program, computed by legislative fiscal director, appropriation. HF 912, Appropriations.
Employment opportunity board, create, appropriation. HF 913, Appropriations. Approved 7-14-75.
Appropriation to provide funds to certain state agencies for increased employer contributions, IPERS. SF 581, Appropriations. Approved 7-13-75.
Grain dust explosions, appropriation to ISU of science and technology for research. SF 582, Appropriations. Approved 7-3-75.

Legislative council, fiscal committee, interim study committees, and supplies and expenses of the service bureau, appropriation. SF 584, Appropriations—HF 915, Appropriations. HF 915 withdrawn. SF 584 approved 7-9-75.

Volga River project, if conservation commission decides against, disbursement of funds appropriated. SR 16—S.J. 2224, 2243.

Attorney fees and expenses, election contest, Spradling vs. Stephens, appropriation. HF 918, Appropriations.

Accountancy

Accountancy, architecture, engineering, watchmaking and landscape architecture, increase fees, appropriation. SF 166, Appropriations—HF 251, Appropriations. SF 166 withdrawn. HF 251 approved 3-14-75.

Aging

Aging, area agencies, establish, appropriation. SF 36, Andersen. Withdrawn.

Aging, commission on, appropriation for nutrition programs. HF 130, Cusack.

Retired Iowan employment program, appropriation. HF 566, Cusack.

Agriculture

Agriculture, department of, and soil conservation, appropriation. HF 780, Appropriations. Approved 6-3-75.

Bovine brucellosis, eradiction of, appropriation. HF 870, Appropriations. Approved 7-14-75.

Supplemental appropriation to board of veterinary examiners fund. SF 522, Appropriations. Approved 6-6-75. Became law by pub. 6-13-75.

Architectural Examiners

Accountancy, architecture, engineering, watchmaking and landscape architecture, increase fees, appropriation. SF 166, Appropriations—HF 251, Appropriations. SF 166 withdrawn. HF 251 approved 3-14-75.

Arts Council

Arts council, appropriation. HF 540, Bina.

Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.

Attorney General

Courts and agencies, and attorney general, appropriation. HF 883, Appropriations. Approved 7-11-75.

Auditor of State

Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agricultural aerial application services and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.

Banking Department

Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.

Beer and Liquor Control Commission

Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Blind, Commission for the

Blind, commission for the, bonus board, educational radio and TV, appropriation. HF 399, Appropriations. Approved 4-28-75.

Capitol Planning Commission

Capitol planning commission, appropriation for planning, per diem and other expenses. HF 211, Brockett.

General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acqusition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Cities and Towns

Municipal assistance fund, appropriation. HF 128, Kreamer—HF 174, Cusack, et al.—HF 344, Daggett, et al.—HF 903, Appropriations (all similar subject matter). Also see SF 569. HF 344 withdrawn. HF 903 approved 6-29-75.

Municipal assistance fund and county government assistance fund, appropriation. SF 569, Appropriations—HF 901, Appropriations. SSM.

HF 901 and HF 903 together are very similar to SF 569. SF 569 withdrawn. HF 901 approved 7-19-75.

Citizens' Aide

Deputy citizens' aide appointed, Indian problems, appropriation. HF 218, Doyle, et al.

Citizens' aide, office of, appropriation. SF 563, Appropriations. Approved 7-3-75.

Civil Rights

Civil rights commission, appropriation. SF 427, Appropriations. Approved 7-3-75.

Claims

Claims against state, appropriation for. SF 580, Appropriations. Approved 7-14-75.

Code Editor

Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.

Commerce Commission

Commerce commission and public defense, appropriation. HF 334, Appropriations. Approved 4-28-75. Item Vetoed.

Comptroller

Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agricultural aerial application services and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Motor vehicle fuel tax refunds, appropriation to comptroller for cost of. HF 900, Appropriations. Approved 7-9-75.

Conservation Commission

Shelter belt program, appropriation. HF 31, Krause.

Lake dredging, Black Hawk, Blue and Silver Lakes, appropriation, conservation commission. SF 19, Culver—HF 141, Crabb, et al. (similar subject matter)—SF 424, Winkelman, et al.—HF 865, Miller of Calhoun, et al. (companion) (all similar subject matter).

Persons 65 or older fish and hunt without license, reimbursement for same to conservation commission. HF 64, Halvorson.

Lake dredging, Blue Lake and Lake Manawa, appropriation, conservation commission. SF 274, Culver, et al.—HF 511, Walter, et al.

Five Island Lake, shoreline development, appropriation. HF 457, Krause.

"Green Thumb", outdoor summer programs, employ elderly, appropriation. SF 326, Natural Resources—HF 685, Avenson. Similar subject matter in part to SF 573.

Statewide water plan. HF 760, Appropriations. Approved 5-15-75.

Conservation commission and divisions of, appropriation. SF 506, Appropriations—HF 871, Appropriations. HF 871 withdrawn. SF 506 approved 6-3-75.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

"Green thumb" (employment) program for elderly, handicapped, and lower income persons, appropriation. SF 573, Appropriations. Approved 7-14-75.

Missouri River riverfront project, appropriation to conservation commission. SF 579, Appropriations. Approved 7-14-75.

Council of State Governments

Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.

Counties

Municipal assistance fund and county government assistance fund, appropriation. SF 569, Appropriations—HF 901, Appropriations. SSM. HF 901 and HF 903 together are very similar to SF 569. SF 569 withdrawn. HF 901 approved 7-19-75.

Courts

Courts and agencies, and attorney general, appropriation. HF 883, Appropriations. Approved 7-11-75.

Development Commission

Development commission and energy policy council, appropriation. SF 464, Appropriations. Approved 6-3-75.

Driver's Education

Driver education courses, administration of, public instruction, appropriation. SF 559, Appropriations.

Educational Radio and Television

Blind, commission for the, bonus board, educational radio and TV, appropriation. HF 399, Appropriations. Approved 4-28-75.

Employment of the Handicapped

Spanish-American war veterans, and employment of the handicapped, appropriation. SF 283, Appropriations. Approved 4-16-75.

Employment Security Commission

Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.

Energy

Energy research and development fund, create within council, appropriation. SF 289, Energy. Approved 7-15-75.

Development commission and energy policy council, appropriation. SF 464, Appropriations. Approved 6-3-75.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Engineers

Accountancy, architecture, engineering, watchmaking and landscape architecture, increase fees, appropriation. SF 166, Appropriations—HF 251, Appropriations. SF 166 withdrawn. HF 251 approved 3-14-75.

Environmental Quality

Environmental quality, appropriation. SF 426, Appropriations. Approved 5-12-75.

Executive Council

General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.

Emergency employment for public projects, appropriation. HF 834, Egenes, et al.

Executive council general contingent fund, appropriation. SF 561, Appropriations. Approved 6-16-75.

Fair Board and Fairs

Fairs, fair board, geological survey, and natural resources council, appropriation. HF 455, Appropriations. Approved 4-22-75. Item Vetoed.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Funds

Commerce commission and public defense, appropriation. HF 334, Appropriations. Approved 4-28-75. Item Vetoed.

Railroad assistance fund, improvement of branch line railroad roadbeds, track, etc. SF 286, Energy—HF 433, Energy. S. SF 286 withdrawn. HF 433 approved 4-8-75.

Confiscated motor vehicles, proceeds from sale of deposited in general fund. HF 446, Crabb.

Allow motor vehicle fees and fuel taxes to accrue to the general fund. HJR 20, Small.

Special employment security contingency fund, administration of. HF 902, Appropriations.

General Services

Rotunda covering, appropriation for. HF 42, Brockett.

Solar energy unit, state, appropriation. HF 65, Brockett, et al.—HF 722, Energy. Same.

Capitol mall, appropriation. HF 276, Brockett.

Central heating and cooling plant for capitol complex, appropriation. HF 289, Brockett.

Construction of capitol workshop and equipment storage building, appropriation. HF 294, Brockett.

State records, general services, appropriation. SF 285, Appropriations. Vetoed 6-16-75.

General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Cigarette and little cigar tax stamps, printing and custody of. HF 899, Appropriations. Approved 7-8-75.

Geological Survey

Fairs, fair board, geological survey, and natural resources council, appropriation. HF 455, Appropriations. Approved 4-22-75. Item Vetoed.
Statewide water plan. HF 760, Appropriations. Approved 5-15-75.
Social services, committee to study structure and functioning of. SJR 13, Appropriations.

Governor

Spanish-speaking persons, appropriation to continue study of problems. SF 241, Gluba—HF 382, Caffrey and Cusack (companion)—SF 504, Appropriations (similar subject matter). SF 241 withdrawn. SF 504 approved 7-9-75.
Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.

Health, Department of

Water well construction and pumping equipment installation, certification and regulation of contractors, appropriation. SF 311, Gluba.
Funding local health services, appropriation. SF 373, Doderer, et al.
Health, department of, appropriation. HF 887, Appropriations. Approved 7-11-75.

Herbert Hoover Foundation

Herbert Hoover Foundation, Mississippi River Parkway, Midwest Nuclear Compact, and Iowa American Revolution Bicentennial Commission, appropriation. HF 267, Appropriations. Approved 4-8-75.

Higher Education Facilities Commission

Increase maximum tuition grant, appropriation to higher education facilities commission. HF 349, Avenson, et al.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.

Highway Commission—Transportation

Road use tax fund, appropriation to. SF 57, Norpel ($20,000,000)—SF 168, Norpel, et al. ($39,200,000).
Hard surface present granular surfaced primary highways, appropriation. HF 186, Daggett—SF 140, Briles.
Railroad grade crossings on public highways, increase funds allocated. HF 838, Transportation—HF 904, Appropriations. SSM. HF 838 withdrawn. HF 904 approved 7-14-75.

Historical Department and/or Societies

Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Inauguration Ceremonies

Inaugural ceremonies, appropriation for expenses. HF 486, Appropriations. Approved 6-3-75. Became law by pub. 6-13-75.

Industrial Commission

Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.

Insurance

Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.

IPERS

Increase contribution rate for IPERS, appropriation. HF 371, Poncy.
IPERS, change rates of contribution, benefits, payment, appropriation. SF 333, Nystrom, et al.
IPERS, appropriation from, to employment security commission, cost of administration. HF 485, Appropriations. Approved 4-28-75.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.

Labor

Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.

Law Enforcement

Law enforcement academy, appropriation. SF 549, Appropriations. Approved 6-16-75.

Legislative Research Bureau

Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.

Libraries

Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.

Lieutenant Governor

Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.

Medical and Other Professions

Medical, nursing and pharmacy examiners, boards of, appropriation to. HF 333, Appropriations. Approved 4-8-75.

Certain students at college of osteopathic medicine and surgery, establish a financial assistance and tuition grant program, appropriation. SF 310, Willits, et al.—HF 495, Kreamer, et al.

Medical examiners, chiropractic examing board, physical therapy examiners, and engineering examiners, appropriation. SF 550, Appropriations. Approved 7-3-75. Became law by pub. 7-11-75.

Mental Health

Mental health authority, appropriation. SF 181, Gluba—HF 380, Jesse, et al.

Merit System

General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.

Appropriate from road use tax fund, primary road fund, aeronautics fund, and general fund to department of transportation for administration and other purposes; and share for administration of merit system. HF 892, Appropriations. Approved 6-29-75.

Mississippi Parkway Planning Commission

Herbert Hoover Foundation, Mississippi River Parkway, Midwest Nuclear Compact, and Iowa American Revolution Bicentennial Commission, appropriation. HF 267, Appropriations. Approved 4-8-75.

Natural Resources Council

Fairs, fair board, geological survey, and natural resources council, appropriation. HF 455, Appropriations. Approved 4-22-75. Item Vetoed.

Statewide water plan. HF 760, Appropriations. Approved 5-15-75.

Pioneer Lawmakers

Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.

Planning and Programming

Winterize homes of elderly and low-income families, appropriation to planning and programming. HF 271, Cusack, et al.

Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.

Printing Division—G.S.

Centralized printing, purchasing, and vehicle dispatcher, appropriation. HF 424, Appropriations. Approved 5-15-75.

General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.

Public Defense

Commerce commission and public defense, appropriation. HF 334, Appropriations. Approved 4-28-75. Item Vetoed.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewege works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Public Instruction

Enrollment of senior citizens, certain courses, area schools, reimbursement, appropriation. HF 236, Byerly, et al.

Air conditioner chilling unit, purchase and install, Area VII, appropriation. HF 680, Brandt.

Driver education courses, administration of public instruction, appropriation. SF 559, Appropriations. Approved 6-16-75.

IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.

Public Safety
Increase salaries of highway patrolmen and contribution to peace officers' retirement system, appropriation from primary road fund. HF 319, Harvey.
Drunk-driving enforcement programs, public safety, appropriation. SF 337, Murray.
Crime commission and public saftey, appropriation, traffic records of individuals, also additional employees of highway patrol. HF 848, Appropriations. Approved 7-15-75. Item Vetoed.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Railroads
Railroad passenger service, Clinton to Council Bluffs, Iowa City to Cedar Rapids, Des Moines to Marshalltown. HF 213, Patchett, et al.

Real Estate
Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.

Regents, Board of
Regents, board of, power to issue revenue bonds, repeal certain provisions, appropriation. SF 103, Hill of Jasper.
Mobile dental unit program, appropriation, regents, boards of. SF 144, Gluba —HF 329, Patchett.
Rural physicians associate program, establish, appropriation. SF 263, Winkelman.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Revenue, Department of
Reimbursement counties, additional property tax relief, owners of mobile homes, 65 or older or disabled, appropriation. HF 702, Miller of Buchanan.
Administration of the motor fuel tax program, appropriation to department of revenue. SF 565, Appropriations. Approved 7-9-75.
Auditor of state, treasurer of state, state comptroller, department of revenue, appropriation. SF 566, Appropriations.
Cigarette and little cigar tax stamps, printing and custody of. HF 899, Appropriations. Approved 7-8-75.

Schools
Reimbursement to school districts for certain tax free lands, appropriation. SF 446, Tieden.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.

Secretary of State
Banking, beer and liquor control, insurance, real estate, secretary of state and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.
Administration of HF 215, corporation farm bill, appropriation to secretary to state to finance. HF 917, Appropriations.

Social Services
Child care centers, appropriation to social services. SF 112, Murray, et al.
Women, commission on the status of and board of parole, appropriation; also create parolee security fund. SF 282, Appropriations. Approved 7-9-75.
Social services, appropriation. HF 895, Appropriations. Approved 7-11-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
Aging, commission on, drug abuse authority, division on alcoholism, and committee on handicapped, appropriation, counties share certain costs. SF 572, Appropriations. Approved 6-30-75.

Soil Conservation
Soil and water conservation revolving fund, create, appropriation. HF 506, Middleswart—HF 773, Natural Resources. Same.
Statewide water plan. HF 760, Appropriations. Approved 5-15-75.
Agriculture, department of, and soil conservation, appropriation. HF 780, Appropriations. Approved 6-3-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land

acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Treasurer of State

Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agricultural aerial application services and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.

Uniform Laws, Commission on

Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.

Vehicle Dispatcher

Centralized printing, purchasing, and vehicle dispatcher, appropriation. HF 424, Appropriations. Approved 5-15-75.

ARCHITECTS—

General

Accountancy, architecture, engineering, watchmaking and landscape architecture, increase fees, appropriation. SF 166, Appropriations—HF 251, Appropriations. SF 166 withdrawn. HF 251 approved 3-14-75.

Transfer state architect to department of general services. HF 354, Caffrey, et al.

Six-year statute of limitations, certain damage actions, architects, contractors, engineers and surveyors. SF 352, Coleman and Lamborn—HF 616, Harper and Gentleman.

Architects and nonarchitects, certain services. HF 669, Welden.

Architectural services, various state agencies, committee to study need for consolidation, coordination, elimination or placed within one agency. HCR 72—H.J. 2502.

AREA RESEARCH CENTERS—

General

Area research centers, state historical board, also include area schools. HF 5, Krause.

AREA VOCATIONAL SCHOOLS—See Schools, Sub-Ref. Area—Area Vocational

ARTS—

General

Arts council, appropriation. HF 540, Bina.

Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.

ASSAULT—

General

Assaulting and obstructing a law enforcement officer, penalties. HF 103, Nealson of Muscatine.

ASSESSORS—ASSESSMENTS—

General

Board of review, 5 members. SF 5, Curtis.

Clerk of conference board and board of review, selection of. HF 35, Wyckoff. Withdrawn.

Valuation of property, change date, notification of changes. SF 75, Ways and Means—HF 82, Ways and Means. HF 82 withdrawn. SF 75 approved 2-28-75.

Livestock, and property subject to moneys and credits tax be eliminated on assessments to department of revenue. HF 104, Ways and Means—SF 109, Ways and Means. HF 104 withdrawn. SF 109 approved 2-28-75.

Description of assessed property, may be greater than 40 acres. HF 148, Menke.

Eminent domain procedures, amend. HF 207, Transportation.

Correcting the amount of the farm equipment tax exemption. SF 313, Ways and Means. Approved 4-22-75.

Secondary road assessment districts, repeal. HF 619, Hullinger, et al.

Special city assessments, county collect fee for. SF 455, County Government.

Fence viewers, county assessors or deputies, etc. HF 734, Mennenga.

Assessment and equalization of certain industrial property. SF 501, Ways and Means.

Exempt jurors from parking meter regulation. HF 666, Bittle and Jesse—HF 874, Cities and Towns (includes boards of review). SSM.

Exempt equalization of property from provisions of the Administrative Procedure Act. HF 885, Ways and Means—SF 553, Judiciary. SF 553 withdrawn. HF 885 approved 6-16-75.

Main sewers and street improvements, special assessments by cities for. SF 532, Gluba, et al.

Property assessments (valuation), effective date of equalization orders issued by director of revenue; appropriation for Iowa consumer price index. SF 545, Ways and Means. Approved 7-14-75.
Platting of land, changes to. HF 909, Ways and Means.

ASSISTANCE GRANTS—
General
Urge Iowa Congressional delegation secure federal assistance for beef producers for loss of livestock (blizzard). HCR 7—H.J. 135-136, 147 adopted—S.J. 209, 228, 255, 284, 308-309 adopted—H.J. 327, 378-379 adopted.

ATHLETICS—Also see Schools, Sub-Ref. Athletics
General
Congratulate students of Williams Junior High School, Davenport, Iowa, for their excellence in school athletics. HR 8—H.J. 430, 1968, 2132.

ATTORNEY GENERAL—
General
Executive officers of the state, change method of selection. HJR 6—Brandt, et al.
Citizens of Iowa in military service shall not serve outside territorial limits in an undeclared war. HF 512, Cusack.
State grand jury, authorize, appropriation. SF 395, Kelly.
Nonprofit hospitals and health care facilities, require trustees, directors, and officers file employment and financial interest reports. SF 403, Doderer.
Collection of dishonored checks. HF 612, Brockett and Evans.
Support decrees, enforcement of, reciprocity, procedures. HF 678, Connors and Hargrave.
Consumer Credit Code, administration of. HF 829, Commerce.
Courts and agencies, and attorney general, appropriation. HF 883, Appropriations. Approved 7-11-75.

ATTORNEYS—
General
Opening arguments, attorney for defense, criminal cases, may defer. HF 126, Doyle.
Law examiners, board of, and temporary examiners, bar examination, compensation. SF 116, Appropriations. Approved 3-7-75.
Law, suspension or revocation of a license to practice. SF 276, Hill of Polk.
Tort claims, limit attorney's fees. HF 473, Crabb.
Prosecuting attorneys, establish an office for. HF 526, Oakley, et al.—HF 766, Judiciary and Law Enforcement. Same. HF 526 withdrawn. HF 766 approved 6-29-75.
Attorney fees, liability of a medical practitioner and hospitals. SF 436, Coleman, et al.—HF 727, Schroeder, et al.
Iowa legal services corporation, create, legal assistance to indigent and low-income persons, appropriation. HF 639, Higgins.
Court appointed attorney fees, appeals, etc. HF 668, Oakley, et al.
Civil rights commission, remove reference to political affiliation, certain actions that may be taken, and attorney fees. HF 740, Brandt.
Public prosecutors may be employed in certain counties. HF 826, Judiciary and Law Enforcement. Approved 7-8-75.
Legal fees for inmates and patients of state institutions, payment of. SF 533, Junkins, et al.
Legal services for indigent and low-income persons, committee to study. HCR 75—H.J. 2569-2570.
Attorney fees and expenses, election contest, Spradling vs. Stephens, appropriation. HF 918, Appropriations.

AUCTIONS—
General
Abandoned vehicles need not be sold only to a dealer. HF 161, Schroeder—SF 135, Gluba.
Dealers, commercial breeders, kennel operators, and public auction operators, federally and/or state licensed may be inspected and regulated by secretary of agriculture. SF 570, Gluba.

AUDITOR OF STATE—
General
Accountancy, board of, include auditor of state or designee. HF 25, Crabb.
Accounting procedures, state auditor, modify certain ones. HF 114, Appropriations.
Executive officers of the state, change method of selection. HJR 6—Brandt, et al.
Appropriation included in auditor of state's budget for auditing department of transportation. SF 134, Appropriations. Approved 3-18-75.
Investment reports by political subdivisions submitted to auditor of state on fiscal basis. SF 189, Winkelman—HF 886, Ways and Means. SSM. SF 189 approved 7-3-75.

Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agricultural aerial application services and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.

AUDITS—
General
Independent audit of counties once each five years. HF 694, County Government.

AUTOPSY—
General
Autopsies, reasons for conducting. HF 420, Lipsky.
Autopsy on deceased persons confined in prisons, jails or correctional institutions, required. HF 430, Lipsky, et al.

BAIT—See Fish and Game, Sub-Ref. Bait

BANKING—
General
Banking, superintendent of, appointment of. HF 55, Krause—SF 245, Doderer.
Banks acting as conservators, waive bond requirement. HF 208, Small.
Bank deposits, banks notify depositors when federal examiners request records. HF 232, Patchett.
Savings and loan associations, and banks pay interest on funds held in trust accounts (for insurance, taxes, etc. on home loans). HF 254, Small.
Savings club plans, regulate interest rate. HF 261, Small.
Sale of items by banks and savings and loan associations. SF 194, Redmond—HF 830, Commerce. SSM.
Reduce interest ceiling on consumer credit transactions. SF 221, Gluba, et al.
Exclude banks from membership sales licensing requirements. HF 362, Jesse—SF 302, Lamborn, et al.
Banks (HF 618 includes credit unions and savings and loan associations) required to furnish record of deposit at time of. HF 379, Egenes, et al.—HF 618, Commerce. SSM.
Certificates of deposit, banks, savings and loan associations, and industrial loan companies give 10 days advance notice to holders of. HF 414, Commerce. Also see HF 118.
Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.
Increase number of bank offices a bank may establish in certain cities. HF 454, Tauke—SF 335, Hultman. SSM.
Banks may invest in industrial revenue bonds, cities. HF 487, Newhard, et al.—SF 357, Lamborn, et al.
Days and hours of operation of banks and savings and loan associations. SF 386, Lamborn, et al.—HF 586, Newhard.
Any bank, group of banks or bank holding company may form a trust company. SF 390, Willits, et al.—HF 638, Nielsen of Polk, et al.
New bank holding companies, certificate of approval. SF 400, Coleman, et al.—HF 732, Norland, et al.
Banks shall not establish an office outside corporate limits of a city or town. SF 411, Priebe, et al.—HF 637, Brunow, et al.
Banks may use electronic facilities. HF 621, Newhard—SF 432, Palmer, et al. Similar subject matter in part to SF 536. SF 432 and HF 621 withdrawn.
Officers of state banks allowed $10,000 loan, education. HF 650, Newhard—SF 444, Rodgers, et al.
Banks acting in a fiduciary capacity may invest in time deposits exceeding one year. HF 648, Newhard—SF 442, Rodgers, et al.
Loans on residential property by banks. HF 645, Newhard—SF 443, Rodgers, et al.
Bank charters, mergers, consolidations, relocation and other, specified fees. SF 445, Lamborn, et al.—HF 674, Newhard.
Electronic facilities and transfer of funds by banks, credit unions and savings and loan associations. SF 536, Commerce. Approved 6-27-75.
Financial institutions, create a separate state agency to regulate, committee to study. HCR 60—H.J. 2283-2284.
Electronic funds transfer systems, development and use of, regulation of, committee to study. HCR 63—H.J. 2322-2323.

BANKRUPTCY—
General
Property exempt from execution and surrender in bankruptcy. SF 120, Gallagher.
Property exempt from execution, revise, bankruptcy. HF 281, Middleton—SF 399, Kelly. S.

BARBERS AND BARBERING—
General
Barbering and cosmetology, establish and regulate practice of. SF 296, State Government—HF 470 State Government. HF 470 withdrawn. SF 296 vetoed 7-19-75.

BEER AND LIQUOR CONTROL COMMISSION—
General
Beer, retail sale of, minimum prices for. SF 20, Griffin, et al.
Beer and liquor control department, location of. SF 21, Griffin, et al.—SF 51, Norpel. Same. SF 51 withdrawn.
Liquor licensees, repeal 15 percent tax SF 27, Griffin, et al.—HF 87, Cusack.
Beer permits, may obtain any or all. SF 28, Griffin, et al.
Collector's bottles of alcoholic liquor, special permit. SF 59, Norpel.
Beer and liquor control council, membership and compensation of. HF 80, Drake and Monroe—HF 781, State Government. Same.
Prohibit gambling (games of skill, chance, bingo and raffles) at premises covered by a "B" or "C" liquor license. SF 122, Andersen.
Class "E" liquor contol license, create, for wine, certain class "B" beer permit holders. HF 278, Griffee.
Wine, sale, control, distribution and taxation of—17 percent alcohol. SF 218, Kelly, et al.—HF 408, Jesse, et al. (companion)—HF 769, State Government (same).
Special liquor retailers, establish. SF 248, Gallagher.
Sale of alcoholic liquor by packaged liquor retailer (stores), license, fees, and tax. HF 389, Hargrave.
Refund on beverage containers, prohibit sale of snap top cans, redemption centers. SF 275, Miller of Marshall, et al.—HF 413, O'Halloran, et al. (companion)—HF 797, Energy (same).
Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.
Special one day "Class E" liquor license, colleges and universities. HF 581, Wells.
Sunday beer and liquor sales. HF 761, Judiciary and Law Enforcement.
Strengthen regulatory powers of beer and liquor control department re licenses, etc. HF 847, State Government.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
Beer barrel tax rebate, eliminate; replace with reduction in tax collected. SF 577, Ways and Means.

BEER—See Alcoholic Beverages and/or Beer and Liquor Control Commission

BENEFITED FIRE DISTRICTS—See Fire, Sub-Ref. Districts

BENEFITS—
General
Disability benefits paid to policemen and firemen deducted from salary and allowances. SF 319, Andersen and Shaw—HF 519, Junker.
Peace officers' retirement, accident and disability system, improve certain benefits. SF 332, Nystrom, et al.—HF 622, Connors, et al. (companion) —HF 772, State Government (same)—SF 473, State Government (similar subject matter).
IPERS, change rates of contribution, benefits, payment, appropriation. SF 333, Nystrom, et al.
Police and fire retirement systems, improve certain benefits. SF 334, Nystrom, et al.—HF 626, Byerly (companion)—HF 804, State Government (same)—SF 490, State Government (similar subject matter).
Benefits for employees, and their dependents, of adult penal and correctional institutions, appropriation. HF 499, Doyle, et al.—HF 771, Judiciary and Law Enforcement. Same.
Unemployment compensation, changes. SF 485, Labor and Industrial Relations. Approved 6-30-75.
Benefits for public employees and retired public employees, salary adjustments, etc., appropriations. SF 555, State Government. Approved 7-13-75.

BEVERAGES—Also see Alcoholic Beverages
General
Refund on beverage containers, prohibit sale of snap top cans, redemption centers. SF 275, Miller of Marshall, et al.—HF 413, O'Halloran, et al. (companion)—HF 797, Energy (Same).

BICENTENNIAL—
General
Commend ISU of science and technology re challenge of world food problems and endorse the World Food Conference of 1976 as a bicentennial project. HCR 11—H.J. 188, 220 adopted—S.J. 260-261, 282, 399, 437, 525, 561 adopted.
Iowa bicentennial commission organize and implement a "World Youth Festival", education. (Same as SCR 22) HCR 21—H.J. 531, 540, 671.
Iowa bicentennial commission organize and implement a World Youth Festival", education. (Same as HCR 21) SCR 22—S.J. 592-593, 608, 664.
Iowa American revolution bicentennial commission, appropriation. SF 353, Coleman, et al. Approved 7-15-75.
That the general assembly continue to support bicentennial efforts, authorize funds for local and state celebrations and projects, and that the 66th General Assembly be named Iowa American Revolutionary Bicentennial General Assembly. SCR 31—S.J. 1007-1008, 1053, 1334.
Iowa American revolution bicentennial commission, appropriation to finance Iowa musical groups at Kennedy Center in Washington, D. C. SF 567, Appropriations. Approved 7-15-75.

BICYCLES—
General
Bicycles, use of reflectorized materials. SF 7, Norpel—HF 3, Hennessey.
Storm sewer grates, construction of new ones, paint on old ones. HF 155, Small—HF 745, Transportation. SSM.
Safety requirements for bicycles. SF 228, Murray, et al.—HF 346, Lipsky—HF 425, Transportation. SSM.
Use of abandoned railroad right-of-way for bikeways. HF 528, Lipsky.
Motorized bicycles, motor vehicle license. HF 658, Hines.
Bikeways and walkways, establish. HF 875, Lipsky.
Congratulate Hawarden, Iowa on being the starting point for the Register's Annual Great Bike Ride Across Iowa on August 3, 1975. HR 49—H.J. 2614, 2727-2729 adopted.

BIDDING—
General
Increase dollar amount boards of supervisors may spend on buildings before bids required. SF 77, County Government—HF 101, County Government. HF 101 withdrawn. SF 77 vetoed 3-18-75.
Suspend maximum limit on bid deposits for levee and drainage district improvements. SF 475, Natural Resources—HF 818, Natural Resources. HF 818 withdrawn. SF 475 approved 5-30-75. Became law by pub. 6-6-75.

BILLS—
General
Appropriation bills contain annual appropriations, amend section 8.33. HF 521, Appropriations. Approved 5-2-75.
Legislative sessions, handling of bills, and adjournment procedures, committee to study. (Same as SCR 54) HCR 55—H.J. 2131.
Legislative sessions, handling of bills, and adjournment procedures, committee to study. (Same as HCR 55) SCR 54—S.J. 2075-2076, 2085.
Correction of SF 536. SCR 66—S.J. 2223-2224, 2225 adopted—H.J. 2698-2699, 2726-2727 adopted.

BINGO—Also see Gambling
General
Social gambling activities, reduce maximum amount of winnings. SF 30, Glenn, et al. Withdrawn.
Prohibit social gambling, or other, on premises where a liquor license or beer permit has been issued. SF 31, Glenn, et al. Withdrawn.
Games of skill, chance, and other, revocation of licenses, limit social gambling, etc. SF 86, Hill of Polk—HF 296, Cusack.
Reasonable expenses allowed by department of revenue re games of skill, chance, raffles and bingo. SF 110, Miller of Des Moines.
Prohibit gambling (games of skill, chance, bingo and raffles) at premises covered by a "B" or "C" liquor license. SF 122, Andersen.
Permissible locations of games of skill, chance and raffles, qualified organizations. SF 441, Gluba.

BIRTH CERTIFICATES—
General
Birth and death certificates filed in county recorder's office. HF 653, Monroe.
Sex may be changed on birth certificates. HF 798, Human Resources.

BIRTH DEFECTS INSTITUTE—
General
Birth defects institute, establish, department of health. SF 247, Doderer.

BLIND—
Commission for the
Blind, commission for the, bonus board, educational radio and TV, appropriation. HF 399, Appropriations. Approved 4-28-75.

BOARD OF REGENTS—See Regents, Board of

BOARD OF REVIEW—See Assessors—Assessments and/or Property

BOARDS, COMMISSIONS, COMMITTEES, AND COUNCILS—
General
Accountancy, board of, include auditor of state or designee. **HF 25, Crabb.**
Energy policy council, increase membership. SF 214, Energy. **Approved 5-15-75.**
Boards and commissions, merit system, employees not exempt from. **HF 335, Appropriations. Approved 6-3-75.**
Civil immunity to persons serving on peer review committees. SF 235, Miller of Des Moines and Hultman—HF 369, Byerly, et al. (companion)—HF 790, Judiciary and Law Enforcement (same). HF 369 withdrawn.
Development corporations, meetings of board of directors must have quorum of not less than one-third. SF 293, Robinson.
Membership and qualifications of members of boards, councils, and commissions, their purposes and need for retaining, committee to study. SCR 30—S.J. 975-976, 1009, 1334.
Boards, commissions, and councils, state, political affiliation of persons on. SF 488, State Government.
Funding, compensation and expenses of legislative members of committees, boards, commissions, and councils. HF 828, State Government—SF 507, State Government. SSM. HF 828 withdrawn.
Health, department of, appropriation. HF 887, Appropriations. Approved 7-11-75.
Health, department of, appropriation. HF 887, Appropriations.
Salary rates, judicial branch of government, public employment relations board. SF 564, Appropriations. Approved 6-30-75.

BOATS—See Watercraft

BOILERS—
General
Boilers, inspection of. SF 102, Ramsey.

BONDS—
General
Sanitary disposal bonds, increase interest rate. SF 33, Murray—HF 47, Crawford and Hines. HF 47 withdrawn. SF 33 approved 2-15-75. Became law by pub. 2-15-75.
Regents, board of, power to issue revenue bonds, repeal certain provisions, appropriation. SF 103, Hill of Jasper.
Banks acting as conservators, waive bond requirement. HF 208, Small.
Livestock dealers or brokers, slaughter, licensing, bonding, etc. SF 179, Rodgers, et al.—HF 252, Junker, et al. SF 179 withdrawn.
Bonding requirements, repeal, for contracts with commercial fishermen, rough fish. SF 230, Natural Resources. Approved 4-28-75.
Slaughterhouses, require bonding or deposit. SF 291, Hultman.
Bonding of governmental employees. SF 341, Palmer, et al.—HF 564, Small, et al.
Public bonds, sale of, lower percentage of votes needed to authorize. **HF 469, Gentleman, et al.**
Banks may invest in industrial revenue bonds, cities. HF 487, Newhard, et al. —SF 357, Lamborn, et al.
Public bonds, interest rate on. HF 561, Junker.
Freeway-expressway system between Dubuque and Sioux City, appropriation. SF 402, Norpel—HF 718, Gilloon, et al.
Persons engaged in the business of soliciting, purchasing, or receiving live animals for slaughter. SF 421, Agriculture—HF 625, Agriculture. SF 421 withdrawn. HF 625 approved 6-16-75.
Area schools, acquire and operate dormitories, student centers and parking facilities, revenue bonds. SF 438, Coleman—HF 705, Scheelhaase, et al.
Housing projects may be financed by municipal revenue bonds. **HF 676, Brandt.**
Recreational facilities under conservation commission, financing of. HF 707, Brunow.
Reverse referendum procedure for disapproval of a resolution by an aviation authority to issue bonds. HF 750, Bortell.
Cities and counties may issue industrial revenue bonds for repairing, remodeling and reconstruction of existing lands and buildings. HF 751, Clark—HF 794, Cities and Towns. Same.
Bonding of nonresident employers and withholding agents, payment of income taxes withheld. SF 483, Ways and Means.
Interest rates for city bonds, 7 percent maximum. HF 846, Cities and Towns—SF 554, Cities. S.

Cities and Towns—See Cities and Towns, Sub-Ref. Bonds
Schools—See Schools, Sub-Ref. Bonds

BOOKS—See Printing—Publishing

BOUNTIES—See Animals, Sub-Ref. General

BRASS AND COPPER—
General
Brass and copper material, theft of. SF 43, Rabedeaux.

BRIDGES—
General
Secondary road contracts, increase amount before advertising, letting, and approval. SF 100, County Government. Approved 7-16-75.
Railroads, persons operating must construct and maintain catwalks and handrails. HF 205, Labor and Industrial Relations. Approved 3-14-75.
Inspection and replacement of bridges, urge Congress appropriate funds. HCR 26—H.J. 697, 755-756, 824 adopted—S.J. 795-796, 821, 1334.

BROKERS—
General
Securities, regulation of. HF 825, Commerce. Approved 7-19-75.

BRUCELLOSIS—Also see Animals, Sub-Ref. Diseases and/or Disease
General
Bovine brucellosis, eradication of, appropriation. HF 870, Appropriations. Approved 7-14-75.

BUDGETS—
General
Joint convention, Governor Ray's Budget Message, Friday, January 24, 1975, at 9:30 a.m. HCR 3—H.J. 94, 96 adopted—S.J. 154-155, 162 adopted.
Public hearings, budget, area education agency. HF 96, Daggett, et al.
Change budget certification date for school districts. HF 341, Daggett. Withdrawn.
County budget review committee, create. SF 343, Curtis, et al.—HF 611, Bittle and Brunow.
Summary of a proposed city budget with notice of public hearing published. SF 306, Rabedeaux—HF 554, Newhard.
That the Iowa General Assembly make application to Congress to submit to the states for ratification an amendment to the U. S. Constitution that the President submit, at beginning of each new Congress, an annual budget, expenditures and estimated revenue, etc. SCR 28—S.J. 962-963, 1008, 1334.

BUILDINGS—
General
Public buildings, use of, liability insurance to cover. SF 25, Norpel, et al.
Automatic fire extinguishing systems in high-rise buildings. HF 77, Connors, et al. Approved 7-15-75.
Increase dollar amount boards of supervisors may spend on buildings before bids required. SF 77, County Government—HF 101, County Government. HF 101 withdrawn. SF 77 vetoed 3-18-75.
Prohibit hunting within 100 yards of buildings. SF 132, Ramsey, et al. Approved 4-28-75.
Emergency lighting system for public buildings. SF 173, Scott.
Safety glazing material (wire glass, rigid plastic, etc.) used in commercial, residential, and public buildings. SF 261, Kelly.
Building code, housing code, and fire safety regulations. SF 292, Lamborn.
School buildings, use for community purposes. SF 299, Andersen.
Leasing of buildings and office space by general services. HF 460, State Government.
School building construction plans, public instruction building consultant make recommendations within 30 days. HF 467, Education.
County hospital buildings, permit use of revenue-sharing funds and federal matching funds. HF 514, Jesse.
Maximum energy consumption in residential, commercial, and public buildings. HF 539, Cusack.
Insulation of buildings, income tax credit. SF 440, Nystrom.
Inspection laws, buildings and housing, overlapping, subcommittees of Senate committee on Cities and House committee on Cities and Towns, Legislative Council make appointments to for study. SCR 64—S.J. 2222, 2243.

BUILDINGS AND GROUNDS, STATE—
General
Public buildings, use of, liability insurance to cover. SF 25, Norpel, et al.

BURIALS—CEMETERIES—
General
Cemeteries, maintenance and improvement of, permit levy of a tax. SF 38, Lamborn. Approved 7-3-75.

Funeral homes, licensing. HF 45, Crabb. Withdrawn.
Cemetery associations, property tax exemption for, retroactive. HF 416, Kreamer.

BUSES—See Motor Vehicles, Sub-Ref. Buses and/or Schools, Sub-Ref. Buses and/or Transportation and/or DOT

BUSINESS—
General
Competition between business, commercial, or professional entities. HF 248, Jesse, et al.—HF 584, Judiciary and Law Enforcement. S.
Organizations doing business with the state or political subdivisions disclose ownership interests. HF 280, Hargrave.
Development corporations, meetings of board of directors must have quorum of not less than one-third. SF 293, Robinson.

BUSSING—
General
Prohibit forced bussing. HF 33, Woods and Bortell.

CAMPAIGNS—
General
Political signs, display of, certain times. SF 46, Redmond—HF 219, Patchett. SF 46 withdrawn.
Campaign contributions, prohibit acceptance of out-of-state. HF 144, Nealson of Muscatine.
Campaign finance and disclosure recommendations. SF 164, Hansen, et al.—HF 246, Norland and West.
Campaign finance income tax checkoff, changes. HF 224, Patchett, et al.—HF 701, Miller of Buchanan, et al. SSM.
Dismissal from regular employment, persons candidates for public office or elected to public office, campaign finance disclosure commission determine disputes. HF 321, Cusack, et al.
Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.
Campaign disclosure law, public financing of political campaigns, income tax check-off, committee to study. HCR 79—H.J. 2613.

CANDIDATES—
General
Leaves of absence, state officers and employees, candidates. HF 7, Crabb.
Political signs, display of, certain times. SF 46, Redmond—HF 219, Patchett. SF 46 withdrawn.
Campaign contributions, prohibit acceptance of out-of-state. HF 144, Nealson of Muscatine.
Leaves of absence, candidates for election to general assembly. SF 125, Carr—HF 222, O'Halloran, et al.
Campaign finance income tax checkoff, changes. HF 224, Patchett, et al.—HF 701, Miller of Buchanan, et al. SSM.
Election of city officials by major political party labels. HF 307, Cusack.
Dismissal from regular employment, persons candidates for public office or elected to public office, campaign finance disclosure commission determine disputes. HF 321, Cusack, et al.
Primary elections, disregard political affiliation, etc. HF 381, Wyckoff.

CAPITOL IMPROVEMENTS—
General
Rotunda covering, appropriation for. HF 42, Brockett.
Additional land, capitol grounds. HF 188, Brockett.
Capitol mall, appropriation. HF 276, Brockett.
Central heating and cooling plant for capitol complex, appropriations. HF 289, Brockett.
Construction of capitol workshop and equipment storage building, appropriation. HF 294, Brockett.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

CAPITOL PLANNING COMMISSION—
General
Rotunda covering, appropriation for. HF 42, Brockett.
Capitol planning commission, appropriation for planning, per diem and other expenses. HF 211, Brockett.
Capitol mall, appropriation. HF 276, Brockett.
General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

CAR DISPATCHER—See Vehicle Dispatcher

CARNIVALS—
General
Carnival owners, file financial statements or appearance bonds. SF 206, Ramsey.

CARPENTRY—
General
Carpentry repairs, exempt from sales and use tax. SF 138, Shaff.

CARRIERS—
General
Interstate carriers must register with department of transportation, penalties. HF 597, Doyle.
Hazardous materials, transportation of, reporting accidents. HF 736, Energy.
Transportation of alcoholic liquors or beer, carriers or private individuals, prohibit open containers unless within a compartment, vehicles. HF 746, Transportation.

CAVES—
General
Include caves and caverns in limitation of liability, public use of private land. HF 517, Tofte—SF 422, Natural Resources (companion)—HF 777, Natural Resources (same). HF 777 withdrawn. SF 422 approved 6-3-75.

CEMETERIES—See Burials—Cemeteries

CERTIFICATES—
General
Certificates of deposit, savings and loan associations give 10 days advance notice to holders of. HF 118, Krause. Also see HF 414. HF 118 withdrawn.
Livestock, transportation of, transportation certificate required. HF 185, Husak, et al. Approved 7-11-75.
Certificates of deposit, banks, savings and loan associations, and industrial loan companies give 10 days advance notice to holders of. HF 414, Commerce. Also see HF 118.
Manufacturers and wholesalers of alcoholic beverages excluded from paying certificate of compliance fee. SF 359, Griffin.
Transporting cattle, swine, and grain, law enforcement. SF 366, Agriculture. Withdrawn.
New bank holding companies, certificate of approval. SF 400, Coleman, et al. —HF 732, Norland, et al.
Interest rate on nonstate public funds invested in bank time certificates of deposit. HF 703, Miller of Buchanan, et al.
Large energy facilities, construction of, certification by commerce commission. SF 465, Willits—SF 513, Energy. Same.

CHARITABLE ORGANIZATIONS—
General
Organizations, institutions, or charities (churches excluded) soliciting and receiving public donations, require accurate statements, increase penalties. HF 138, Doyle.
Fish and game confiscated by the conservation commission, disposition of. HF 156, Horn. Approved 6-3-75.
Guidelines for the management and use of investments held by educational, religious, or charitable institutions. SF 381, Schwengels.
Income tax deduction for voluntary work for a charitable organization. HF 563, Kreamer.
Contributions for qualifying charitable organizations may be deducted from state employee's salary. SF 557, Taylor, et al.

CHECKOFF—
General
Five percent of funds collected from excise tax on cattle be remitted to Iowa livestock auction market association. SF 141, Briles and Scott.
Corn promotion fund, establish. SF 148, Bergman, et al.—SF 449, Agriculture. S. SF 148 withdrawn.
Campaign finance income tax checkoff, changes. HF 224, Patchett, et al.—HF 701, Miller of Buchanan, et al. SSM.
Grain purchased by warehouses, assessment on, railroad branch line improvement. HF 677, Evans, et al.—HF 789, Agriculture. S.

CHECKS—
General
Collection of dishonored checks. HF 612, Brockett and Evans.

CHICKENS—
General
Baby chicks, sold or delivered, label in lots. SF 479, Agriculture.

CHIEF CLERK—
General
Chief Clerk authorized to print fourteenth edition of "How a Bill Becomes a Law". HR 34—H.J. 1666, 1697, 1795, 2163-2164 adopted.
Resolutions calling for interim studies not adopted by both houses be delivered to Chief Clerk and Secretary of the Senate for consideration by Legislative Council. HCR 65—H.J. 2497-2498, 2727 adopted—S.J. 2241-2242, 2250 adopted.

CHILDREN—See Minors

CHURCHES—
General
Registration plates and fees, exempt churches from paying. HF 134, Wells.
Organizations, institutions, or charities (churches excluded) soliciting and receiving public donations, require accurate statements, increase penalties. HF 138, Doyle.
Church owned vehicles carry "Church Bus" registration plates, $5.00 annual fee. SF 316, Gluba.
School bus transportation, only school buses yellow, common carriers, and other changes. HF 628, Education.
Exempt a house of worship and a residence for each house from property tax. HF 682, Nealson of Muscatine.

CIGARETTES—See Tobacco

CIGARS—See Tobacco

CITIES AND TOWNS—
General
Underground storage of gas, prohibit, cities. SF 2, Rodgers.
Purchase of real estate by cities, towns, counties, schools, etc., may be by contract. SF 56, Norpel.
Annexation, cities give notice of to department of transportation. HF 74, Transportation. Approved 4-28-75.
Highways, temporary closing of. HF 99, County Government—SF 101, County Government. SF 101 withdrawn. HF 99 approved 5-12-75.
Speed limit in a school district. HF 117, Kreamer.
Cities and counties may impose a local tax. SF 89, Andersen—HF 878, Cities and Towns. SSM.
Fire protection, certain townships, increase tax levy for. SF 90, Palmer—HF 139, Nielsen of Polk. HF 139 withdrawn. SF 90 approved 3-25-75. Became law by pub. 4-4-75.
Fire protection, townships, increase tax levy for. SF 91, Palmer—HF 140, Nielsen of Polk.
Territory annexed to a municipal corporation included in same sanitary district. SF 108, Bergman and Scott.
School buses, require use of flashing signal lights and stop arms within city limits. HF 142, Bittle—HF 394, Transportation. Same. HF 142 withdrawn.
Storm sewer grates, construction of new ones, paint on old ones. HF 155, Small—HF 745, Transportation. SSM.
Extend social security benefits to members of general assembly, also insurance benefits, and deferred compensation to elected state officials. HF 164, Lipsky, et al.
Excise tax on motor fuel, cities (and counties) exempt from paying. HF 169, Cusack, et al.—HF 265, Gilloon—HF 300, Hennessey, et al. SSM.
Employees, state or political subdivisions, dismissal, appearance, etc. HF 170, Horn.
Fire protection, statewide. HF 195, Hutchins and Husak. Approved 6-3-75.
Locking a wheel of a car, prohibit. HF 223, Patchett, et al.
County sheriffs provide law enforcement to cities of less than 1,500 population, if requested, to cities over 1,500. HF 258, Doyle, et al.
Investment reports by political subdivisions submitted to auditor of state on fiscal basis. SF 189, Winkelman—HF 886, Ways and Means. SSM. SF 189 approved 7-3-75.
Organizations doing business with the state or political subdivisions disclose ownership interests. HF 280, Hargrave.
Election of city officials by major political party labels. HF 307, Cusack.
Railroad rights-of-way acquired by conservation commission and political subdivisions, maintain. HF 313, Agriculture.
Municipal waterworks rates subject to regulation by commerce commission. HF 347, Monroe.

Sanitary disposal projects, effective date for operation of. HF 360, Miller of Buchanan, et al.—SF 493, Energy. S.

Working hours firemen required to remain on duty, reduce. HF 400, Jochum and Higgins.

Leaves of absence, persons elected to a municipal, county, state or federal office. SF 266, Robinson.

Housing finance authority, establish. SF 294, Gluba, et al.—HF 448, Cusack, et al. (companion)—HF 823, Human Resources—SF 520, Human Resources (companion). SSM. SF 294 and SF 520 withdrawn. HF 823 approved 6-13-75.

Increase number of bank offices a bank may establish in certain cities. HF 454, Tauke—SF 335, Hultman. SSM.

Water use records, remove certain categories of water users presently exempt, water plan. SF 304, Culver.

Summary of a proposed city budget with notice of public hearing published. SF 306, Rabedeaux—HF 554, Newhard.

Disaster relief, political subdivisions, appropriation. HF 461, Oakley, et al.

Self-supported municipal improvement districts. SF 356, Shaw, et al.—HF 610, Readinger, et al.

Banks may invest in industrial revenue bonds, cities. HF 487, Newhard, et al. —SF 357, Lamborn, et al.

Feedlots, location and operation of. SF 367, Agriculture—HF 805, Agriculture. SSM.

City Code, correct and clarify. SF 374, Cities—HF 723, Cities and Towns. S. SF 374 withdrawn. HF 723 approved 6-30-75. Became law by pub. 7-11-75.

Historic preservation, local, tax for. HF 516, Tofte.

Use of abandoned railroad right-of-way for bikeways. HF 528, Lipsky.

Effective date of certain Acts or resolutions of the general assembly. SF 380, County Government—HF 560, County Government.

Postsecondary education program for city police officers, establish. HF 571, Cusack.

Industrial projects, municipalities, industrial equipment used, retail sales and use taxes applicable. HF 592, Harvey.

Banks shall not establish an office outside corporate limits of a city or town. SF 411, Priebe, et al.—HF 637, Brunow, et al.

Municipal transportation assistance fund, establish. SF 413, Griffin.

Trains, ordinances regulating speed of referred to commerce commission for approval. HF 623, Transportation—SF 472, Transportation. SF 472 withdrawn. HF 623 approved 6-29-75.

Maximum property tax levy for municipal emergency fund, increase. HF 661, West and Welden.

Special city assessments, county collect fee for. SF 455, County Government.

Conference boards, majority of each voting unit must be present. SF 459, Miller of Des Moines—HF 822, County Government.

Noise levels of motor vehicles, regulation of, local authorities. SF 467, Hill of Polk—SF 484, Cities. SSM.

Sanitary disposal projects, establishment and operation of. HF 747, County Government—SF 516, County Government. S.

Sewage lines, Anamosa, social services grant easement for. HF 776, Judiciary and Law Enforcement. Approved 7-14-75. Became law by pub. 7-23-75.

Closing of highways for cities having local celebrations, department of transportation amend its policy to allow. HCR 43—H.J. 1304-1305.

Strengthen regulatory powers of beer and liquor control department re licenses, etc. HF 847, State Government.

Transient guest tax (hotels, motels, etc.) by cities and counties, authorize. SF 502, Cities—HF 873, Cities and Towns.

Tax levy to promote, establish and maintain recreational, educational, etc., activities for senior citizens, authorize cities and counties. HF 857. Cusack.

Increase court costs, nonindictable misdemeanors, distribution of costs. HF 868, Cities and Towns—HF 879, Cities and Towns. SSM. HF 868 withdrawn.

Procedures and requirements for cities under City Code of Iowa, changes. HF 872, Cities and Towns—SF 526, Cities. SSM. SF 526 approved 7-19-75.

Main sewers and street improvements, special assessments by cities for. SF 532, Gluba, et al.

Property assessments (valuation), effective date of equalization orders issued by director of revenue; appropriation for Iowa consumer price index. SF 545, Ways and Means. Approved 7-14-75.

Levees and drainage districts, financing of. SF 547, Cities.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Rubbish trucks, annual special permit for operation of, excess weight. HF 906, Ways and Means.
Jointly-owned electrical facilities, cities may form. HF 908, Ways and Means. Approved 7-8-75.
Platting of land, changes to. HF 909, Ways and Means.
Employment opportunity board, create, appropriation. HF 913, Appropriations. Approved 7-14-75.
Municipal financing, individual needs, aid to cities, committee to study. (Same as SCR 65) HCR 71—H.J. 2501-2502, 2579.
Municipal financing, individual needs, aid to cities, committee to study. (Same as HCR 71) SCR 65—S.J. 2223, 2243.

Bonds

Sanitary disposal bonds, increase interest rate. SF 33, Murray—HF 47, Crawford and Hines. HF 47 withdrawn. SF 33 approved 2-15-75. Became law by pub. 2-15-75.
Public bonds, sale of, lower percentage of votes needed to authorize. HF 469, Gentlemen, et al.
Housing projects may be financed by municipal revenue bonds. HF 676, Brandt.
Cities and counties may issue industrial revenue bonds for repairing, remodeling and reconstruction of existing lands and buildings. HF 751, Clark—HF 794, Cities and Towns. Same.
Interest rates for city bonds, 7 percent maximum. HF 846, Cities and Towns —SF 554, Cities. S.
Procedures and requirements for cities under City Code of Iowa, changes. HF 872, Cities and Towns—SF 526, Cities. SSM. SF 526 approved 7-19-75.

Civil Service

Civil service systems of cities, change. HF 395, Cities and Towns. Approved 6-3-75.

Councils

Proceedings of city councils and boards of supervisors require publication of. HF 493, Brunow.
Disaster services and county-municipal disaster services and emergency planning administrations, create office of. HF 620, Harvey and Rinas—HF 808, State Government. Same.

Funds

Municipal assistance fund, appropriation. HF 128, Kreamer—HF 174, Cusack, et al.—HF 344, Daggett, et al.—HF 903, Appropriations (all similar subject matter). Also see SF 569. HF 344 withdrawn. HF 903 approved 6-29-75.
Public funds may be deposited in credit unions. SF 474, Gluba.
Municipal assistance fund and county government assistance fund, appropriation. SF 569, Appropriations—HF 901, Appropriations. SSM. HF 901 and 903 together are very similar to SF 569. SF 569 withdrawn. HF 901 approved 7-19-75.

Ordinances

Fines and forfeited bail, violations of municipal ordinances, increase share paid to counties. HF 375, County Government—SF 355, County Government.

Parking

Fines for parking violations, payment of to city clerk or his designee. HF 634, Crawford—HF 800, Cities and Towns. Same.

Streets

Main sewers and street improvements, special assessments by cities for. SF 532, Gluba, et al.

CITIZENS' AIDE—

General

Health care facilities, citizens' aide may investigate complaints. SF 126, Gluba, et al.—HF 220, Higgins, et al.
Deputy citizens' aide appointed, Indian problems, appropriation. HF 218, Doyle, et al.
Citizens' aide, office of, appropriation. SF 563, Appropriations. Approved 7-3-75.

CITIZENS' BAND RADIO—

General

Special registration plates to owners of vehicles holding amateur radio licenses, also personalized registration plates. SF 13, Van Gilst. Approved 3-18-75.

CIVIL ACTIONS—

General

Parentage of children, repeal chapter—paternity of children, etc., rights and obligations. SF 420, Doderer.

CIVIL DEFENSE—
General

Civil defense and emergency planning, strengthen and supplement. SF 151, Briles and Miller of Des Moines—HF 447, Middleswart and Daggett.
Civil defense and disaster assistance, committee to study. SCR 41—S.J. 1536, 1571.
Emergency planning and coordination of emergency services, disasters; create an office of civil preparedness, committee to study. HCR 77—H. J. 2571.

CIVIL RIGHTS—
General

Education, any type, prohibit discrimination. SF 34, Kelly.
Polygraph examination prohibited, employer interviewing prospectve employee. HF 238, Jochum, et al.
Disallow sex discrimination in retirement programs. HF 337, Patchett, et al. —SF 312, Gluba.
Civil rights commission may assess hearing costs, award damages, and provide penalties. HF 543, Cusack.
Change civil rights commission to human rights commission, other changes. HF 606, Nielsen of Polk.
Civil rights commission, appropriation. SF 427, Appropriations. Approved 7-3-75.
Governor, with consent of Senate, appoint directors of aging and civil rights commission. HF 631, Cusack—HF 812, State Government. Same.
Civil rights commission, remove reference to political affiliation, certain actions that may be taken, and attorney fees. HF 740, Brandt.
Complaints, employment, actions that may be taken, merit system employees, civil rights commission. HF 836, Judiciary and Law Enforcement.
Sex or marital discrimination in insurance, eliminate. SF 500, Doderer.

CIVIL SERVICE—
General

Income tax exemption, civil service retirement and disability annuities. HF 71, Junker, et al.—SF 104, Gluba, et al.
Civil service employees, qualifications. HF 192, Crawford—SF 198, Murray. HF 192 withdrawn.
Civil service systems of cities, change. HF 395, Cities and Towns. Approved 6-3-75.

CLAIMS—
General

Property taxes paid and rent, reimbursement for. SF 71, Hansen—HF 226, Cusack, et al. (companion)—SF 186, Shaff, et al.—HF 869, Brandt—SF 556, Gluba, et al.—HF 893, Brandt, et al.—SF 571, Ways and Means (all similar subject matter). SF 556 withdrawn. SF 571 approved 6-30-75.
Claims for reimbursement of property taxes, 65 or older, checks. SF 78, County Government. Approved 2-28-75.
Small claims, payment of, social services. HF 176, Human Resources. Approved 4-22-75.
Homestead tax credit and military service tax exemption, extend time claims may be audited. HF 182, Ways and Means. Approved 4-16-75.
Claims against estates of decedents having received old age assistance, void. SF 233, DeKoster. Approved 4-28-75. Became law by pub. 5-6-75.
Reduce from 65 to 62 (HF 532 age 60) age limit, claims for reimbursement for property taxes paid and rent. HF 383, Caffrey and Higgins—HF 532, Caffrey, et al.
Claims for reimbursement for property taxes paid, include surviving spouse, 55 years of age or older. HF 428, Egenes, et al.
Liability protection for state employees. SF 406, Plymat, et al.—HF 799, State Government. S. HF 799 approved 6-30-75.
Court appointed attorney fees, appeals, etc. HF 668, Oakley, et al.
Claims against state, appropriation for. SF 580, Appropriations. Approved 7-14-75.
Claims, rejected by joint claims committee, action be approved. SCR 60—S.J. 2079-2085, 2096 adopted—H.J. 2560, 2614-2621, 2650 adopted.

COAL—
General

Coal research project, terminate. HF 17, Higgins.
Surface coal mining, regulation of, fees, and rehabilitation of. SF 314, Energy —HF 476, O'Halloran. SF 314 approved 5-15-75.
Coal, change in contracting procedures for purchase of. SF 323, Energy —HF 726, Energy. S.
Impose tax on coal, establish fund for rehabilitation of surface-mined land. SF 327, Van Gilst.

CODE—CODE EDITOR—
General

Current Codes and Session Laws furnished legislators, staff and press. SCR 4—S.J. 47, 61 adopted—H.J. 37-38 adopted.

Code editor, publication of Code of Iowa and Administrative Code. SF 23, Redmond.
Interstate probation and parole compact, place full text into the Code. SF 150, Human Resources. Approved 4-28-75.
Administrative Code, code editor publish. SF 351, State Government—HF 559, State Government. HF 559 withdrawn. SF 351 approved 4-22-75. Became law by pub. 5-1-75.
City Code, correct and clarify. SF 374, Cities—HF 723, Cities and Towns. S. SF 374 withdrawn. HF 723 approved 6-30-75. Became law by pub. 7-11-75.
Code of Iowa provided to each separate office of a sheriff. HF 573, Doyle—HF 782, State Government, Same. HF 573 withdrawn.
Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.
Salary rates, judicial branch of government, public employment relations board. SF 564, Appropriations. Approved 6-30-75.
Correcting erroneous, inconsistent and obsolete sections of the Code. HF 894, Sifting. Approved 7-17-75.

COLLATERAL—
General
Prohibit creditor from repossessing collateral after default, court order or debtor permission. HF 691, Walter.

COLLECTIONS—
General
Consumer debt collection, may contact debtor's spouse. HF 672, West.
Prohibit the taking of a security interest, other than purchase money, in personal effects, consumer loan. HF 690, Walter.

COLLECTIVE BARGAINING—Also see Labor and/or Employment and/or State Government, Sub-Ref. Employees
General
Open collective bargaining negotiating sessions to the public. HF 681, Kreamer.
Collective bargaining agreements. HF 810, Labor and Industrial Relations.

COLLECTORS—
General
Collector's bottles of alcoholic liquor, special permit. SF 59, Norpel.

COLLEGES—UNIVERSITIES—Also see Higher Education
General
Midwestern College campus site at Denison, acquisition and use of. HF 10, Crabb.
State educational boards, method of determining the composition of. HF 11, Crabb.
Education, any type, prohibit discrimination. SF 34, Kelly—HF 122, Cusack, et al.
Law enforcement officers, college education program. HF 62, Lipsky.
Commend ISU of science and technology re challenge of world food problems and endorse the World Food Conference of 1976 as a bicentennial project. HCR 11—H.J. 188, 220 adopted—S.J. 260-261, 282, 399, 437, 525, 561 adopted.
Area vocational schools and community colleges, prohibit expansion of certain curricula. HF 180, Kreamer.
Tuition fees, prohibit increases, higher education. HF 183, Hines.
Bacteriological laboratory, change to state hygienic laboratory, SUI, functions of, and charges. HF 225, Education—SF 199, Education. SF 199 withdrawn. HF 225 approved 3-14-75.
College textbooks may be deducted on income tax returns. HF 250, Patchett, et al.—SF 407, Redmond.
Congratulate Drake University, coach Bob Ortegal and basketball team for being true champions and bringing honor and victory to their school and the state of Iowa. HR 13—H.J. 706, 744, 808 adopted.
Classes offered on educational radio and TV, degree in liberal arts. HF 494, Poncy.
Special one day "Class E" liquor license, colleges and universities. HF 581, Wells.
Postsecondary education, commission for, establish; replace higher education facilities, transfer appropriations. SF 389, Schwengels, et al.—HF 659, Welden, et al.
Faculty compensation at universities administered by board of regents. SF 498, Hansen—HF 858, O'Halloran, et al.
Optometry, feasibility of establishing a college, committee to study. SCR 49—S.J. 1883-1884, 1936.
Grain dust explosions, appropriation to ISU of science and technology for research. SF 582, Appropriations. Approved 7-3-75.
Optometry, feasibility of establishing a college, committee to study. (Same as SCR 49) HCR 67—H.J. 2499-2500.

Tuition
Part-time students included in tuition grant program. HF 331, Byerly, et al.—SF 385, Gluba.
Increase maximum tuition grant, appropriation to higher education facilities commission. HF 349, Avenson, et al.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.
Part-time students and schools of nursing students included in tuition grant program. HF 762, Education. ((HF 331—SF 385 companion) and (HF 79—SF 468 companion) combined are similar to HF 762).

COMMERCE—
Commission
Annual rental charges to landowner, other charges, eminent domain, pipelines. SF 65, Gallagher, et al.—HF 309, Avenson, et al.—HF 754, Agriculture. S.
Railroad passenger service, Clinton to Council Bluffs, Iowa City to Cedar Rapids, Des Moines to Marshalltown. HF 213, Patchett, et al.
Routing of transmission lines. SF 188, Heying and Taylor—HF 788, Agriculture. SSM.
Utility rates, charges, schedules, or regulations, filing for increases. SF 190, Gluba—HF 330, Patchett, et al.
Nuclear power plants, construction of, waiting period of 5 years. HF 282, Cusack.
Unsolicited commercial telephone calls. HF 320, Patchett, et al.
Commerce commission and public defense, appropriation. HF 334, Appropriations. Approved 4-28-75. Item Vetoed.
Municipal waterworks rates subject to regulation by commerce commission. HF 347, Monroe.
Commercial fishermen file quarterly report. HF 393, Natural Resources.
Rural mail delivery, all Iowans, appropriation. HF 646, Miller of Buchanan, et al.
Efficient use of electricity, rates, conservation, and pricing of, commerce commission. HF 715, Patchett.
Large energy facilities, construction of, certification by commerce commission. SF 465, Willits—SF 513, Energy. Same.
Labeling of appliances, energy consumed. HF 850, Cusack.
Rate charges, changes, etc. of public utilities, commerce commission regulate. HF 859, Mennenga.
Regulation of nuclear reactors. SF 509, Energy.
Grain dealers and warehousemen, regulation of. SF 529, Agriculture.

COMMERCIAL—
General
Unsolicited commercial telephone calls. HF 320, Patchett, et al.
Competition between business, commercial, or professional entities. HF 248, Jesse, et al.—HF 584, Judiciary and Law Enforcement. S.
Commercial fishermen file quarterly report. HF 393, Natural Resources.
Cities and counties may issue industrial revenue bonds for repairing, remodeling and reconstruction of existing lands and buildings. HF 751, Clark—HF 794, Cities and Towns. Same.

COMMERCIAL CODE—
General
Amend Uniform Commercial Code, place of filing to perfect a security interest, farm equipment, products, etc., collateral. HF 529, Bortell and Daggett.

COMMISSIONERS—See specific subject, i.e. Insurance, Sub-Ref. General, etc.

COMMISSIONS—See specific Commission, i.e. Aging, Sub-Ref. Commission on

COMMODITIES—
General
Consumer review board, establish. HF 160, Gallagher—HF 520, Patchett.
Competition between business, commercial, or professional entities. HF 248, Jesse, et al.—HF 584, Judiciary and Law Enforcement. S.

COMMUNICATIONS—Also see Schools, Sub-Ref. Radio and TV
General
Law enforcement communications with local law enforcement agencies. SF 156, Gallagher and Winkelman—HF 202, Doyle, et al.—SF 156 withdrawn. HF 202 approved 4-14-75. Became law by pub. 5-8-75.
Unsolicited commercial telephone calls. HF 320, Patchett, et al.
Blind, commission for the, bonus board, educational radio and TV, appropriation. HF 399, Appropriations. Approved 4-28-75.
Telephone companies publish in directories, if requested, names of both hus-

band and wife. SF 320, Doderer, et al.
Classes offered on educational radio and TV, degree in liberal arts. HF 494, Poncy.
Telephone utilities must provide subscriber extended area service or discounted toll-rate if. SF 360, Burroughs—HF 551, Egenes, et al.
Extension telephones, charges made for. HF 662, Egenes.
Iowa police radio system, separate division, public safety. SF 514, Schwengels.

COMMUNITY ACTION—
General
Urge all citizens and citizen groups boost Iowa home communities and to build communities better, as good neighbors. SCR 29—S. J. 975, 1009, 1334.

COMPENSATION—
General
Compensation of chaplains, officers and employees. HCR 5—H.J. 97-103, 106-107 adopted—S.J. 163-171 adopted.
Ralph R. Brown, special consultant, compensation and vacation. SCR 1—S.J. 7-8 adopted—H.J. 17-18, 107 adopted.
Clerk of grand jury, compensation of. HF 61, Higgins—SF 121, Shaw. HF 61 withdrawn. SF 121 approved 5-15-75.
Beer and liquor control council, membership and compensation of. HF 80, Drake and Monroe—HF 781, State Government. Same.
Reparations to victims of criminally injurious conduct. SF 220, Doderer.
Members of school boards allowed compensation. HF 340, Stromer.
Per diem compensation paid to clerk of grand jury, increase. HF 373, Branstad.
Each county auditor receive additional compensation for serving as county commissioner of elections, also certain deputies. HF 385, Wells.
Inmates and prisoners injured, employment duties, compensation. HF 435, Newhard, et al.
Expand provisions for compensating commission members of environmental quality. HF 693, Natural Resources.
Compensation of persons suffering loss as a result of medical malpractice. HF 803, Commerce. (Similar subject matter as SF 348 and SF 447 combined.) HF 803 approved 6-30-75.
County compensation board, create, cost of living adjustment for county officers. HF 802, County Government—SF 481, County Government. S. SF 481 withdrawn. HF 802 approved 6-30-75.
Funding, compensation and expenses of legislative members of committees, boards, commissions, and councils. HF 828, State Government—SF 507, State Government. SSM. HF 828 withdrawn.
Faculty compensation at universities administered by board of regents. SF 498, Hansen—HF 858, O'Halloran, et al.
Expenses of committee members attending meetings be paid upon filing of their expense accounts. SCR 59—S.J. 2078-2079.

Employees
Compensation of chaplains, officers and employees. HCR 5—H.J. 97-103, 106-107 adopted—S.J. 163-171 adopted.
Cost of living adjustments for public employees, appropriation. HF 94, Crabb, et al.—SF 216, Willits and Robinson—HF 434, Wells, et al. (similar) —SF 225, Nystrom, et al.—HF 490, Lonergan and Hines (companion) —HF 535, Crabb, et al.—HF 767, State Government (same) (all similar subject matter).
Longevity pay for certain employees of the state. SF 227, Robinson, et al.—HF 418, Newhard, et al. (companion)—HF 827, State Government (same).
Compensation of county officers and employees, 100,000 or more population, boards of supervisors determine. SF 315, Gluba.

COMPTROLLER OF STATE—
General
Public employees, 7 percent salary increase. HF 406, Hennessey, et al.
Railroad assistance fund, improvement of branch line railroad roadbeds, track, etc. SF 286, Energy—HF 433, Energy. S. SF 286 withdrawn. HF 433 approved 4-8-75.
Reimbursement to school districts for certain tax free lands, appropriation. SF 446, Tieden.
Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agricultural aerial application services and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.
Motor vehicle fuel tax refunds, appropriation to comptroller for cost of. HF 900, Appropriations. Approved 7-9-75.
Special employment security contingency fund, administration of. HF 902, Appropriations.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land

acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

CONDEMNATION—Also see Relocation
General
Eminent domain procedures, amend. HF 207, Transportation.
Land acquired thru eminent domain, option to repurchase land not used. SF 176, Heying and Taylor—HF 692, Agriculture. S.
Electric transmission lines, informational meetings, placement of lines, etc. SF 213, Nystrom.
Easement acquired for a public purpose, require an offer every 5 years to renegotiate. SF 259, Gallagher.
Condemnation actions, appeal procedures, notice to a lienholder. HF 756, Jesse.

CONFERENCE BOARDS—
General
Clerk of conference board and board of review, selection of. HF 35, Wyckoff. withdrawn.
Conference boards, majority of each voting unit must be present. SF 459, Miller of Des Moines—HF 822, County Government.

CONFIDENTIAL RECORDS and/or COUNCIL—
General
Sale of lists of motor vehicle licensees by public safety be approved by confidential records council. HF 665, Higgins.
School records, comply with federal law. HF 541, Patchett, et al.—HF 783, Education. SSM.
Grain dealers and warehousemen, regulation of. SF 529, Agriculture.

CONGRESS OF THE UNITED STATES—
General
Journals, bills and binders to be furnished free to county auditors—also to Iowa's United States Senators and Congressmen. SCR 5—S.J. 47-48, 61 adopted—H.J. 38-39 adopted.
Urge Iowa Congressional delegation secure federal assistance for beef producers for loss of livestock (blizzard). HCR 7—H.J. 135-136, 147 adopted—S.J. 209, 228, 255, 284, 308-309 adopted—H.J. 327, 378-379 adopted.
Request Iowa Congressional delegation further investigate bankruptcy petition by American Beef Packers, Inc., etc. HCR 6—H.J. 135, 147 adopted—S.J. 208, 228, 255, 284, 307-308 adopted—H.J. 327, 378 adopted.
State information and liaison office, create, Washington, D.C., appropriation. SF 99, Murray.
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as SCR 13) HCR 10—H.J. 187, 220,—S.J. 260, 282, 437, 485, 575 adopted.
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as HCR 10) SCR 13—S.J. 235, 243, 255.
Iowa Congressional delegation scheduled to meet with the Iowa Legislature, Friday, February 14, 1975. SR 7—S.J. 291, 292, 436, 485, 563-566.
National health insurance program, urge Congress to establish. HCR 14—H.J. 293.
That the IRC of the National Conference of State Legislatures and the Midwestern Conference of the Council of State Governments appoint committees to develop proposals to aid farmers and ranchers for consideration by Congress and the states. SCR 19— S.J. 497, 535, 595.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as SCR 20) HCR 18—H.J. 480-481, 495-496 adopted—S.J. 541-542, 613, 680-681 adopted—H.J. 749, 801, 963-964 adopted—S.J. 997 adopted.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as HCR 18) SCR 20—S.J. 540-541, 610-611, HCR 18 substituted 680, withdrawn 681.
Urge Congress direct the Office of Technology Assessment study and investigate the entire nuclear cycle from mining through fuel reprocessing and waste management, safety, licensing, etc. SCR 23—S.J. 606-607, 622, 664.
Inspection and replacement of bridges, urge Congress appropriate funds. HCR 26—H.J. 697, 755-756, 824 adopted—S.J. 795-796, 821, 1334.
Iowa Legislature strongly objects to USDA calling for greater productivity from Iowa land while cutting funds for soil conservation. HCR 31—H.J. 910-911.
Petition Congress to refrain from approving any measure which would require states and political subdivisions to recognize and bargain with unions representing public employees. HCR 32—H.J. 961-962, 1086.

Urge U.S. Department of Agriculture take necessary regulatory steps, if unwilling or unable then Congress, to require any purchaser of meat and meat products to pay for these commodities within 48 hours. HCR 37—H.J. 1156-1157.
That the Iowa General Assembly make application to Congress to submit to the states for ratification an amendment to the U.S. Constitution that the President submit, at beginning of each new Congress, an annual budget, expenditures and estimated revenue, etc. SCR 28—S.J. 962-963, 1008, 1334.
Urge Congress to continue adequate funding of "priority primary" highway programs, highway 520. HCR 38—H.J. 1191, 1250, 1346, 1404 adopted—S.J. 1154-1155, 1163, 1180, 1200.
Request Congress call a convention amending the U.S. Constitution re usurping powers of the states, ratification. HCR 39—H.J. 1191-1192, 1739-1740 adopted, 1766—S.J. 1398, 1434, 1467-1468, 1572.
Urge Congress take necessary steps to assist Vietnamese refugees. HR 30—H.J 1566-1567.

CONGRESSIONAL DISTRICTS—
General
Presidential electors, election of. SF 265, Miller of Marshall—HF 427, West, et al.

CONSERVATION—Also see Natural Resources and Council and/or Soil Conservation
General
County conservation boards, offices for. HF 34, Wyckoff—SF 50, Norpel.
Commission
Trapping licenses to nonresidents. SF 14, Tieden—HF 19, Halvorson. HF 19 withdrawn. SF 14 approved 3-18-75. Became law by pub. 3-28-75.
Shelter belt program, appropriation. HF 31, Krause.
Lake dredging, Black Hawk, Blue, and Silver Lakes, appropration, conservaton commission. SF 19, Culver—HF 141, Crabb, et al. (similar subject matter)—SF 424, Winkelman, et al—HF 865, Miller of Calhoun, et al (companion) (all similar subject matter).
Dwellings on land owned by the state, conservation commission develop program for vacating, lease agreement, etc. HF 60, Halvorson, et al.—SF 73, Tieden.
Persons 65 or older fish and hunt without license, reimbursement for same to conservation commission. HF 64, Halvorson.
Unlawful hunting or taking of protected species of wildlife, increase penalties. SF 63, Gallagher, et al.
State park roads, and other, maintenance and repair of, conservation commission jurisdiction. HF 68, Small, et al.
Quail, open season for. HF 85, Harper.
Wildlife (certain animals), civil damages for unlawfully taking. SF 82, Miller of Marshall, et al. Approved 4-28-75.
Sale of certain islands and abandoned river channels, repeal chapter 568. HF 112, Appropriations.
State park advisory committees, create. HF 152, Patchett, et al.—SF 290, Doderer.
Fish and game confiscated by the conservation commission, disposition of. HF 156, Horn. Approved 6-3-75.
Urge United States Corps of Engineers provide full funding and cooperation to conservation commission for restocking game fish in Coralville Reservoir. HCR 12—H.J. 330-231, 341, 421-422 adopted—S.J. 458, 484, 579, 595, 683-684 adopted.
Exempt nonmotorized watercraft from registration. HF 197, Avenson.
Fish, closed season, daily catch limit, possession limit, etc., Turkey River. SF 157, Heying.
Damages, payment of, hunters. HF 212. Patchett.
Snowmobile registration fees, percentage credited to county conservation or general fund, and state conservation fund. SF 170, Priebe, et al.—HF 315, Husak, et al.
Contracts for haying on medians of interstate highways, DOT, conservation commission. HF 303, Scheelhaase.
Bonding requirements, repeal, for contracts with commercial fishermen, rough fish. SF 230, Natural Resources. Approved 4-28-75.
Inspection of fishing bait, repeal requirement. SF 231, Natural Resources. Approved 4-28-75.
Railroad rights-of-way acquired by conservation commission and political subdivisions, maintain. HF 313, Agriculture.
Age of officers appointed by conservation director, lower. SF 234, Doderer.
Rough fish may be taken by hand, spear, or bow and arrow—day or night. SF 240, Redmond—HF 397, Wells, et al.
Fishways on all dams. SF 256, Heying.
Deer accidentally killed, disposition of. HF 376, Brunow.
Recreational areas, impose fee for restricted areas. SF 260, Bergman, et al.
Lake dredging, Blue Lake and Lake Manawa, appropriation, conservation commission. SF 274, Culver, et al.—HF 511, Walter, et al.

Five Island Lake, shoreline development, appropriation. HF 457, Krause.
Conservation peace officers, establish monthly retirement allowance, IPERS. SF 305, Nystrom, et al.—HF 605, Connors, et al. (companion)—HF 768, State Government (same).
"Green Thumb", outdoor summer programs, employ elderly, appropriation. SF 326, Natural Resources—HF 685, Avenson. Similar subject matter in part to SF 573.
Ledges State Park, flooding of, agreements, conservation commission and other governmental agencies. SF 336, Nystrom—HF 717, Crawford and Hines.
Parks, certain trees and rocks removed by conservation commission for safety and timber resource reasons. HF 488, Middleswart. Approved 6-3-75. Became law by pub. 6-10-75.
Conservation management and protection of fish, plant life, and endangered wildlife, etc. HF 497, Natural Resources. Approved 6-3-75.
Migratory waterfowl stamps, issuance of, penalty. SF 371, Miller of Des Moines and Junkins—HF 598, Monroe and Spear (companion)—HF 778, Natural Resources (same). HF 778 withdrawn. SF 371 approved 5-15-75.
Use of abandoned railroad right-of-way for bikeways. HF 528, Lipsky.
Recreational facilities under conservation commission, financing of. HF 707, Brunow.
State wide water plan. HF 760, Appropriations. Approved 5-15-75.
Conservation commission and divisions of, appropriation. SF 506, Appropriations—HF 871, Appropriations. HF 871 withdrawn. SF 506 approved 6-3-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
"Green thumb" (employment) program for elderly, handicapped, and lower income persons, appropriation. SF 573, Appropriations. Approved 7-14-75.
Missouri River riverfront project, appropriation to conservation commission. SF 579, Appropriations. Approved 7-14-75.
Volga River project, if conservation commission decides against, disbursement of funds appropriated. SR 16—S.J. 2224, 2243.

CONSERVATION COMMISSION—See Conservation, Sub-Ref. Commission

CONSERVATOR—Also see Probate Code

General

Banks acting as conservators, waive bond requirement. HF 208, Small.

CONSTITUTIONAL AMENDMENTS—

General

Elected state officials, terms of office. SJR 1, Redmond.
Legislators assume office first (1st) Monday in December after election. HJR 1, Krause.
Treasurer of state be appointed. HJR 2, Spear, et al.
Person convicted of a felony or who is mentally ill, general assembly prescribe voting privileges. HJR 3, Spear, et al.
Allow persons eighteen (18) years of age to hold state elective office. HJR 4, Spear, et al.
Person convicted of a felony or who is mentally ill, disqualified from being elector, repeal. HJR 5, Brandt, et al.
Allow persons 18 or over to serve in general assembly. SJR 2, Murray and Hill of Polk.
Powers of initiative, referendum, and recall, constitutional amendment to create. HJR 8, Patchett, et al. Also see HJR 11.
Governor and lieutenant governor be elected as a team. HJR 9, Spear, et al.
Reapportionment of the general assembly. HJR 10, Crabb, et al.—SJR 5, Shaw and Hill of Polk.
Motor vehicle registration fees and licenses, and excise taxes on motor vehicle fuel be used for highway purposes, repeal. SJR 3, Gluba—HJR 13, Small.
New governor elected, when current governor resigns or vacates office, if 24 months remain in term of office. SJR 4, Miller of Des Moines.
Power of initiative, people may propose and enact legislation. HJR 11, Krause. Also see HJR 8.
Lieutenant governor, change duties of. HJR 12, Spear, et al.
Repeal procedure for establishment of a convention to ratify amendments to Constitution of the United States. SF 288, Doderer.
Governor assign executive duties to the lieutenant governor. HJR 14, Brandt, et al.—HJR 21, State Government. Same.
Determine disability, or removal of disability, provide method for, governor. HJR 15, Spear, et al.
Equal rights for men and women, rescind ratification of proposed amendment. SJR 7, Hill of Jasper.

Home rule for counties. SJR 8, County Government—HJR 22, County Government. SSM.
Privilege from arrest, senators and representatives, repeal. SJR 9, Willits, et al.
Powers of referendum, reject or approve laws, constitutional amendment to create. HJR 17, Evans, et al. Also see HJR 8 and HJR 11.
Reapportionment of the general assembly, 40 senators—80 representatives. HJR 18, Mennenga.
Senior judge of district chairman of judicial nominating commission, remove requirement. SJR 11, Griffin.
Judges and magistrates, other than supreme court, elected. HJR 19, Nealson of Muscatine and Crabb.
Allow motor vehicle fees and fuel taxes to accure to the general fund. HJR 20, Small.
That the Iowa General Assembly make application to Congress to submit to the states for ratification an amendment to the U.S. Constitution that the President submit, at beginning of each new Congress, an annual budget, expenditures and estimated revenue, etc. SCR 28—S.J. 962-963, 1008, 1334.
Request Congress call a convention amending the U.S. Constitution re usurping powers of the states, ratification. HCR 39—H.J. 1191-1192, 1739-1740 adopted, 1766—S.J. 1398, 1434, 1467-1468, 1572.

CONSTRUCTION—
General
Secondary road contracts, increase amount before advertising, letting, and approval. SF 100, County Government. Approved 7-16-75.
Nuclear power plants, construction of, waiting period of 5 years. HF 282, Cusack.
Construction of capitol workshop and equipment storage building, appropriation. HF 294, Brockett.
Energy policy council, duties of. SF 215, Gallagher.

CONSUMER—
General
Consumer review board, establish. SF 160, Gallagher—HF 520, Patchett.
Repair of consumer products, household appliances, motor vehicles, etc. HF 355, Horn.
Finance charges on consumer credit open-end loan accounts, reduce. HF 687, Walter—HF 714, Walter. SSM.
Prohibit the taking of a security interest, other than purchase money, in personal effects, consumer loan. HF 690, Walter.
Prohibit creditor from repossessing collateral after default, court order or debtor permission. HF 691, Walter.
Actions in attachment by creditors after default in consumer credit transactions. HF 832, Commerce.

CONSUMER CREDIT—
General
Credit sales, permit discounts for early payment. SF 95, Tieden, et al.—HF 132, Nielsen of Polk and Welden.
Finance charges, definition of, consumer credit transactions, cash discounts. SF 308, Commerce. Approved 7-3-75.
Credit, reporting, collection, use, storage and dissemination of information re consumers. SF 322, Robinson and Murray.
Consumer credit information, collection of, restrictions on, disclosure of, and corrections to. HF 544, Patchett, et al.
Collection of dishonored checks. HF 612, Brockett and Evans.
Consumer debt collection, may contact debtor's spouse. HF 672, West.
Finance charges on consumer credit open-end loan accounts, reduce. HF 687, Walter—HF 714, Walter. SSM.
Prohibit creditor from repossessing collateral after default, court order or debtor permission. HF 691, Walter.
Consumer credit transactions, repossession of goods, and/or judgment, depends. HF 708, Walter.
Permit cash discounts in open and closed-end credit sales. HF 711, Howell and Walter.
Consumer Credit Code, administration of. HF 829, Commerce.
Actions in attachment by creditors after default in consumer credit transactions. HF 832, Commerce.
Credit transactions, class actions, remedies for violations, penalties. SF 510, Carr.

CONSUMER PRICE INDEX—
General
Iowa consumer price index, school aid program, computed by legislative fiscal director, appropriation. HF 912, Appropriations.

CONTAINERS—
General
Refund on beverage containers, prohibit sale of snap top cans, redemption

centers. SF 275, Miller of Marshall, et al.—HF 413, O'Halloran, et al. (companion)—HF 797, Energy (same).

CONTESTS—
General

Compliment Missouri Valley, Iowa as sponsors and participants of the 21st Annual World's Championship Goose Calling Contest. (Same as SR 9) SCR 25—S.J. 714, 737, 1010.

Compliment Missouri Valley, Iowa as sponsors and participants of the 21st Annual World's Championship Goose Calling Contest. (Same as SCR 25) SR 9—S.J. 797, 821, 1010.

CONTRACTORS—
General

Water well construction and pumping equipment installation, certification and regulation of contractors, appropriation. SF 311, Gluba.

Mechanics' liens, changes to. SF 330, Shaw and Willits.

Six-year statute of limitations, certain damage actions, architects, contractors, engineers and surveyors. SF 352, Coleman and Lamborn—HF 616, Harper and Gentleman.

CONTRACTS—
General

Purchase of real estate by cities, towns, counties, schools, etc., may be by contract. SF 56, Norpel.

Secondary road contracts, increase amount before advertising, letting, and approval. SF 100, County Government. Approved 7-16-75.

Contracts may be let by counties for secondary roads, funds available 7-1-75 thru 12-31-75. SF 130, County Government—HF 173, County Government. SF 130 withdrawn. HF 173 approved 2-28-75. Became law by pub. 3-11-75.

Breach of contract to marry, abolish action. HF 172, Kreamer.

Teachers' contracts, issuance, continuation, and termination of. SF 205, Carr, et al.

Retailer may recover part of price of farm machinery, other costs, cancellation of contract with manufacturer. HF 377, Hutchins.

Contracts among public agencies, may also include financial assistance. HF 464, State Government.

Coal, change in contracting procedures for purchase of. SF 323, Energy—HF 726, Energy. S.

Holders of escrow accounts to pay property taxes, insurance, etc. on real estate, pay interest on funds. HF 569, Miller of Buchanan.

Pathology and radiology services, doctors and hospitals may enter into contracts. SF 439, Doderer.

CONTRIBUTIONS—Also see Donations and/or Charitable Organizations
General

Campaign contributions, prohibit acceptance of out-of-state. HF 144, Nealson of Muscatine.

Increase contribution rate for IPERS, appropriation. HF 371, Poncy.

Contributions for qualifying charitable organizations may be deducted from state employee's salary. SF 557, Taylor, et al.

CONVENTIONS—
General

Repeal procedure for establishment of a convention to ratify amendments to Constitution of the United States. SF 288, Doderer.

COOPERATIVE ASSOCIATIONS—
General

Western Iowa Municipal Electric Cooperative Association, legalize proceedings for organization and operation of. HF 510, Hutchins—HF 741, Judiciary and Law Enforcement. Same. HF 741 approved 5-15-75. Became law by pub. 5-30-75.

CORPORATIONS—
General

Tort liability, directors, officers, employees, etc., nonprofit corporations. HF 136, Kreamer—HF 816, Judiciary and Law Enforcement. Same. HF 136 withdrawn. HF 816 approved 7-19-75.

Corporation farming. HF 215, Husak, et al.—SF 171, Rodgers, et al. SF 171 withdrawn. HF 215 approved 7-11-75.

Land owned or controlled by nonresident aliens, corporations, etc., must file reports. HF 217, Avenson, et al.—SF 457, Schwengels. SSM.

Farming by domestic and foreign corporations, cooperative corporations, reports. HF 240, Wyckoff, et al.

Prohibit foreign corporations from farming, certain domestic corporations may, divestment of land, reports. SF 262, Taylor, et al.

Exempt from personal liability due to acts or omissions of, directors, officers, employees, and members of nonprofit corporations. SF 278, Shaw.

Development corporations, meetings of board of directors must have quorum of not less than one-third. SF 293, Robinson.
Agricultural credit corporations making consumer agricultural loans, raise interest ceiling. HF 500, Hansen.
Corporation income tax, filing of consolidated returns. HF 844, Ways and Means. Approved 7-14-75.
Business corporations, changes. SF 524, Judiciary.
Employment opportunity board, create, appropriation. HF 913, Appropriations. Approved 7-14-75.
Administration of HF 215, corporation farm bill, appropriation to secretary of state to finance. HF 917, Appropriations.

CORRECTION CENTERS—
General
Juveniles, services for, community-based correctional programs. SF 143, Murray and Ramsey.
Community correction facilities, location of, consult residents of neighborhoods. HCR 33—H.J. 911.

CORRECTIONS, DEPARTMENT OF—
General
Corrections, department of, create; powers and duties, and penalties. SF 578, State Government.

COSMETOLOGY—
General
Barbering and cosmetology, establish and regulate practice of. SF 296, State Government—HF 470, State Government. HF 470 withdrawn. SF 296 vetoed 7-19-75.

COST of LIVING—
General
Cost of living adjustments for public employees, appropriation. HF 94, Crabb, et al.—SF 216, Willits and Robinson—HF 434, Wells, et al. (similar) —SF 225, Nystrom, et al.—HF 490, Lonergan and Hines (companion) —HF 535, Crabb, et al.—HF 767, State Government (same) (all similar subject matter).
County compensation board, create, cost of living adjustment for county officers. HF 802, County Government—SF 481, County Government. S. SF 481 withdrawn. HF 802 approved 6-30-75.

COUNSELORS—
General
Juveniles, services for, community-based correctional programs. SF 143, Murray and Ramsey.

COUNTIES—SPECIFIC—
Buchanan
Legalize purchase of land by Buchanan County supervisors. HF 728, Judiciary and Law Enforcement. Approved 5-15-75. Became law by pub. 6-4-75.
Harrison
Missouri Valley, Iowa, legalize proceedings for vacating and disposing of certain streets and alleys. HF 553, Danker—HF 742, Judiciary and Law Enforcement. Same. HF 742 approved 6-6-75. Became law by pub. 6-27-75.

COUNTY—
General
Indemnification of county officers and employees. HF 12, Hansen. Approved 7-14-75.
Dogs, licensing of, change date. HF 44, Clark.
State land use policy. HF 58, Middleswart, et al.—SF 127, Winkelman, et al. (companion)—HF 505, Natural Resources. S
Purchase of real estate by cities, towns, counties, schools, etc., may be by contract. SF 56, Norpel.
Leasing of county owned property. HF 97, Monroe.
Highways, temporary closing of. HF 99, County Government—SF 101, County Government. SF 101 withdrawn. HF 99 approved 5-12-75.
Dog licensing, vaccination exemptions, domestic animal fund, repeal certain provisions. HF 111, Doyle, et al.
Cities and counties may impose a local tax. SF 89, Andersen—HF 878, Cities and Towns. SSM.
Consolidation of counties. SF 113, Kelly, et al.
Extend social security benefits to members of general assembly, also insurance benefits, and deferred compensation to elected state officials. HF 164, Lipsky, et al.
Employees, state or political subdivisions, dismissal, appearance, etc. HF 170, Horn.
Use of funds to assist counties, mental health and retardation services, charges by mental health institutes. HF 187, Lipsky, et al.
Damages, payment of, hunters. HF 212, Patchett.

Organizations doing business with the state or political subdivisions disclose ownership interests. HF 280, Hargrave.
Railroad rights-of-way acquired by conservation commission and political subdivisions, maintain. HF 313, Agriculture.
Sanitary disposal projects, effective date for operation of. HF 360, Miller of Buchanan, et al.—SF 493, Energy. S.
Relocation of county or district fairgrounds. SF 250, Gluba.
Leaves of absence, persons elected to a municipal, county, state or federal office. SF 266, Robinson.
Housing finance authority, establish. SF 294, Gluba, et al.—HF 448, Cusack, et al. (companion)—HF 823, Human Resources—SF 520, Human Resources (companion). SSM. SF 294 and SF 520 withdrawn. HF 823 approved 6-13-75.
Charges mental health institutes are required to make for care of patients, computation of. SF 300, Curtis.
Disaster relief, political subdivisions, appropriation. HF 461, Oakley, et al.
Inspection and replacement of bridges, urge Congress appropriate funds. HCR 26—H.J. 697, 755-756, 824 adopted—S.J. 795-796, 821, 1334.
County budget review committee, create. SF 343, Curtis, et al—HF 611, Bittle and Brunow.
Judges of election, change selection and certification of potential jurors. SF 345, DeKoster.
Public bonds, sale of, lower percentage of votes needed to authorize. HF 469, Gentleman, et al.
Effective date of certain Acts or resolutions of the general assembly. SF 380, County Goverment—HF 560, County Government.
Counties regulate practice of massage and operation of massage establishments. HF 542, Caffrey and Woods.
Industrial projects, municipalities, industrial equipment used, retail sales and use taxes applicable. HF 592, Harvey.
Trains, ordinances regulating speed of referred to commerce commission for approval. HF 623, Transportation—SF 472, Transportation. SF 472 withdrawn. HF 623 approved 6-29-75.
Conference boards, majorty of each voting unit must be present. SF 459, Miller of Des Moines—HF 822, County Government.
Noise levels of motor vehicles, regulation of, local authorities. SF 467, Hill of Polk—SF 484, Cities. SSM.
Fence viewers, county assessors or deputies, etc. HF 734, Mennenga.
County compensation board, create, cost of living adjustment for county officers. HF 802, County Government—SF 481, County Government. S. SF 481 withdrawn. HF 802 approved 6-30-75.
Police districts, county, establish public safety commissions for, property tax levy. SF 492, Schwengels, et al.
Strengthen regulatory powers of beer and liquor control department re licenses, etc. HF 847, State Government.
Transient guest tax (hotels, motels, etc.) by cities and counties, authorize. SF 502, Cities—HF 873, Cities and Towns.
Tax levy to promote, establish and maintain recreational, educational, etc., activities for senior citizens, authorize cities and counties. HF 857, Cusack.
Increase court costs, nonindictable misdemeanors, distribution of costs. HF 868, Cities and Towns—HF 879, Cities and Towns. SSM. HF 868 withdrawn.
Levees and drainage districts, financing of. SF 547, Cities.
Employment opportunity board, create, appropriation. HF 913, Appropriations. Approved 7-14-75.

Attorneys

Public prosecutors may be employed in certain counties. HF 826, Judiciary and Law Enforcement. Approved 7-8-75.

Auditors

Journals, bills and binders to be furnished free to county auditors—also to Iowa's United States Senators and Congressmen. SCR 5—S.J. 47-48, 61 adopted—H.J. 38-39 adopted.
Tax list, dates for completion and delivery. HF 75, Bittle.
Each county auditor receive additional compensation for serving as county commissioner of elections, also certain deputies. HF 385, Wells.
Recording of subdivisions, platting, surveying, etc. HF 388, Bittle.
Dogs, licensing of, increase, repeal provisions re domestic animal fund. HF 536, Brockett.
Court appointed attorney fees, appeals, etc. HF 668, Oakley, et al.
Reimburse counties, additional property tax relief, owners of mobile homes, 65 or older or disabled, appropriation. HF 702, Miller of Buchanan.
Special city assessments, county collect fee for. SF 455, County Government.
Property assessments (valuation), effective date of equalization orders issued by director of revenue; appropriation for Iowa consumer price index. SF 545, Ways and Means. Approved 7-14-75.

Conservation

County conservation boards, offices for. HF 34, Wyckoff—SF 50, Norpel.
Snowmobile registration fees, percentage credited to county conservation or

general fund, and state conservation fund. SF 170, Priebe, et al.—HF 315, Husak, et al.
Tax levy for purchase of land, county conservation board, one-fourth mill. HF 372, Hinkhouse.

Funds
Indemnification of county officers and employees. HF 12, Hansen. Approved 7-14-75.
Emergency fund of a county, money may be transferred to general fund without approval of state appeal board. SF 124, County Government.
Public funds may be deposited in credit unions. SF 474, Gluba.
Municipal assistance fund and county government assistance fund, appropriation. SF 569, Appropriations—HF 901, Appropriations. SSM. HF 901 and HF 903 together are very similar to SF 569. SF 569 withdrawn. HF 901 approved 7-19-75.

Health, Board of
Funding local health services, appropriation. SF 373, Doderer, et al.
Aging, commission on, drug abuse authority, division of alcoholism, and committee on handicapped, appropriation, counties share certain costs. SF 572, Appropriations. Approved 6-30-75.

Historical Boards
Historic preservation, local, tax for. HF 516, Tofte.
Historical societies, local, allow counties to levy a tax for. SF 551, Ways and Means.

Home Rule
Home rule for counties. SJR 8, County Government—HJR 22, County government. SSM.
County home rule and needed county governmental services, committee to study. SCR 52—S.J. 2001.
County home rule and needed county governmental services, committee to study. (Same as SCR 52) HCR 70—H.J. 2501.

Homes—See Homes, Sub-Ref. County Hospitals
Trustees, county public hospital, qualifications of. HF 149, State Government.
Trustees, county hospitals increase number of. SF 243, Rabedeaux.
County hospital buildings, permit use of revenue-sharing funds and federal matching funds. HF 514, Jesse.

Jails
Jails, social services make annual inspections, may correct violations and charge. HF 255, Higgins, et al.—SF 195, Gluba.

Medical Examiners
Autopsies, reasons for conducting. HF 420, Lipsky.
Services by county medical examiner rendered to a state institution paid by that institution. SF 552, Junkins, et al.

Recorders
Watercraft, storage of. HF 1, Monroe.
Sales price of real estate, full disclosure, real estate transfers, etc. HF 231, Ways and Means—HF 504, Ways and Means—SF 539, Ways and Means. SSM.
Recording of subdivisions, platting, surveying, etc. HF 388, Bittle.
Land trusts, prohibit secrecy of beneficial interests in. HF 590, Hargrave—HF 813, State Government. Same.
Revenue from real estate transfers, 50 percent to counties, 50 percent to state. HF 600, Monroe, et al.
Birth and death certificates filed in county recorder's office. HF 653, Monroe.
Recording of an instrument and a lien affecting real estate. HF 706, Oakley.
Service fee for issuing hunting and fishing licenses. SF 458, Miller of Des Moines and Junkins—HF 757, Monroe, et al.
Mechanic's liens filed with county recorder. SF 460, Miller of Des Moines—HF 758, Monroe, et al.
Index books, county recorder may combine. SF 494, County Government. Approved 7-3-75.
Watercraft, storage of, registration of, certificate of origin, etc., exempt beach or water toys, etc. SF 511, Natural Resources. Approved 7-3-75.
Platting of land, changes to. HF 909, Ways and Means.

Sheriffs
Motor vehicle accidents, sticker removed after repair. SF 17, Kelly.
County sheriffs provide law enforcement to cities of less than 1,500 population, if requested, to cities over 1,500. HF 258, Doyle, et al.
Deer accidentally killed, disposition of. HF 376, Brunow.
Code of Iowa provided to each separate office of a sheriff. HF 573, Doyle—HF 782, State Government. Same. HF 573 withdrawn.

Social Welfare
Child care centers, appropriation to social services. SF 112, Murray, et al.
Utility service, termination of, notify county social welfare. HF 270, Cusack.
Child care facilities, licensing and regulation of. SF 491, Human Resources. Approved 7-17-75.

Supervisors, Board of

Handicapped persons, counties provide facilities and services for. SF 4, Shaw —HF 16, Higgins. SF 4 withdrawn. HF 16 approved 3-14-75. Became law by pub. 3-20-75.

Bounties, certain wild animals, repeal. SF 16, Kelly—HF 88, Cusack.

County conservation boards, offices for. HF 34, Wyckoff—SF 50, Norpel.

Clerk of the district court appointed. HF 27, Spear, et al.

Ambulance service, counties, all or portions, surcharge. SF 35, Shaff.

Ambulance service, standards for, levy taxes, etc. HF 40, Drake, et al.

Sheriff's salaries and office expenses, court expense fund. HF 41, Danker.

County zoning, election. SF 49, Norpel—HF 135, Monroe.

State park roads, and other, maintenance and repair of, conservation commission jurisdiction. HF 68, Small, et al.

Increase dollar amount boards of supervisors may spend on buildings before bids required. SF 77, County Government—HF 101, County Government. HF 101 withdrawn. SF 77 vetoed 3-18-75.

County zoning, changes, etc., 70 percent of supervisors approve. HF 116, West and Husak.

Secondary road contracts, increase amount before advertising, letting, and approval. SF 100, County Government. Approved 7-16-75.

Emergency fund of a county, money may be transferred to general fund without approval of state appeal board. SF 124, County Government.

Contracts may be let by counties for secondary roads, funds available 7-1-75 thru 12-31-75. SF 130, County Government—HF 173, County Government. SF 130 withdrawn. HF 173 approved 2-28-75. Became law by pub. 3-11-75.

Eminent domain procedures, amend. HF 207, Transportation.

County offices, consolidation of. HF 227, Gilloon, et al.

Duties and responsibilities, DOT and counties, secondary roads. HF 286, Transportation. Approved 4-16-75. Became law by pub. 4-25-75.

Libraries, change filing date for election. HF 374, Hinkhouse.

County mental health centers, authorize expenditure of federal funds or grants for support of. HF 390, Bortell and Hutchins. Approved 6-6-75.

Dogs, restraint of. SF 270, Willits and Palmer—HF 652, Byerly. S.

Destruction of weeds along roads and highways, limit spraying. HF 443, Avenson.

Contracts among public agencies, may also include financial assistance. HF 464, State Government.

Compensation of county officers and employees, 100,000 or more population, boards of supervisors determine. SF 315, Gluba.

Registration of voters, permit by mail or at polls on day of election. HF 471, Brandt.

Proceedings of city councils and boards of supervisors, require publication of. HF 493, Brunow.

Fees collected by county auditor, recorder, sheriff, and clerk of district court determined by board of supervisors. HF 523, Evans.

Benefited street lighting districts, remove requirement that petitioners must own 25 percent of resident property. SF 397, Willits and Palmer—HF 791, County Government. SSM. HF 791 withdrawn. SF 397 approved 6-5-75.

County health centers, increase tax levy. HF 596, Middleton, et al.

Disaster services and county-municipal disaster services and emergency planning administrations, create office of. HF 620, Harvey and Rinas —HF 808, State Government. Same.

Ambulance service expense fund, county, create. HF 630, Brunow.

Detachment of land from a benefited fire district or township fire protection. SF 448, Rabedeaux.

County boards of supervisors, change title of chairman to president. SF 452, Redmond.

Independent audit of counties once each five years. HF 694, County Government.

Legalize purchase of land by Buchanan County supervisors. HF 728, Judiciary and Law Enforcement. Approved 5-15-75. Became law by pub. 6-4-75.

Priority of secondary road assessment district projects, construction program. HF 739, Transportation.

Sanitary disposal projects, establishment and operation of. HF 747, County Government—SF 516, County Government. S.

Drainage or levee districts, boards of supervisors may establish revolving funds for maintenance of. HF 860, Mennenga, et al.

Historic structures, etc., acquisition of by counties, 250,000 population. SF 515, County Government.

Repair and maintenance of private roads regularly used by school buses, counties may. SF 517, County Government.

Treasurers

County treasurer may refuse to issue motor vehicle license if outstanding warrant against applicant. HF 137, Kreamer, et al.—SF 204, Palmer, et al.—SF 519, Cities (all similar subject matter).

Delinquent tax lists, published, require publication of corrections. HF 237, Patchett, et al.

Investment reports by political subdivisions submitted to auditor of state on fiscal basis. SF 189, Winkelman—HF 886, Ways and Means. SSM. SF 189 approved 7-3-75.
Warrants issued for drainage districts bearing interest. HF 326, County Government.
Fines and forfeited bail, violations of municipal ordinances, increase share paid to counties. HF 375, County Government—SF 355, County Government.
Motor vehicle registration, revise, increase certain fees; braking and hitching requirements for certain travel and semitrailers, width of vehicles, etc. HF 450, Transportation. Approved 7-17-75.
Special registration (license) plates issued to national guardsmen. SF 377, Coleman.
Insulation of buildings, income tax credit. SF 440, Nystrom.
Flood control project funds, distribution of excess, fences, etc. HF 647, Brunow.
Registration of trailers and semitrailers for a 3 year period, trip permits, and registration apportionment agreements. HF 724, Transportation. Approved 7-14-75.

COURT—
General
Expert witness fees, increase. HF 18, Oakley—SF 97, Kelly. SF 97 withdrawn. HF 18 approved 6-6-75.
Clerk of the district court appointed. HF 27, Spear, et al.
Sheriff's salaries and office expenses, court expense fund. HF 41, Danker.
Clerk of grand jury, compensation of. HF 61, Higgins—SF 121, Shaw. HF 61 withdrawn. SF 121 approved 5-15-75.
Operating a motor vehicle while under the influence of alcohol, implied consent, penalties, etc. SF 76, Plymat, et al.—HF 245, Oakley, et al.
Maximum limits of tort liability, state. SF 83, Winkelman.
Motor vehicle offenses, permit pleas of no contest, nonindictable charge. HF 125, Doyle.
Opening arguments, attorney for defense, criminal cases, may defer. HF 126, Doyle.
Court costs and certain expenses, state proceedings, executive council may pay. SF 114, Appropriations. Approved 5-12-75.
Tort liability, directors, officers, employees, etc., nonprofit corporations. HF 136, Kreamer—HF 816, Judiciary and Law Enforcement. Same. HF 136 withdrawn. HF 816 approved 7-19-75.
Court administrator, change duties of. SF 147, Judiciary. Approved 6-3-75.
Defendant in a criminal case may waive right to jury trial. HF 190, Doyle.
Inheritance tax, temporary full allowance for spouse and minor children. HF 206, Doyle. Approved 6-16-75.
Meetings of public agencies in closed sessions, further eliminate exceptions, and actions that may be taken. HF 214, Griffee, et al.
Child support paid out of assets of an estate, trusts. HF 70, Doyle and O'Halloran—SF 172, Doderer.
Conduct study of Uniform Probate Code. SCR 17—S.J. 346-347, 375, 511.
Witness fees, increase. HF 284, Caffrey.
Open meetings of public agencies. HF 285, Patchett.
Repeal Probate Code, enact Uniform Probate Code. HF 314, Lipsky.
Dissolution of marriage. SF 238, Shaw—HF 352, Oakley. SF 238 withdrawn.
Detention of a child for more than 48 hours. SF 255, DeKoster, et al.—HF 655, Middleton, et al.
Per diem compensation paid to clerk of grand jury, increase. HF 373, Branstad.
Court of appeals, create. SF 258, Redmond, et al.
Family court system, committee to study. HCR 17—H.J. 480.
Probation of an individual after commitment, allow court 90 days to review. HF 440, Doyle, et al.
Probation, length of set by court. HF 475, Newhard, et al.—SF 450, Kelly and Doderer.
Time in which actions arising out of patient care must be brought. SF 372, Miller of Des Moines, et al.—HF 530, Brunow, et al.
Termination of parental rights proceedings, quantity or amount of proof of. HF 574, Doyle.
Vacancies on supreme, district, and other courts, general assembly prescribe methods for filing. SJR 10, Redmond.
Parentage of children, repeal chapter—paternity of children, etc., rights and obligations. SF 420, Doderer.
Educational needs considered, divorce, property settlements and alimony payments. HF 664, O'Halloran.
Court appointed attorney fees, appeals, etc. HF 668, Oakley, et al.
Unified trial court, expenses and cost of, committee to study. HCR 44—H.J. 1484.
Increase court costs, nonindictable misdemeanors, distribution of costs. HF 868, Cities and Towns—HF 879, Cities and Towns. SSM. HF 868 withdrawn.
Credit transactions, class actions, remedies for violations, penalties. SF 510, Carr.
Courts and agencies, and attorney general, appropriation. HF 883, Appropriations. Approved 7-11-75.

Traffic and/or motor vehicle offenses, uniform citations and charges, etc. SF 535, Judiciary.
Salary rates, judicial branch of government, public employment relations board. SF 564. Appropriations. Approved 6-30-75.

Claims

Maximum limits of tort liability, state. SF 83, Winkelman.

District

Jury trials, tort claims. HF 26, Oakley.
Adoptions, parental rights, etc. SF 41, Shaw, et al.
Games of skill, chance, and other, revocation of licenses, limit social gambling, etc. SF 86, Hill of Polk—HF 296, Cusack.
Appeal procedures, department of revenue and board of tax review. SF 142, Redmond.
Certain actions commenced by director of revenue may be held in any county. HF 266, Hullinger, et al.
Public defender, office of, establish. SF 264, DeKoster and Hill of Polk—HF 567, Higgins.
Probation officers and other officers, percentage basis for setting salaries. SF 277, DeKoster.
Senior judge of district chairman of judicial nominating commission, remove requirement. SJR 11, Griffin.
District court judges set salaries of clerks, their deputies and clerks, and amount of help needed. HF 644, Poncy and Newhard.
Eliminate statutory limitations on salaries of juvenile court employees, district judges set. HF 670, Judiciary and Law Enforcement. Also see SF 428. HF 670 approved 6-16-75.
Support decrees, enforcement of, reciprocity, procedures. HF 678, Connors and Hargrave.
Inheritance tax, final return, payment and refund, appeal procedures. HF 679, Ways and Means. Approved 6-3-75.
Fence viewers, county assessors or deputies, etc. HF 734, Mennenga.
Civil rights commission, remove reference to political affiliation, certain actions that may be taken, and attorney fees. HF 740, Brandt.
Complaints, employment, actions that may be taken, merit system employees, civil rights commission. HF 836, Judiciary and Law Enforcement.
Increase court costs nonindictable misdemeanors distribution of costs. HF 868, Cities and Towns—HF 879, Cities and Towns. SSM. HF 868 withdrawn.
Clerks of district court, powers and duties of. SF 530, Judiciary.

Juvenile

Adoptions, parental rights, etc. SF 41, Shaw, et al.—HF 92, Oakley, et al. (companion)—HF 614, Human Resources (similar). HF 92 withdrawn.
Juvenile court supervisory personnel, counties 250,000 or more population. HF 72, Bittle and Caffrey.
Juveniles, services for, community-based correctional programs. SF 143, Murray and Ramsey.
Summons and notice by juvenile court, counsel. SF 273, Doderer, et al.—HF 489, Newhard, et al.
Probation officers and other officers, percentage basis for setting salaries. SF 277, DeKoster.
Juvenile court, judges, referees, dependent, delinquent, and neglected children, changes. HF 439, Doyle, et al.
Children in need of assistance, neglected, dependent, and definition of a delinquent child. HF 474, Lipsky, et al.—SF 358, Kelly, et al. SF 358 approved 7-19-75.
Juvenile court referee. strike juvenile court's authority to appoint. HF 577, Lipsky, et al.
Minors, rights at transfer hearings, juvenile court to criminal court. HF 603, Human Resources.
Juvenile court employees, judges may establish salaries. SF 428, DeKoster and Willits.
Juvenile court records made available to claimant for damages. SF 433, Shaw.
Prohibit storage of criminal history data, certain juveniles. HF 649, Doyle, et al.
Eliminate statutory limitations on salaries of juvenile court employees, district judges set. HF 670, Judiciary and Law Enforcement. Also see SF 428. HF 670 approved 6-16-75.

Supreme

Code editor, publication of Code of Iowa and Administrative Code. SF 23, Redmond.
State of the judicial department message by the chief justice. SF 98, Kelly.
Law examiners, board of, and temporary examiners, bar examination, compensation. SF 116, Appropriations. Approved 3-7-75.
Retired supreme court judges, temporary service, regulations. SF 163, Shaff—HF 216, Welden.
Disbursement of costs in actions on appeal to supreme court. SF 329, Judiciary. Approved 5-12-75.
State grand jury, authorize, appropriation. SF 395, Kelly.
Reorganize administrative functions of the supreme court. SF 431, DeKoster.

Legal fees, Welden vs Ray, appropriation. HF 911, Appropriations. Approved 7-14-75.
Rules of civil procedure, amend. SF 583, Judiciary. Approved 7-3-75.

CREATION—
General
Humankind, schools teaching origin of must also teach creation theory. HF 608, Daggett.

CREDIT—
General
Prohibit unsolicited loan offers. SF 159, Gallagher.
Reduce interest ceiling on consumer credit transactions. SF 221, Gluba, et al.
Credit, reporting, collection, use, storage and dissemination of information re consumers. SF 322, Robinson and Murray.
Consumer credit information, collection of, restrictions on, disclosure of, and corrections to. HF 544, Patchett, et al.
Consumer debt collection, may contact debtor's spouse. HF 672, West.
Finance charges on consumer credit open-end loan accounts, reduce. HF 687, Walter—HF 714, Walter. SSM.
Prohibit creditor from repossessing collateral after default, court order or debtor permission. HF 691, Walter.
Consumer credit transactions, repossession of goods, and/or judgment, depends. HF 708, Walter.
Permit cash discounts in open and closed-end credit sales. HF 711, Howell and Walter.
Consumer Credit Code, administration of. HF 829, Commerce.
Actions in attachment by creditors after default in consumer credit transactions. HF 832, Commerce.
Remove 9 percent maximum interest rate, securities purchased on credit. SF 503, Commerce.

CREDIT CARDS—
General
Credit cards may be used in payment of certain traffic fines. HF 673, Doyle.

CREDIT UNIONS—
General
Credit unions, organization, powers and duties of. SF 39, Robinson and Curtis—HF 181, Krause, et al. HF 181 withdrawn. SF 39 approved 4-8-75.
Credit unions, establish state department for regulation of. SF 54, Robinson and Rabedeaux.
Banks (HF 618 includes credit unions and savings and loan associations) required to furnish record of deposit at time of. HF 379, Egenes, et al. —HF 618, Commerce. SSM.
Public funds may be deposited in credit unions. SF 474, Gluba.
Electronic facilities and transfer of funds by banks, credit unions and savings and loan associations. SF 536, Commerce. Approved 6-27-75.
Financial institutions, create a separate state agency to regulate, committee to study. HCR 60—H.J. 2283-2284.

CRIME—Also see Law Enforcement
General
Operating a motor vehicle while under influence of alcohol, redefine offense, etc. HF 168, Daggett.
Defendant in a criminal case may waive right to jury trial. HF 190, Doyle.
Obsenity, defines, certain acts a crime, etc. SF 219, Andersen.
Reparations to victims of criminally injurious conduct. SF 220, Doderer.
Criminal sexual psychopath law, repeal. HF 651, Middleton, et al.
Crime, causes of, reduction of, committee to study. HCR 45—H.J. 1484-1485.
Crime commission and public safety, appropriation, traffic records of individuals, also additional employees of highway patrol. HF 848, Appropriations. Approved 7-15-75. Item Vetoed.
Increase court costs, nonindictable misdemeanors, distribution of costs. HF 868, Cities and Towns—HF 879, Cities and Towns. SSM. HF 868 withdrawn.
Obscene material, public offense. HF 888, Spencer, et al.

Commission
Crime commission, composition and appointment of members. SF 303, Lamborn. Approved 7-14-75.

CRIMINAL CODE—
General
Criminal Code bill. SF 85, Judiciary.

CRIMINAL HISTORY DATA—
General
Prohibit storage of criminal history data, certain juveniles. HF 649, Doyle, et al.

CRIMINALISTICS LABORATORY—Also see Public Safety
General
Ammunition and firearms, stolen, confiscated, etc., shall be deposited with state criminalistics laboratory. HF 835, Judiciary and Law Enforcement.

DAIRY—See Foods and/or Agriculture, Sub-Ref. Dairy

DAMS—Also see Water and/or Lakes
General
Fishways on all dams. SF 256, Heying.
Urge federal government not delay in construction of the new Alton Lock and Dam. SCR 33—S.J. 1095-1096, 1331-1332 adopted—H.J. 1730-1731.

DAY CARE—
General
Child care facilities, licensing and regulation of. SF 491, Human Resources. Approved 7-17-75.

DEAF—
General
Deaf, establish a service program, department of health. SF 223, Palmer, et al.—HF 332, Connors, et al. SF 223 withdrawn. HF 332 approved 5-12-75.
Deaf, school for, requirements for admission to. HF 501, Education. Approved 5-15-75.

DEALERS—
General
Dealers, commercial breeders, kennel operators, and public auction operators, federally and/or state licensed may be inspected and regulated by secretary of agriculture. SF 570, Gluba.

DEATH CERTIFICATES—
General
Birth and death certificates filed in county recorder's office. HF 653, Monroe.

DEBTS—
General
Property exempt from execution and surrender in bankruptcy. SF 120, Gallagher.
Property exempt from execution, revise, bankruptcy. HF 281, Middleton—SF 399, Kelly. S.
Amend Uniform Commercial Code, place of filing to perfect a security interest, farm equipment, products, etc., collateral. HF 529, Bortell and Daggett.
Consumer debt collection, may contact debtor's spouse. HF 672, West.
Finance charges on consumer credit open-end loan accounts, reduce. HF 687, Walter—HF 714, Walter. SSM.
Prohibit the taking of a security interest, other than purchase money, in personal effects, consumer loan. HF 690, Walter.
Prohibit creditor from repossessing collateral after default, court order or debtor permission. HF 691, Walter.

DECREES—
General
Support decrees, enforcement of, reciprocity, procedures. HF 678, Connors and Hargrave.

DENTISTRY—See Medical—Professional, Sub-Ref. Dentistry

DEPARTMENT of HEALTH—See Health, Department of

DEPARTMENT of REVENUE—See Revenue, Department of

DEPARTMENT of TRANSPORTATION—See DOT and/or Transportation

DEPOSITS—
General
Public funds may be deposited in savings and loan associations. SF 146, Rodgers.
Bank deposits, banks notify depositors when federal examiners request records. HF 232, Patchett.
Banks (HF 618 includes credit unions and savings and loan associations) required to furnish record of deposit at time of. HF 379, Egenes, et al.—HF 618, Commerce. SSM.
Slaughterhouses, require bonding or deposit. SF 291, Hultman.
Banks acting in a fiduciary capacity may invest in time deposits exceeding one year. HF 648, Newhard—SF 442, Rodgers, et al.
Interest rate on nonstate public funds invested in bank time certificates of deposit. HF 703, Miller of Buchanan, et al.

Public funds may be deposited in credit unions. SF 474, Gluba.
Suspend maximum limit on bid deposits for levee and drainage district improvements. SF 475, Natural Resources—HF 818, Natural Resources. HF 818 withdrawn. SF 475 approved 5-30-75. Became law by pub. 6-6-75.

DESEGREGATION—
General
School desegregation, policies of public instruction. HF 13, Junker, et al.

DEVELOPMENT—
General
Childhood development, continue governor's task force, appropriation. SJR 6, Doderer, et al. Approved 7-14-75.

Commission
Development commission and energy policy council, appropriation. SF 464, Appropriations. Approved 6-3-75.
Development commission, abolish. SF 469, Gluba.

DEVELOPMENT COMMISSION—See Development, Sub-Ref. Commission

DISABLED—Also see Handicapped
General
Property taxes paid and rent, reimbursement for. SF 71, Hansen—HF 226, Cusack, et al. (companion)—SF 186, Shaff, et al.—HF 869, Brandt—SF 556, Gluba, et al.—HF 893, Brandt, et al.—SF 571, Ways and Means (all similar subject matter). SF 556 withdrawn. SF 571 approved 6-30-75.
Claims for reimbursement of property taxes, 65 or older, checks. SF 78, County Government. Approved 2-28-75.
Disabled persons, reasonable search for medical information, etc. HF 244, Patchett, et al.—HF 845, Judiciary and Law Enforcement. SSM.
Reduce from 65 to 62 (HF 532 age 60) age limit, claims for reimbursement for property taxes paid and rent. HF 383, Caffrey and Higgins—HF 532, Caffrey, et al.
Determine disability, or removal of disability, provide method for, governor. HJR 15, Spear, et al.
Peace officers' retirement, accident and disability system, improve certain benefits. SF 332, Nystrom, et al.—HF 622, Connors, et al. (companion)—HF 772, State Government (same)—SF 473, State Government (similar subject matter).
Reimburse counties, additional property tax relief, owners of mobile homes, 65 or older or disabled, appropriation. HF 702, Miller of Buchanan.

DISASTERS—
General
Designate northwest Iowa as a disaster area, provide aid. SCR 9—S.J. 73-74, 130.
Civil defense and emergency planning, strengthen and supplement. SF 151, Briles and Miller of Des Moines—HF 447, Middleswart and Daggett.
Disaster relief, political subdivisions, appropriation. HF 461, Oakley, et al.
Disaster services and county-municipal disaster services and emergency planning administrations, create office of. HF 620, Harvey and Rinas—HF 808, State Government. Same.
Civil defense and disaster assistance, committee to study. SCR 41—S.J. 1536, 1571.

DISCRIMINATION—Also see Civil Rights
General
Automobile insurance, renewal of, prohibit discrimination. HF 36, Lipsky. Approved 6-6-75.
Education, any type, prohibit discrimination. SF 34, Kelly—HF 122, Cusack, et al.
Disallow sex discrimination in retirement programs. HF 337, Patchett, et al.—SF 312, Gluba.
Real estate contracts, etc. shall not contain discriminating clauses. SF 284, Murray.
Job discrimination, political affiliation. HF 537, Cusack, et al.
Persons may refuse to participate in an abortion, also hospitals. SF 387, Human Resources—HF 821, Human Resources.
Unfair discrimination in insurance, correct. HF 730, Brandt.
Sex or marital discrimination in insurance, eliminate. SF 500, Doderer.
Insurance, unfair and discriminatory practices based on a person's sex or marital status, committee to study. SCR 45—S.J. 1791-1792.

DISTRICTS—
General
Substate regional agencies and districts, committee to study. HCR 47—H.J. 1485-1486.

DIVORCE—
General

Dissolution of marriage. SF 238, Shaw—HF 352, Oakley. SF 238 withdrawn.
Exempt motor vehicles from inspection, dissolution of marriage. SF 287, Heying. Withdrawn.
Educational needs considered, divorce, property settlements and alimony payments. HF 664, O'Halloran.
Decree in a dissolution of marriage action. SF 482, Doderer.

DOT—Also see Transportation
General

Snow tires, definition of, DOT. HF 50, Drake, et al. Approved 4-8-75.
Road use tax fund, appropriation to. SF 57, Norpel ($20,000,000)—SF 168, Norpel, et al. ($39,200,000).
Vehicle safety standards, department of transportation. SF 58, Norpel.
Maximum lengths of vehicles, repeal authority of the department of transportation. SF 66, Hill of Jasper.
Transportation regulation board and legal counsel, duties of. HF 73, Transportation. Approved 4-8-75.
Annexation, cities give notice of to department of transportation. HF 74, Transportation. Approved 4-28-75.
Moving expenses, transportation, employees of highway division, DOT. HF 81, Transportation. Approved 3-14-75.
Business signs on informational panels along highways, increase fees and permits. HF 91, Transportation.
Highways, temporary closing of. HF 99, County Government—SF 101, County Government. SF 101 withdrawn. HF 99 Approved 5-12-75.
Highway patrolmen, licensing drivers, remove from DOT. HF 106, Transportation. Approved 4-22-75.
Railroad laws, revise and repeal obsolete provisions. HF 127, Transportation. Approved 5-15-75.
Transportation commission, membership on, no public officer of state or political subdivision. SF 128, Redmond and Gluba.
Appropriation included in auditor of state's budget for auditing department of transportation. SF 134, Appropriations. Approved 3-18-75.
Operator's license classification system, establish, also colored photograph. HF 179, Drake.
Hard surface present granular surfaced primary highways, appropriation. HF 186, Daggett—SF 140, Biles.
Mobile homes, etc., movement of. HF 210, Woods, et al.—HF 479, Transportation (similar)—HF 235, Drake (similar subject matter). HF 479 approved 6-6-75.
Railroad passenger service, Clinton to Council Bluffs, Iowa City to Cedar Rapids, Des Moines to Marshalltown. HF 213, Patchett, et al.
Duties and responsibilities, DOT and counties, secondary roads. HF 286, Transportation. Approved 4-16-75. Became law by pub. 4-25-75.
Contracts for haying on medians of interstate highways, DOT, conservation commission. HF 303, Scheelhaase.
East-west railroad passenger service across the state, appropriation. SF 237, Gallagher—HF 588, O'Halloran.
Highway grade crossing safety fund, appropriation. HF 357, Daggett, et al.
Transportation, department of, appropriation, match federal funds. HF 368, Appropriations. Approved 4-8-75. Became law by pub. 4-18-75.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as SCR 20) HCR 18—H.J. 480-481, 495-496 adopted—S.J. 541-542, 613, 680-681 adopted—H.J. 749, 801, 963-964 adopted—S.J. 997 adopted.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as HCR 18) SCR 20—S.J. 540-541, 610-611, HCR 18 substituted 680, withdrawn 681.
Public employees, 7 percent salary increase. HF 406, Hennessey, et al.
Railroad passenger service, Davenport to Council Bluffs and Dubuque to Council Bluffs, appropriation. SF 281, Gluba, et al.—HF 578, Higgins.
Railroad assistance fund, improvement of branch line railroad roadbeds, tracks, etc. SF 286, Energy—HF 433, Energy. S. SF 286 withdrawn. HF 433 approved 4-8-75.
Motor vehicles used by railroad companies, safety standards and equipment. SF 295, Miller of Des Moines, et al.
Destruction of weeds along roads and highways, limit spraying. HF 443, Avenson.
Railroad passenger service, contract with national railroad passenger corporation for, purchase of depots, appropriation. HF 491, Patchett, et al.
Vehicle inspection, inspection orders, authorize employees. HF 502, Transportation. Approved 7-17-75.
Railroad passenger service from Chicago to the Missouri River, appropriation. HF 565, Higgins.

Roads through rural farm land, consider placement of. HF 580, Bortell.
Transportation commission may have up to 45 days after convening of the general assembly to submit rules re length limits of vehicles. SF 391, Norpel.
Interstate carriers must register with department of transportation, penalties. HF 597, Doyle.
Freeway-expressway system between Dubuque and Sioux City, appropriation. SF 402, Norpel—HF 718, Gilloon, et al.
Municipal transportation assistance fund, establish. SF 413, Griffin.
Probationary motor vehicle operator's license shall not be suspended or revoked if person re-enters a public or private school. SF 416, Shaw.
Escort fees for oversized vehicles, DOT establish. SF 417, Tieden.
Intrastate truck operators and contract carriers, issuance of permits. SF 437, Coleman.
Motorized bicycles, motor vehicle license. HF 658, Hines.
State transportation fund, create, appropriation. HF 663, Small.
Grain purchased by warehouses, assessment on, railroad branch line improvement. HF 667, Evans, et al.—HF 789, Agriculture. S.
Travel and semitrailers, braking and hitching requirements. HF 688, Doyle. Withdrawn.
Environmental quality, department of, include director of transportation as member of executive committee. HF 698, Natural Resources.
Abandoned railroad right-of-way, department of transportation adopt a public use plan for. HF 709, Small—HF 837, Transportation. SSM.
Registration of trailers and semitrailers for a 3 year period, trip permits, and registration apportionment agreements. HF 724, Transportation. Approved 7-14-75.
Motor vehicle inspections, reciprocal agreements, etc. SF 462, Miller of Des Moines.
Rail problems in Iowa, roadbeds and trackage, committee to study. SCR 32—S.J. 1008.
Increase gross weight for hauling livestock, grain, fuel, and agricultural materials, permits issued, DOT. SF 480, Taylor, et al.
Closing of highways for cities having local celebrations, deparment of transportation amend its policy to allow. HCR 43—H.J. 1304-1305.
Periodic retesting of operators of motor vehicles. HF 817, Transportation.
Urge federal government not delay in construction of the new Alton Lock and Dam. SCR 33—S.J. 1095-1096, 1331-1332 adopted—H.J. 1730-1731.
Operators of motor vehicles, exceptions in licensing. HF 840, Transportation.
Movement of mobile agricultural equipment, eliminate necessity for a special plate for each vehicle. SF 495, DeKoster.
Study of certain roads in the state, department of transportation. HF 851, Gilloon, et al.
Bikeways and walkways, establish. HF 875, Lipsky.
Great River Road, appropriation to department of transportation for. SF 540, Junkins, et al.
Appropriate from road use tax fund, primary road fund, aeronautics fund, and general fund to department of transportation for administration and other purposes; and share for administration of merit system. HF 892, Appropriations. Approved 6-29-75.
Railroad grade crossings on public highways, increase funds allocated. HF 838, Transportation—HF 904, Appropriations. SSM. HF 838 withdrawn. HF 904 approved 7-14-75.
Transportation policy submitted by the department of transportation be adopted by the general assembly. HCR 73—H.J. 2503-2504, 2576, 2667-2668 adopted—S.J. 2180-2182, 2207 adopted.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.
Transportation funds, new formula for allocating and increasing, committee to study. HCR 85—H.J. 2752-2753.

DRAINAGE—
Districts
Severance of certain land from an established drainage district, permit if. SF 93, Taylor—HF 239, Stromer.
Warrants issued for drainage districts bearing interest. HF 326, County Government.
Drainage district boards may make repairs if $10,000 or less, no engineer's report. HF 370, Branstad.
Suspend maximum limit on bid deposits for levee and drainage district improvements. SF 475, Natural Resources—HF 818, Natural Resources. HF 818 withdrawn. SF 475 approved 5-30-75. Became law by pub. 6-6-75.
Drainage or levee districts, boards of supervisors may establish revolving funds for maintenance of. HF 860, Mennenga, et al.
Levees and drainage districts, financing of. SF 547, Cities.
Drainage and levee districts, updating and needed corrections in law governing, committee to study. (Same as SCR 50) HCR 57—H.J. 2235.
Drainage districts, updating and needed corrections in law governing, committee to study. (Similar as HCR 57) SCR 50—S.J. 1932-1933, 1936.

DRAINAGE DISTRICTS—See Drainage, Sub-Ref. Districts

DRIVER EDUCATION—See Schools, Sub-Ref. Driver Education

DRIVING—
General
Proof of motor vehicle financial responsibility, reinstated driving privileges. SF 187, Gallagher.
Drunk-driving enforcement programs, public safety, appropriation. SF 337, Murray.

DRUGS—Also see Pharmacy and/or Narcotics
General
Operating a motor vehicle while under the influence of alcohol, implied consent, penalties, etc. SF 76, Plymat, et al.—HF 245, Oakley, et al.
Narcotic drugs, distribution of, penalty. HF 78, Danker, et al.
Prescription drugs, labeling, certain information available to pharmacy examiners, pharmacists and practitioners, etc. HF 200, Patchett, et al. —SF 268, Redmond and Gluba.
Regulation of prescription drugs, defining wholesalers. HF 310, Cusack, et al.
Possession with intent to distribute, narcotics, increase penalties. HF 378, Hargrave.
Distribution of free samples of prescription drugs to medical practitioners by drug salesmen. HF 547, Cusack.
Prescription drugs, retail price posted in every pharmacy, advertising. HF 636, Bina, et al.
Pharmacies, issuing of new licenses, labeling of certain prescription drugs, and regulation of controlled substances. HF 729, Judiciary and Law Enforcement.
Aging, commission on, drug abuse authority, division on alcoholism, and committee on handicapped, appropriation, counties share certain costs. SF 572, Appropriations. Approved 6-30-75.

DUMP—See Solid Waste Disposal Grounds

EASEMENTS—Also see Land and/or Property
General
Public utilities acquiring easements, terms negotiable. SF 175, Heying and Taylor.
Easement acquired for a public purpose, require an offer every 5 years to renegotiate. SF 259, Gallagher.
Sewage lines, Anamosa, social services grant easement for. HF 776, Judiciary and Law Enforcement. Approved 7-14-75. Became law by pub. 7-23-75.

EDUCATION—See Schools, all Sub-Refs. and/or Colleges—Universities and/or Higher Education

EGGS—See Foods, Sub-Ref. Dairy

ELDERLY—Also see Senior Citizens and/or Aging
General
Programs for elderly, commission on aging, elderly participate. HJR 7, Cusack, et al.
Winterize homes of elderly and low-income families, appropriation to planning and programming. HF 271, Cusack, et al.
Fishing licenses for senior citizens, reciprocity. HF 363, Howell.
"Green Thumb", outdoor summer programs, employ elderly, appropriation. SF 326, Natural Resources—HF 685, Avenson. Similar subject matter in part to SF 573.
Retired Iowan employment program, appropriation. HF 566, Cusack.
Mandatory retirement due to age, prohibit, exceptions. HF 549, Cusack.
Aging, establish area or regional agencies, advisory boards. HF 654, Human Resources.
Reimburse counties, additional property tax relief, owners of mobile homes, 65 or older or disabled, appropriation. HF 702, Miller of Buchanan.
State catastrophic illness program, expand and complete study of. (Same as SCR 36) HCR 40—H.J. 1227.
State catastrophic illness program, expand and complete study of. (Same as HCR 40) SCR 36—S.J. 1144, 1162, 1334.
Tax levy to promote, establish and maintain recreational, educational, etc., activities for senior citizens, authorize cities and counties. HF 857, Cusack.
"Green thumb" (employment) program for elderly, handicapped, and lower income persons, appropriation. SF 573, Appropriations. Approved 7-14-75.
Elderly and handicapped, committee to study problems of, etc. SCR 61—S.J. 2184-2186, 2206.

ELECTIONS—
General
Soil conservation district commissioners, election of. SF 8, Hill of Polk—HF 54, Pellett, et al. SSM. SF 8 withdrawn. HF 54 approved 4-28-75.

State educational boards, method of determining the composition of. HF 11 Crabb.
School district directors, election of. HF 20, Doyle, et al.
School bond issues, elections, simple majority vote. SF 37, Griffin.
Political signs, display of, certain times. SF 46, Redmond—HF 219, Patchett. SF 46 withdrawn.
County zoning, election. SF 49, Norpel—HF 135, Monroe.
Person convicted of a felony or who is mentally ill, general assembly prescribe voting privileges. HJR 3, Spear, et al.
Allow persons eighteen (18) years of age to hold state elective office. HJR 4, Spear, et al.
Person convicted of a felony or who is mentally ill, disqualified from being electors, repeal. HJR 5, Brandt, et al.
School directors, election of, subdistricts equal in population. HF 115, Bittle.
School elections, run-off elections, if necessary. HF 120, Kreamer.
Executive officers of the state, change method of selection. HJR 6, Brandt, et al.
Consolidation of counties. SF 113, Kelly, et al.
Canvas of vote for governor, change to every four years. HF 160, Caffrey. Approved 5-15-75.
Number of judgeships in judicial election districts. SF 136, Judiciary.
Presidential preferential primary election. HF 209, Patchett, et al.
County offices, consolidation of. HF 227, Gilloon, et al.
Make general election day a legal public holiday. HF 242, Patchett, et al.
Powers of initiative, referendum, and recall, constitutional amendment to create. HJR 8, Patchett, et al. Also see HJR 11.
Election of city officials by major political party labels. HF 307, Cusack.
Governor and lieutenant governor be elected as a team. HJR 9, Spear, et al.
Power of initiative, people may propose and enact legislation. HJR 11, Krause. Also see HJR 8.
Libraries, change filing date for election. HF 374, Hinkhouse.
Primary elections, disregard political affiliation, etc. HF 381, Wyckoff.
Each county auditor receive additional compensation for serving as county commisisoner of elections, also certain deputies. HF 385, Wells.
Presidential electors, election of. SF 265, Miller of Marshall—HF 427, West, et al.
Leaves of absence, persons elected to a municipal, county, state or federal office. SF 266, Robinson.
Names of school districts, may change, election. HF 405, Evans and West.
Grand and petit jurors, method of selection. HF 429, Hullinger and Brunow.
Judicial election districts, composition of. SF 301, Rodgers—HF 570, Middleswart, et al.
Judges of election, change selection and certification of potential jurors. SF 345, DeKoster.
Home rule for counties. SJR 8, County Government—HJR 22, County Government. SSM.
Public bonds, sale of, lower percentage of votes needed to authorize. HF 469, Gentleman, et al.
Registration of voters, permit by mail or at polls on day of election. HF 471, Brandt.
School districts may change name, election. SF 383, Burroughs—HF 779, Education. HF 779 withdrawn. SF 383 approved 5-12-75.
Powers of referendum, reject or approve laws, constitutional amendment to create. HJR 17, Evans, et al. Also see HJR 8 and HJR 11.
Elections, procedures for preparing for, giving notice of, conducting and canvassing elections, presidential electors, registration, etc. HF 700, State Government. Approved 6-16-75.
Income tax credit for voting, increase cigarette taxes to fund credit, appropriation. SF 466, Orr.
Reverse referendum procedure for disapproval of a resolution by an aviation authority to issue bonds. HF 750, Bortell.
Contested elections, committee to study. HCR 51—H.J. 1810-1811.
Commissioners of elections thoroughly acquaint themselves with all election laws, also new ones, and strictly comply with them. HR 37—H.J. 1809-1810, 1968, 2096, 2671.
Attorney fees and expenses, election contest, Spradling vs Stephens, appropriation. HF 918, Appropriations.

ELECTORS—
General
Presidential electors, expenses paid from funds other than those appropriated from general fund. HF 229, Appropriations. Approved 4-8-75.
Presidental electors, election of. SF 265, Miller of Marshall—HF 427, West, et al.

ELECTRICITY—Also see Utilities
General
Routing of transmission lines. SF 188, Heying and Taylor—HF 788, Agriculture. SSM.
Electric transmission lines, informational meetings, placement of lines, etc. SF 213, Nystrom.

Western Iowa Municipal Electric Cooperative Association, legalize proceedings for organization and operation of. HF 510, Hutchins —HF 741, Judiciary and Law Enforcement. Same. HF 741 approved 5-15-75. Became law by pub. 5-30-75.
Efficient use of electricity, rates, conservation, and pricing of, commerce commission. HF 715, Patchett.
Labeling of appliances, energy consumed. HF 850, Cusack.
Jointly-owned electrical facilities, cities may form. HF 908, Ways and Means. Approved 7-8-75.

ELECTRONIC FUNDS TRANSFER SYSTEMS—
General
Electronic funds transfer systems, development and use of, regulation of, committee to study. HCR 63—H.J. 2322-2323.

ELECTRONICS—
General
Banks may use electronic facilities. HF 621, Newhard—SF 432, Palmer, et al. Simliar subject matter in part to SF 536. SF 432 and HF 621 withdrawn.
Electronic facilities and transfer of funds by banks, credit unions and savings and loan associations. SF 536, Commerce. Approved 6-27-75.

ELEVATORS—
General
Grain purchased by warehouses, assessment on, railroad branch line improvement. HF 677, Evans, et al.—HF 789, Agriculture. S.

EMERGENCIES—
General
Emergency vehicles, may drive to left of center of roadway. SF 45, Redmond. Withdrawn.
Emergency vehicles, may be driven left of center line, or wrong way on a one-way street. HF 90, Judiciary and Law Enforcement.
Flashing lights, all emergency vehicles may use. HF 107, Doyle, et al.
Civil defense and emergency planning, strengthen and supplement. SF 151, Briles and Miller of Des Moines—HF 447, Middleswart and Daggett.
Emergency lighting system for public buildings. SF 173, Scott.
Maximum property tax levy for municipal emergency fund, increase. HF 661, West and Welden.
Emergency medical technicians, department of health discontinue requirement of basic training course the 5 emergency ambulance runs. HCR 46—H.J. 1485.
Emergency planning and coordination of emergency services, disasters; create an office of civil preparedness, committee to study. HCR 77—H.J. 2571.

EMINENT DOMAIN—
General
Annual rental charges to landowner, other damages, eminent domain, pipelines. SF 65, Gallagher, et al.—HF 309, Avenson, et al.—HF 754, Agriculture. S.
Eminent domain procedures, amend. HF 207, Transportation.
Land acquired thru eminent domain, option to repurchase land not used. SF 176, Heying and Taylor—HF 692, Agriculture. S.

EMPLOYEES—See Employment, Sub-Ref. Employees and/or State Government, Sub-Ref. Employees and/or Schools, Sub-Ref. Employees

EMPLOYERS—See Employment, Sub-Ref. Employers

EMPLOYMENT—
General
Use of force, violence, etc., preventing a person from working, criminal offense. HF 441, Branstad.
Right to work law, violation of, specific penalty. HF 444, Branstad.
Prohibit persons not involved in a particular labor dispute from picketing. HF 445, Branstad.
Retired Iowan employment program, appropriation. HF 566, Cusack.
Mandatory retirement due to age, prohibit, exceptions. HF 549, Cusack.
Emergency employment for public projects, appropriation. HF 834, Egenes, et al.
Human resources development commission, establish. HF 839, Poncy.
Productive employment by unemployed, condition of unemployment compensation or welfare benefits, committee to study. SCR 38—S.J. 1177, 1198, 1571.
Professional people seeking and/or employed by the state may be paid expenses and/or moving costs. SF 521, Appropriations. Approved 6-16-75.
State agencies may employ only a certain maximum number of employees with funds appropriated, certain bills. SF 562, Appropriations. Approved 7-14-75.
Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public em-

ployment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.
Salary rates, judicial branch of government, public employment relations board. SF 564, Appropriations. Approved 6-30-75.
Employment opportunity board, create, appropriation. HF 913, Appropriations. Approved 7-14-75.
Equal opportunity in hiring, advancement and pay, committee to study or review compliance. HCR 84—H.J. 2752.

Employees—Also see Schools, Sub-Ref. Employees and/or State Government, Sub-Ref. Employees

Holidays for state employees. HF 15, Wyckoff—HF 166, Wyckoff, et al. S.
Public school employees may not draw sick leave and workmen's compensation at the same time. HF 63, Brockett, et al.—SF 72, Miller of Marshall. HF 63 withdrawn.
Cost of living adjustments for public employees, appropriation. HF 94, Crabb, et al.—SF 216, Willits and Robinson—HF 434, Wells, et al. (similar)—SF 225, Nystrom, et al.—HF 490, Lonergan and Hines (companion)—HF 535, Crabb, et al.—HF 767, State Government (same) (all similar subject matter).
Payment of wages to employees, penalties. HF 165, Lipsky—SF 201, Nystrom, et al. HF 165 withdrawn.
Employees, state or political subdivisions, dismissal, appearance, etc. HF 170, Horn.
State minimum wage, create. SF 139, Redmond.
Civil service employees, qualifications. HF 192, Crawford—SF 198, Murray. HF 192 withdrawn.
State employees working on holidays, compensation, options, and holidays. SF 162, Nystrom—HF 291, Griffee (companion)—SF 239, Redmond, et al.—HF 466, Hargrave, et al. (similar) (all similar subject matter).
Polygraph examination prohibited, employer interviewing prospective employee. HF 238, Jochum, et al.
Public employees' absence because of pregnancy and recovery may use sick leave. HF 243, Patchett, et al.
Garnishment of wages, employer give employee 15 days notice. HF 290, Middleton.
Employee may choose doctor, workmen's compensation benefits. HF 302, Jochum, et al.—HF 721, Labor and Industrial Relations. Same.
Longevity pay for certain employees of the state. SF 227, Robinson, et al.—HF 418, Newhard, et al. (companion)—HF 827, State Government (same).
Prohibit mandatory retirement policies for public employees. HF 338, Patchett, et al.
Temporary employees subject to a federally funded emergency employment utilization program exempted from state merit system. HF 348, Fitzgerald and Monroe—SF 477, State Government. SF 477 withdrawn. HF 348 approved 5-6-75. Became law by pub. 5-16-75.
Payment of wages and expenses by an employer, "Iowa Wage Payment Collection Law". HF 351, Labor and Industrial Relations. Approved 6-3-75.
State employee, employment terminated, paid vacation allowance. SF 246, Doderer.
Payment of salaries, vacation, and sick leave for state employees. HF 356, O'Halloran, et al.—SF 272, Willits, et al. (companion)—HF 809, State Government (similar).
Transfer of retirement benefits from one state to another, public employee plans, committee develop program and model legislation. HCR 20—H.J. 530.
Group insurance, conversion of, eligible employees. HF 423, Bittle.
Bonding of governmental employees. SF 341, Palmer, et al.—HF 564, Small, et al.
Benefits for employees, and their dependents, of adult penal and correctional institutions, appropriation. HF 499, Doyle, et al.—HF 771, Judiciary and Law Enforcement. Same.
Increase of retirement benefits to certain retired public employees, appropriation. SF 365, Nystrom, et al.
Retiring state employees may use up accumulated sick leave. HF 527, Miller of Buchanan.
Penal institution employees paid overtime after 40 hours. SF 382, Schwengels, et al.
Job discrimination, political affiliation. HF 537, Cusack, et al.
Reasonable physician examination fee for injured employee, industrial commissioner. HF 572, Small—HF 833, State Government. SSM.
Part-time employment of persons by state agencies. HJR 16, Cusack, et al.
Juvenile court employees, judges may establish salaries. SF 428, DeKoster and Willits.
Petition Congress to refrain from approving any measure which would require states and political subdivisions to recognize and bargain with unions representing public employees. HCR 32—H.J. 961-962, 1086.

Eliminate statutory limitations on salaries of juvenile court employees, district judges set. HF 670, Judiciary and Law Enforcement. Also see SF 428. HF 670 approved 6-16-75.
Open collective bargaining negotiating sessions to the public. HF 681, Kreamer.
Return of accumulated contributions to employers and employees, IPERS. SF 461, Murray.
Unemployment compensation, changes. SF 485, Labor and Industrial Relations. Approved 6-30-75.
Complaints, employment, actions that may be taken, merit system employees, civil rights commission. HF 836, Judiciary and Law Enforcement.
Mandatory overtime, procedures. SF 527, Robinson.
Benefits for public employees and retired public employees, salary adjustments, etc., appropriations. SF 555, State Government. Approved 7-13-75.
Contributions for qualifying charitable organizations may be deducted from state employee's salary. SF 557, Taylor, et al.
Salary increase for officers and employees of the House and Senate. SCR 63—S.J. 2222, 2224-2225 adopted—H.J. 2698, 2745—2748 adopted.
Salary schedule for certain state officials and designated employees, governor may set salaries within such ranges, etc. SF 568, Appropriations. Approved 6-30-75.

Employers

Payment of wages to employees, penalties. HF 165, Lipsky—SF 201, Nystrom, et al. HF 165 withdrawn.
Payment of wages and expenses by an employer, "Iowa Wage Payment Collection Law". HF 351, Labor and Industrial Relations. Approved 6-3-75.
Return of accumulated contributions to employers and employees, IPERS. SF 461, Murray.
Collective bargaining agreements. HF 810, Labor and Industrial Relations.
Bonding of nonresident employers and withholding agents, payment of income taxes withheld. SF 483, Ways and Means.
Unemployment compensation, changes. SF 485, Labor and Industrial Relations. Approved 6-30-75.
Mandatory overtime, procedures. SF 527, Robinson.
Increase employer contribution, unemployment compensation. HF 916, Connors, et al. Approved 6-30-75.

EMPLOYMENT SECURITY COMMISSION—

General

Unemployment compensation, extend. HF 299, Poncy.
Delete one week waiting period for unemployment compensation. HF 453, Byerly.
Unemployment compensation, increase percentage of average weekly wage paid, delete waiting period, extend number of weeks of compensation may be paid. SF 331, Gluba and Carr.
Consolidation of various state and local retirement systems for investment of funds. SF 354, Coleman—HF 552, Connors, et al.
IPERS, appropriation from, to employment security commission, cost of administration. HF 485, Appropriations. Approved 4-28-75.
Advisory council of the employment security commission, membership of. HF 556, Monroe.
Unemployment compensation, changes. SF 485, Labor and Industrial Relations. Approved 6-30-75.
Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.
Increase employer contribution, unemployment compensation. HF 916, Connors, et al. Approved 6-30-75.
Employment security law, committee to study. HCR 80—H.J. 2614.

EMPLOYMENT SECURITY CONTINGENCY FUND—

General

Special employment security contingency fund, administration of. HF 902, Appropriations.

ENERGY—

General

Coal research project, terminate. HF 17, Higgins.
Solar energy unit, state, appropriation. HF 65, Brockett, et al.—HF 722, Energy. Same.
Nuclear power plants, construction of, waiting period of 5 years. HF 282, Cusack.
Energy policy council, increase membership. SF 214, Energy. Approved 5-15-75.
Energy policy council, duties of. SF 215, Gallagher.
Limited property tax exemption for property used to convert solar energy, wind or water to any type energy (HF 533—property used to con-

serve fuel). HF 409, Evans—HF 507, Svoboda, et al.—HF 533, Horn—HF 719, Energy (all similar subject matter).
Energy research and development fund, create within council, appropriation. SF 289, Energy. Approved 7-15-75.
Compehensive energy program to inform public need for energy conservation, governor and energy policy council evaluate programs, etc., and initiate measures to achieve zero energy growth rate. SCR 24—S.J. 647, 663, 739, 898-899, 901, 1332-1333 adopted—H.J. 1729-1730.
Maximum energy consumption in residential, commercial, and public buildings. HF 539 Cusack.
Resource recovery systems, separation of metals, glass, and other waste products which may be used in production of fuel and/or energy. SF 419, Energy. Approved 6-3-75.
Development commission and energy policy council, appropriation. SF 464, Appropriations. Approved 6-3-75.
Large energy facilities, construction of, certification by commerce commission. SF 465, Willits—SF 513, Energy. Same.
Labeling of appliances, energy consumed. HF 850, Cusack.
Regulation of nuclear reactors. SF 509, Energy.
Energy facilities, committee to study. SCR 43—S.J. 1753-1754.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as HCR 61) SCR 48—S.J. 1883.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as SCR 48) HCR 61—H.J. 2284-2285.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

ENGINEERING—
General
Accountancy, architecture, engineering, watchmaking and landscape architecture, increase fees, appropriation. SF 166, Appropriations—HF 251, Appropriations. SF 166 withdrawn. HF 251 approved 3-14-75.
Six-year statute of limitations, certain damage actions, architects, contractors, engineers and surveyors. SF 352, Coleman and Lamborn—HF 616, Harper and Gentleman.

ENVIRONMENTAL PRESERVATION—
General
Solar energy unit, state, appropriation. HF 65, Brockett, et al.—HF 722, Energy. Same.
Air or water pollution, repeal limited property tax exemption. SF 87, Gluba, et al.—HF 119, Brandt, et al.
Sewage works construction fund, appropriation. SF 105, Carr and Norpel—HF 163, Tauke (companion)—HF 184, Cities and Towns—SF 149, Cities (companion)—(SF 105—HF 163 and HF 184—SF 149 are similar subject matter). HF 184 withdrawn. SF 149 approved 2-28-75. Became law by pub. 3-7-75.
Livestock feed lots, location and operation of. HF 129, Husak, et al.
Air and water pollution, reduce length of time for property tax exemption. HF 143, Cusack.
Environmental impact statements issued when planning construction or operation of development projects. HF 274, Cusack.
Environmental education program, establish. HF 407, Pellett, et al. Withdrawn.
Simple and aggravated littering, defining, penalties. SF 405, Kelly.
Resource recovery systems, separation of metals, glass, and other waste products which may be used in production of fuel and/or energy. SF 419, Energy. Approved 6-3-75.
State nuclear power plant monitoring program, establish. HF 656, Hennessey.
That an environmental education advisory council be created within the department of public instruction for planning and developing an environmental education program. HCR 34—H.J. 996-997, 1186 adopted—S.J. 1039-1040, 1098, 1200, 1366, 1968-1969 adopted.
Noise pollution, prevention, abatement or control of. HF 713, Lipsky.
Regulation of hazardous substances, committee to study. SCR 34—S.J. 1096-1097.
Indirect sources of air pollution, department of environmental quality. HF 862, Varley.
Hazardous substances, regulation of, committee to study. HCR 50—H.J. 1696-1697.

Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

ENVIRONMENTAL QUALITY, DEPARTMENT OF—
General

Abolish natural resources council, transfer powers and duties to environmental quality and geologist. SF 236, Gallagher—HF 609, O'Halloran.
Sanitary disposal projects, effective date for operation of. HF 360, Miller of Buchanan, et al.—SF 493, Energy. S.
Feedlots, location and operation of. SF 367, Agriculture—HF 805, Agriculture. SSM.
Resource recovery systems, separation of metals, glass, and other waste products which may be used in production of fuel and/or energy. SF 419, Energy. Approved 6-3-75.
Environmental quality, appropriation. SF 426, Appropriations. Approved 5-12-75.
State nuclear power plant monitoring program, establish. HF 656, Hennessey.
Expand provisions for compensating commission members of environmental quality. HF 693, Natural Resources.
Environmental quality, department of, include director of transportation as member of executive committee. HF 698, Natural Resources.
Noise pollution, prevention, abatement or control of. HF 713, Lipsky.
Indirect sources of air pollution, department of environmental quality. HF 862, Varley.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

EQUAL RIGHTS—Also see Civil Rights
General

Equal rights for men and women, rescind ratification of proposed amendment. SJR 7, Hill of Jasper.
Equal opportunity in hiring, advancement and pay, committee to study or review compliance. HCR 84—H.J. 2752.

EQUIPMENT—
General

Movement of mobile agricultural equipment, eliminate necessity for a special plate for each vehicle. SF 495, DeKoster.

ESCROW—
General

Holders of escrow accounts to pay property taxes, insurance, etc. on real estate, pay interest on funds. HF 569, Miller of Buchanan.

ESTATES—
General

Child support paid out of assets of an estate, trusts. HF 70, Doyle and O'Halloran—SF 172, Doderer.
Remove inheritance tax on property passing to a surviving spouse. SF 158, Andersen.
Inheritance and estate tax laws, uniformity of time limits. HF 230, Ways and Means. Approved 4-22-75.
Exempt household goods and personal effects ($2,500) from inheritance tax. SF 212, Winkelman.
Claims against estates of decedents having received old age assistance, void. SF 233, DeKoster. Approved 4-28-75. Became law by pub. 5-6-75.
Spouse of deceased having no will receive entire estate. HF 438, Jordan, et al.
Increase inheritance tax exemption for sons, daughters and other descendants. HF 582, Branstad.
Allowable deductions from gross value of an estate for inheritance tax purposes. SF 384, DeKoster.
Payment and final returns of inheritance tax. SF 418, Ways and Means. Approved 4-28-75.
Probate Code, changes in—fiduciary returns, sale of property, power of attorney, setting aside wills, dependent allowances. SF 541, Judiciary. Approved 7-14-75.

ETHICS—
General

Code of Ethics, Senate. SR 5—S.J. 39-41, 147-148 adopted.
Lobbyists, establish regulation of. SF 81, Shaff, et al.—SF 542, Judiciary. SSM.
Legislative ethics committees, reduce membership by two. SF 129, Doderer and Redmond.

EXAMINERS—
General

Social workers, licensing and regulation of. HF 83, Miller of Cerro Gordo, et al.—SF 185, Miller of Des Moines, et al. (companion)—SF 297,

Miller of Des Moines, et al.—HF 484, State Government (similar subject matter). SF 185 withdrawn.
Law examiners, board of, and temporary examiners, bar examination, compensation. SF 116, Appropriations. Approved 3-7-75.

EXAMINING BOARDS—
General
Law examiners, board of, and temporary examiners, bar examination, compensation. SF 116, Appropriations. Approved 3-7-75.
Prescription drugs, labeling, certain information available to pharmacy examiners, pharmacists and practitioners, etc. HF 200, Patchett, et al.—SF 268, Redmond and Gluba.
Educational examiners, board of, replaced by professional standards board. HF 269, Patchett.
Medical, nursing and pharmacy examiners, boards of, appropriation to. HF 333, Appropriations. Approved 4-8-75.
Psychology examiners, board of, one member may be a teacher. HF 398, State Government. Approved 5-12-75.
Professional or occupational license renewal, continuing education requirements, legislative review of examining board activities, etc. HF 410, Egenes, et al.—SF 321, Junkins, et al.
Nursing examiners, suspension and revocation of licenses, same hearing powers as medical examiners. HF 538, Cusack.
Speech pathologists and audiologists, licensing of, examining board. HF 642, Harper, et al.—HF 695, State Government (same)—SF 476, State Government (similar).

EXECUTIVE COUNCIL—
General
Court costs and certain expenses, state proceedings, executive council may pay. SF 114, Appropriations. Approved 5-12-75.
Additional land, capitol grounds. HF 188, Brockett.
Public employees, 7 percent salary increase. HF 406, Hennessey, et al.
Leasing of buildings and office space by general services. HF 460, State Government.
General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.
Executive council general contingent fund, appropriation. SF 561, Appropriations. Approved 6-16-75.

EXPENDITURES—
General
Legislative expenses, payment of. HF 30, Bortell, et al.—SF 118, Hultman, et al. (companion)—HF 93, Halvorson—SF 137, Lamborn—HF 325, Branstad, et al.—HF 353, Branstad (similar subject matter).

EYES—See Medical—Professional, Sub-Ref. Optometry

FACILITIES—
General
Handicapped persons, counties provide facilities and services for. SF 4, Shaw—HF 16, Higgins. SF 4 withdrawn. HF 16 approved 3-14-75. Became law by pub. 3-20-75.

FAIR TRADE—
General
Fair trade practices, repeal law. SF 40, Shaw. Approved 2-28-75.

FAIRS—
General
Relocation of county or district fairgrounds. SF 250, Gluba.
Fairs, fair board, geological survey, and natural resources council, appropriation. HF 455, Appropriations. Approved 4-22-75. Item Vetoed.
State fair convention may meet anywhere in state, change convention date and fiscal year, etc. SF 328, Priebe.
State fair board, membership, authority and financial affairs of. HF 562, Brandt, et al.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

FARMS—See Agriculture, All Sub-Refs.

FEDERAL AID AND FUNDS—
General
State information and liaison office, create, Washington, D. C., appropriation. SF 99, Murray.
County mental health centers, authorize expenditure of federal funds or grants for support of. HF 390, Bortell and Hutchins. Approved 6-6-75.

FEDERAL GOVERNMENT—
General
Urge United States Corps of Engineers provide full funding and cooperation to conservation commission for restocking game fish in Coralville Reservoir. HCR 12—H.J. 230-231, 341, 421-422 adopted—S.J. 458, 484, 579, 595, 683-684 adopted.
Leaves of absence, persons elected to a municipal, county, state or federal office. SF 266, Robinson.

FEDERAL INTERNAL REVENUE—Also see Tax, Sub-Ref. Federal Internal Revenue
General
State income tax returns, use of optional standard deduction. HF 23, Spear.
Individual and corporate income tax and franchise tax, references to Internal Revenue Code, computation of, Iowa—federal. HF 56, Ways and Means—SF 68, Ways and Means. SF 68 withdrawn. HF 56 approved 2-14-75. Became law by pub. 2-21-75.

FEED—See Agriculture, Sub-Ref. Feed

FEEDLOTS—
General
Livestock feed lots, location and operation of. HF 129, Husak, et al.
Feedlots, location and operation of. SF 367, Agriculture—HF 805, Agriculture. SSM.

FEES—Also see Motor Vehicles, Sub-Ref. Fees
General
Expert witness fees, increase. HF 18, Oakley—SF 97, Kelly. SF 97 withdrawn. HF 18 approved 6-6-75.
Hours alcoholic beverages and beer may be sold, fees required. SF 22, Griffin, et al.—HF 100, Cusack.
Special trucks, registration fees. SF 24, Priebe, et al.
Airmen, instructors, and aircraft, application of herbicides and pesticides, increase fees. HF 105, Transportation. Approved 4-8-75.
Payment of witness fees by labor commissioner. HF 228, Appropriations. Approved 4-8-75.
Witness fees, increase. HF 284, Caffrey.
Sale of alcoholic liquor by packaged liquor retailer (stores), license, fees, and tax. HF 389, Hargrave.
Tort claims, limit attorney's fees. HF 473, Crabb.
Manufacturers and wholesalers of alcoholic beverages excluded from paying certificate of compliance fee. SF 359, Griffin.
Fees collected by county auditor, recorder, sheriff, and clerk of district court determined by board of supervisors. HF 523, Evans.
Escort fees for oversized vehicles, DOT establish. SF 417, Tieden.
Attorney fees, liability of a medical practitioner and hospitals. SF 436, Coleman, et al.—HF 727, Schroeder, et al.
Bank charters, mergers, consolidations, relocation and other, specified fees. SF 445, Lamborn, et al.—HF 674, Newhard.
Court appointed attorney fees, appeals, etc. HF 668, Oakley, et al.
Sexual contact defined, and for a fee. SF 454, State Government.
Special city assessments, county collect fee for. SF 455, County Government.
Service fee for issuing hunting and fishing licenses. SF 458, Miller of Des Moines and Junkins—HF 757, Monroe, et al.
Sunday beer and liquor sales. HF 761, Judiciary and Law Enforcement.
Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.
Fees collected by sheriffs and certain other police authorities. HF 891, Ways and Means. Approved 6-29-75.
Legal fees, Welden vs Ray, appropriation. HF 911, Appropriations. Approved 7-14-75.

FELONY—See Law Enforcement

FENCES—
General
Fences on another's land, relocation, and payment of. HF 345, Jordan, et al.—SF 430, Sovern.
Partition fences, responsibility for. SF 401, Winkelman.
Flood control project funds, distribution of excess, fences, etc. HF 647, Brunow.
Fence viewers, county assessors or deputies, etc. HF 734, Mennenga.

FERTILIZER—See Agriculture, Sub-Ref. Fertilizer

FIDUCIARIES—
General
Banks acting in a fiduciary capacity may invest in time deposits exceeding one year. HF 648, Newhard—SF 442, Rodgers, et al.

Probate Code, changes in—fiduciary returns, sale of property, power of attorney, setting aside wills, dependent allowances. SF 541, Judiciary. Approved 7-14-75.

FINES—Also see Law Enforcement
General
Fines and forfeited bail, violations of municipal ordinances, increase share paid to counties. HF 375, County Government—SF 355, County Government.
Fines for parking violations, payment of to city clerk or his designee. HF 634, Crawford—HF 800, Cities and Towns. Same.
Credit cards may be used in payment of certain traffic fines. HF 673, Doyle.

FIRE—
General
Automatic fire extinguishing systems in high-rise buildings. HF 77, Connors, et al. Approved 7-15-75.
Fire protection, certain townships, increase tax levy for. SF 90, Palmer—HF 139, Nielsen of Polk. HF 139 withdrawn. SF 90 approved 3-25-75. Became law by pub. 4-4-75.
Fire protection, townships, increase tax levy for. SF 91, Palmer—HF 140, Nielson of Polk.
Fire protection, statewide. HF 195, Hutchins and Husak. Approved 6-3-75.
Emergency lighting system for public buildings. SF 173, Scott.
Building code, housing code, and fire saftey regulations. SF 292, Lamborn.
Flood control project funds, distribution of excess, fences, etc. HF 647, Brunow.
Districts
Benefited fire districts may own and operate ambulances. HF 153, Patchett.
Fire protection, statewide. HF 195, Hutchins and Husak. Approved 6-3-75.
Detachment of land from a benefited fire district or township fire protection. SF 448, Rabedeaux.

FIREARMS—Also see Weapons
General
Parole, eligibility for, and suspended sentences, persons displaying firearms, felony—life sentences. HF 145, Nealson of Muscatine.
Firearms, prohibit discharging over public waters and highways. HF 268, Patchett—SF 208, Ramsey and Redmond—HF 627, Lipsky and Monroe (all similar subject matter). SF 208 withdrawn.
Guns, carrying of, closed case or as permitted by law. HF 312, Baker, et al.
Deer hunting season, possession of certain firearms, license, etc. HF 366, Baker.
Felons prohibited from carrying firearms, etc. SF 249, Schwengels, et al.
Firearms, use of, training program by public safety. HF 412, Monroe, et al.
Ammunition and firearms, stolen, confiscated, etc. shall be deposited with state criminalistics laboratory. HF 835, Judiciary and Law Enforcement.

FIREMEN—
General
Retirement age for policemen and firemen. SF 10, Hultman and Tieden.
Civil service systems of cities, change. HF 395, Cities and Towns. Approved 6-3-75.
Working hours firemen required to remain on duty, reduce. HF 400, Jochum and Higgins.
Disability benefits paid to policemen and firemen deducted from salary and allowances. SF 319, Andersen and Shaw—HF 519, Junker.
Police and fire retirement systems, improve certain benefits. SF 334, Nystrom, et al.—HF 626, Byerly (companion)—HF 804, State Government (same)—SF 490, State Government (similar subject matter).
Retirement qualifications for policemen and firemen, change to 25 years of service. SF 361, Junkins, et al.
Change method of computing pension increases for retired firemen and policemen. SF 410, Carr.
Transfer special agents of the fraud, arson and explosives unit of the div. of fire protection of public safety from IPERS to public safety peace officers' retirement system. HF 624, Connors, et al.
Retirement benefits for peace officers, police and firemen, changes. HF 914, Appropriations.

FIRST AID—
General
First aid courses required by certain school employees. HF 175, Avenson.

FISH AND GAME—Also see Conservation and/or Hunting and/or Licenses, Sub-Ref. Fish and Game
General
Bounties, certain wild animals, repeal. SF 16, Kelly—HF 88, Cusack.
Hunting adjacent to game breeding and shooting preserves, prohibit. HF 22, Oakley.

Unlawful hunting or taking of protected species of wildlife, increase penalties. SF 63, Gallagher, et al.
Quail, open season for. HF 85, Harper.
Wildlife (certain animals), civil damages for unlawfully taking. SF 82, Miller of Marshall, et al. Approved 4-28-75.
Fish and game confiscated by the conservation commission, disposition of. HF 156, Horn. Approved 6-3-75.
Prohibit hunting within 100 yards of buildings. SF 132, Ramsey, et al. Approved 4-28-75.
Urge United States Corps of Engineers provide full funding and cooperation to conservation commission for restocking game fish in Coralville Reservoir. HCR 12—H.J. 230-231, 341, 421-422 adopted—S.J. 458, 484, 579, 595, 683-684 adopted.
Fish, closed season, daily catch limit, possession limit, etc., Turkey River, SF 157, Heying.
Game breeders may sell game for food purposes. HF 262, Natural Resources. Approved 4-28-75.
Bonding requirements, repeal, for contracts with commercial fishermen, rough fish. SF 230, Natural Resources. Approved 4-28-75.
Rough fish may be taken by hand, spear, or bow and arrow—day or night. SF 240, Redmond—HF 397, Wells, et al.
Deer hunting season, possession of certain firearms, license, etc. HF 366, Baker.
Fishways on all dams. SF 256, Heying.
Deer accidentally killed, disposition of. HF 376, Brunow.
Trotlines or throw lines may be used in the Cedar and Iowa Rivers. HF 387, Horn, et al.—SF 267, Redmond.
Commercial fishermen file quarterly report. HF 393, Natural Resources.
Exempt Indians at Tama settlement from hunting and fishing laws. HF 415, Svoboda.
Underwater light for fishing, prohibit. SF 298, Natural Resources.
Conservation management and protection of fish, plant life, and endangered wildlife, etc. HF 497, Natural Resources. Approved 6-3-75.
Migratory waterfowl stamps, issuance of, penalty. SF 371, Miller of Des Moines and Junkins—HF 598, Monroe and Spear (companion)—HF 778, Natural Resources (same). HF 778 withdrawn. SF 371 approved 5-15-75.
Prohibit hunting or fishing from a motor vehicle. HF 546, Daggett.

Bait

Inspection of fishing bait, repeal requirement. SF 231, Natural Resources. Approved 4-28-75.

Licenses

Trapping licenses to nonresidents. SF 14, Tieden—HF 19, Halvorson. HF 19 withdrawn. SF 14 approved 3-18-75. Became law by pub. 3-28-75.
Persons 65 or older fish without license. SF 15, Norpel. Withdrawn.
Fishing and hunting licenses, lifetime, senior citizens. HF 48, Avenson, et al.—SF 47 Gluba et al. SF 47 withdrawn. HF 48 approved 4-8-75.
Fishing license for senior citizens, provide lifetime. SF 29, Palmer, et al. Withdrawn.
Fishing or hunting license, exempt certain military personnel. HF 59, Woods, et al.
Persons 65 or older fish and hunt without license, reimbursement for same to conservation commission. HF 64, Halvorson.
Deer hunting licenses, landowner and/or member of family, and/or tenant. SF 94, Norpel—HF 322, Bortell and Pellett. SSM.
Fishing, hunting or trapping license good until end of open season. HF 189, Schroeder, et al.—HF 775, Natural Resources. SSM.
Fishing licenses for senior citizens, reciprocity. HF 363, Howell.
Prohibit nonresidents from obtaining resident fish and game licenses. SF 317, Natural Resources.
Service fee for issuing hunting and fishing licenses. SF 458, Miller of Des Moines and Junkins—HF 757, Monroe, et al.

FLAG—

General

Flag, Iowa state, not banner. HF 147, Horn.

FLAMMABLES—

General

Flammable interior furnishings, prohibit sale, distribution, and importation. SF 111, Taylor.

FLOODS—

General

Ledges State Park, flooding of, agreements, conservation commission and other governmental agencies. SF 336, Nystrom—HF 717, Crawford and Hines.
Flood control project funds, distribution of excess, fences, etc. HF 647, Brunow.

FOOD—
General
Commend ISU of science and technology re challenge of world food problems and endorse the World Food Conference of 1976 as a bicentennial project. HCR 11—H.J. 188, 220 adopted—S.J. 260-261, 282, 399, 437, 525, 561 adopted.
Aging, commission on, appropriation for nutrition programs. HF 130, Cusack.
Restaurants and food establishments, licensing and regulation of. SF 167, Griffin. Approved 7-14-75.
Price increases of food products, retail. HF 249, Patchett, et al.
Game breeder may sell game for food purposes. HF 262, Natural Resources. Approved 4-28-75.
Packaging of meat, poultry, eggs, and milk, date first packaged and removal date. HF 308, Patchett, et al.
Packaged meat, sold to public, must be in a transparent package. SF 229, Hill of Polk—HF 365, Brockett.
Unit and total pricing of food for sale to consumers. HF 342, Patchett, et al.
Urge U. S. Department of Agriculture take necessary regulatory steps, if unwilling or unable then Congress, to require any purchaser of meat and meat products to pay for these commodities within 48 hours. HCR 37—H.J. 1156-1157.
Food establishments, hotels, and restaurants, establishment and maintenance of. HF 785, Agriculture.

Dairy
Milk used for manufacturing purposes, establish requirements for sanitary production and processing of. SF 55, Van Gilst. Withdrawn.
Sanitary production and processing of milk, requirements for. SF 203, Agriculture—HF 402, Hennessey. SSM.
Packaging of meat, poultry, eggs, and milk, date first packaged and removal date. HF 308, Patchett, et al.
Appropriate money from dairy industry fund to Iowa dairy industry commission. SF 505, Appropriations. Approved 6-16-75.

FUEL—Also see Tax, Sub-Ref. Fuel
General
Underground storage of gas, prohibit, cities. SF 2, Rodgers.
Excise tax on motor fuel, cities (and counties) exempt from paying. HF 169, Cusack, et al.—HF 265, Gilloon—HF 300, Hennessey, et al. SSM.
Service stations, abandoned, maintenance of. HF 203, Patchett.
Kerosene, etc., repeal chapter 208 on, retain identification of gas cans, etc. HF 451, Agriculture. Approved 5-15-75.
Producers, refiners, and distributors of motor fuel register with secretary of agriculture, prohibit operation of service stations, prohibit discrimination re stations, etc. HF 550, Patchett, et al.—SF 408, Redmond.
Taxation of motor fuel used in aircraft, separate fund, returned for airport improvement. SF 409, Redmond and Kelly.
Increase gross weight for hauling livestock, grain, fuel, and agriculture materials, permits issued, DOT. SF 480, Taylor, et al.
Gasoline volatility, legal specifications for. HF 792, Agriculture. Approved 6-29-75.
Petroleum products, marketing, distribution, and pricing of, committee to study. SCR 39—S.J. 1310.
Petroleum products, marketing, distribution, and pricing of, committee to study. (Same as SCR 39) HCR 52—H.J. 1914-1915.
Energy facilities, committee to study. SCR 43—S J. 1753-1754.

FUNDS—Also see Schools, Sub-Ref. Funds and/or Federal Aid and Funds
General
Service compensation fund (Vietnam Veterans), appropriation. SF 133, Appropriations. Approved 3-18-75. Became law by pub. 3-28-75.
Public funds may be deposited in savings and loan associations. SF 146, Rodgers.
Presidential electors, expenses paid from funds other than those appropriated from general fund. HF 229, Appropriations. Approved 4-8-75.
Prison industry depreciation fund, establish. SF 254, DeKoster and Kelly.
Area schools having received interest grant funds may extend the maturation date of loans. HF 401, Jesse and Mennenga. Withdrawn.
Consolidation of various state and local retirement systems for investment of funds. SF 354, Coleman—HF 552, Connors, et al.
Guidelines for the management and use of investments held by educational, religious, or charitable institutions. SF 381, Schwengels.
Taxation of motor fuel used in aircraft, separate fund, returned for airport improvement. SF 409, Redmond and Kelly.
Allow motor vehicle fees and fuel taxes to accure to the general fund. HJR 20, Small.
Interest rate on nonstate public funds invested in bank time certificates of deposit. HF 703, Miller of Buchanan, et al.
Public funds may be deposited in credit unions. SF 474, Gluba.

Urge Congress to continue adequate funding of "priority primary" highway programs, highway 520. HCR 38—H. J. 1191, 1250, 1346, 1404 adopted—S.J. 1154-1155, 1163, 1180, 1200.
Executive council general contingent fund, appropriation. SF 561, Appropriations.
Moneys and credits replacement fund, appropriation. SF 560, Appropriations. Approved 6-16-75.
Municipal assistance fund and county government assistance fund, appropriation. SF 569, Appropriations—HF 901, Appropriations. SSM. HF 901 and HF 903 together are very similar to SF 569. SF 569 withdrawn. HF 901 approved 7-19-75.
Administration of the motor fuel tax program, appropriation to department of revenue. SF 565, Appropriations. Approved 7-9-75.
Electronic funds transfer systems, development and use of, regulation of, committee to study. HCR 63—H.J. 2322-2323.
Transportation funds, new formula for allocating and increasing, committee to study. HCR 85—H.J. 2752-2753.

Cities and Towns

Municipal assistance fund, appropriation. HF 128, Kreamer—HF 174, Cusack, et al.—HF 344, Daggett, et al.—HF 903, Appropriations (all similar subject matter). Also see SF 569. HF 344 withdrawn. HF 903 approved 6-29-75.
Municipal assistance fund and county government assistance fund, appropriation. SF 569, Appropriations—HF 901, Appropriations. SSM. HF 901 and 903 together are very similar to SF 569. SF 569 withdrawn. HF 901 approved 7-19-75.

Counties

Emergency fund of a county, money may be transferred to general fund without approval of state appeal board. SF 124, County Government.
County hospital buildings, permit use of revenue-sharing funds and federal matching funds. HF 514, Jesse.
Municipal assistance fund and county government assistance fund, appropriation. SF 569, Appropriations—HF 901, Appropriations. SSM. HF 901 and HF 903 together are very similar to SF 569. SF 569 withdrawn. HF 901 approved 7-19-75.

Treasurer of State

State transportation fund, create, appropriation. HF 663, Small.

FUNERALS—See Burials—Cemeteries

FURNISHINGS—
General

Flammable interior furnishings, prohibit sale, distribution, and importation. SF 111, Taylor.

GAMBLING—Also see Bingo and/or Pari-Mutuel
General

Social gambling activities, reduce maximum amount of winnings. SF 30, Glenn, et al. Withdrawn.
Prohibit social gambling, or other, on premises where a liquor license or beer permit has been issued. SF 31, Glenn, et al. Withdrawn.
Games of skill, chance, and other, revocation of licenses, limit social gambling, etc. SF 86, Hill of Polk—HF 296, Cusack.
Prohibit gambling (games of skill, chance, bingo and raffles) at premises covered by a "B" or "C" liquor license. SF 122, Andersen.
Antique gambling devices, legalize possession of. SF 145, Rodgers.
Permit pari-mutuel betting, create racing commission, one track. SF 152, Kinley—HF 198, Caffrey.
State lottery. SF 177, Carr, et al.—HF 279, Caffrey, et al.
Card games played for money in a public place unlawful. HF 518, Junker, et al.
Gambling laws, revised. SF 496, Judiciary. Approved 7-17-75.

GAMES—CHANCE—SKILL—ETC.
General

Social gambling activities, reduce maximum amount of winnings. SF 30, Glenn, et al. Withdrawn.
Prohibit social gambling, or other, on premises where a liquor license or beer permit has been issued. SF 31, Glenn, et al. Withdrawn.
Games of skill, chance, and other, revocation of licenses, limit social gambling, etc. SF 86, Hill of Polk—HF 296, Cusack.
Reasonable expenses allowed by department of revenue re games of skill, chance, raffles and bingo. SF 110, Miller of Des Moines.
Prohibit gambling (games of skill, chance, bingo and raffles) at premises covered by a "B" or "C" liquor license. SF 122, Andersen.
Card games played for money in a public place unlawful. HF 518, Junker, et al.
Permissible locations of games of skill, chance and raffles, qualified organizations. SF 441, Gluba.
Gambling laws, revised. SF 496, Judiciary. Approved 7-17-75.

GARBAGE—See Pollution and/or Solid Waste Disposal Grounds

GAS—See Fuel and/or Taxes, Sub-Ref. Gas or Fuel

GENERAL ASSEMBLY—

General

Savings, programs or procedures established by the general assembly, effects of, report to committee chairmen. HF 9, Crabb.

Joint convention January 13, 1975, 1:30 p.m.—Governor Ray's State of the State Message January 14, 1975, 11:00 a.m., canvas of votes. HCR 1—H.J. 12 adopted—S.J. 9 adopted.

Committee to arrange with ministers for opening sessions with prayer. HR 1—H.J. 13-14 adopted.

Appointment of clerks, secretaries and pages. HR 2—H.J. 14 adopted.

Expression of gratitude to the Honorable William H. Harbor. HR 3—H.J. 15 adopted.

Ralph R. Brown, special consultant, compensation and vacation. SCR 1—S.J. 7-8 adopted—H.J. 17-18, 107 adopted.

Additional joint employees, joint committee appointed. SCR 2—S.J. 46, 128 adopted—H.J. 89-90 adopted.

Joint committee to arrange for inauguration. SCR 3—S.J. 47, 61 adopted—H.J. 37 adopted.

Current Codes and Session Laws furnished legislators, staff and press. SCR 4—S.J. 47, 61 adopted—H.J. 37-38 adopted.

Journals, bills and binders to be furnished free to county auditors—also to Iowa's United States Senators and Congressmen. SCR 5—S.J. 47-48, 61 adopted—H.J. 38-39 adopted.

Joint Rules of the Senate and House. SCR 6—S.J. 48-54, 59, 123, 210-211, 214-215 adopted—H.J. 177-183, 250, 252, 254-260 adopted, 287-288—S.J. 298, 553-554 refused to concur—H.J. 594 insists, 600 conference committee appointed—S.J. 616 conference committee appointed—H.J. 2017—S.J. 1825 report, second conference committee appointed—H.J. 2272 report, 2273 second conference committee appointed.

Adjournment Thursday, January 16, 1975—reconvenue Monday, January 20, 1975 at 10:00 a.m.—also adjourned Friday, March 14, 1975—reconvene Monday, March 24, 1975 at 10:00 a.m. SCR 7—S.J. 54, 61 adopted—H.J. 39 adopted.

Ralph R. Brown be employed as special consultant. SR 1—S.J. 7 adopted.

Appointment of secretaries. SR 2—S.J. 22, 61 adopted.

Rules of the Senate. SR 3—S.J. 22-39, 57-58, 88-90, 100-114 adopted.

Extend appreciation and thanks to Ralph R. Brown. SR 4—S.J. 8 adopted.

Code of Ethics, Senate. SR 5—S.J. 39-41, 147-148 adopted.

Lobbyists, Senate rules governing. SR 6—S.J. 41-46, 144, 148-151, 152-153, 155-159 adopted.

Honor the memory of Reverend Martin Luther King, Jr. SCR 8—S.J. 54, 130, 217.

Designate northwest Iowa as a disaster area, provide aid. SCR 9—S.J. 73-74, 130.

Congratulate Lisbon, Iowa on its 100th anniversary. HCR 2—H.J. 75, 88-89 adopted.—S.J. 142, 160.

Legislative expenses, payment of. HF 30, Bortell, et al.—SF 118, Hultman, et al. (companion)—HF 93, Halvorson—SF 137, Lamborn—HF 325, Branstad, et al.—HF 353, Branstad (similar subject matter).

Joint convention, Governor Ray's Budget Message, Friday, January 24, 1975, at 9:30 a.m. HCR 3—H.J. 94, 96 adopted—S.J. 154-155, 162 adopted.

Congratulate Lisbon, Iowa on its 100th anniversary. (Same as HCR 2) SCR 10—S.J. 151, 160.

Joint Rules of House and Senate be adopted as temporary joint rules of 1975 session. HCR 4—H.J. 96-97, 105 adopted—S.J. 162-163.

Compensation of chaplains, officers and employees. HCR 5—H.J. 97-103, 106-107 adopted—S.J. 163-171 adopted.

Legislators assume office first (1st) Monday in December after election. HJR 1, Krause.

Person convicted of a felony or who is mentally ill general assembly prescribe voting privileges. HJR 3, Spear, et al.

Person convicted of a felony or who is mentally ill, disqualified from being elector, repeal. HJR 5, Brandt, et al.

Procedure for adjournment. HCR 8—H.J. 158-159.

Salaries and expenses of lieutenant governor's office paid from funds appropriated for same. SF 115, Appropriations. Approved 3-7-75.

Joint convention Wednesday, February 12, 1975, at 1:00 p.m., observance of Lincoln's Birthday. HCR 9—H.J. 184 adopted—S.J. 231-232, 238 adopted.

House Information Office expenditures be kept to $1,500 per month. HR 6—H.J. 194.

Canvas of vote for governor, change to every four years. HF 160, Caffrey. Approved 5-15-75.

Adjournment of the general assembly, procedures for. HF 162, Welden, et al.—SF 528, Junkins, et al. SSM.

Extend social security benefits to members of general assembly, also insurance benefits, and deferred compensation to elected state officials. HF 164, Lipsky, et al.
Leaves of absence, candidates for election to general assembly. SF 125, Carr —HF 222, O'Halloran, et al.
Legislative ethics committees, reduce membership by two. SF 129, Doderer and Redmond.
Gifts to officials, employees, etc., increase amount may be accepted. SF 131, Glenn.
Allow persons 18 or over to serve in general assembly. SJR 2, Murray and Hill of Polk .
Iowa Congressional delegation scheduled to meet with the Iowa Legislature, Friday, February 14, 1975. SR 7—S.J. 291, 292, 436, 485, 563-566.
Extend best wishes for speedy recovery to Steve Carney. HR 7—H.J. 341.
Decrease salaries designated state officials, members of general assembly, etc. SF 191, Schwengels, et al.
Reapportionment of the general assembly, HJR 10, Crabb, et al.—SJR 5, Shaw and Hill of Polk.
International Women's Day, March 8, 1975, general assembly recognize. SCR 21—SJ 592, 608, 664.
Leasing of buildings and office space by general services. HF 460, State Government.
Adjourn Thursday, March 27, 1975; reconvene Monday, March 31, 1975, Good Friday. HCR 28—H.J. 742 adopted—S.J. 710-711 adopted.
Effective date of certain Acts or resolutions of the general assembly. SF 380, County Government—HF 560, County Government.
Transportation commission may have up to 45 days after convening of the general assembly to submit rules re length limits of vehicles. SF 391, Norpel.
Privilege from arrest, senators and representatives, repeal. SJR 9, Willits, et al.
Vacancies on supreme, district, and other courts, general assembly prescribe methods for filling. SJR 10, Redmond.
Adjourn May 1, 1975; reconvene Monday, January 12, 1976. SCR 26—S.J. 756, 783, 1010.
Extend thanks and appreciation to House Pages serving first fifty-three legislative days. HR 18—H.J. 807 adopted.
Reapportionment of the general assembly 40 senators—80 representatives. HJR 18, Mennenga.
That the Iowa General Assembly make application to Congress to submit to the states for ratification an amendment to the U. S. Constitution that the President submit, at beginning of each new Congress, an annual budget, expenditures and estimated revenue, etc. SCR 28—S.J. 962-963, 1008, 1334.
That the general assembly continue to support bicentennial efforts, authorize funds for local and state celebrations and projects, and that the 66th General Assembly be named Iowa American Revolutionary Bicentennial General Assembly. SCR 31—S.J. 1007-1008, 1053, 1334.
Funding, compensation and expenses of legislative members of committees, boards, commissions, and councils. HF 828, State Government—SF 507, State Government. SSM. HF 828 withdrawn.
Certain state agencies report quarterly to standing Senate and House natural resources committees. SF 512, Natural Resources.
Air conditioning for legislative lounges. SCR 42—S.J. 1613, 1637.
Legislative sessions, handling of bills, and adjournment procedures, committee to study. HCR 55—H.J. 2131.
Final adjournment, Friday, June 13, 1975 at 5:00 p.m. HCR 58—H.J. 2235.
Legislative sessions, handling of bills, and adjournment procedures, committee to study (Same as HCR 55) SCR 54—S.J. 2075-2076, 2085.
Legislative internships, establish a joint committee to organize and supervise the program. SCR 57—S.J. 2077-2078.
Final adjournment, Saturday, June 14, 1975. SCR 58—S.J. 2078.
Details of closing the 1975, First Regular Session of the 66th General Assembly, interim staff and work, reconvening 1976, Second Regular Session, etc. HCR 68—H.J. 2500-2501, 2727 adopted—S.J. 2242-2243.
Transportation policy submitted by the department of transportation be adopted by the general assembly. HCR 73—H.J. 2503-2504, 2576, 2667-2668 adopted—S.J. 2180-2182, 2207 adopted.
Final adjournment Thursday, June 19, 1975. HCR 69—H.J. 2612, 2749-2750 adopted—S.J. 2243-2257 adopted.
Salary increase for officers and employees of the House and Senate. SCR 63—S.J. 2222, 2224-2225 adopted—H.J. 2698, 2745-2748 adopted.
Attorney fees and expenses, election contest, Spradling vs Stephens, appropriation. HF 918, Appropriations.

GENERAL FUND—See Appropriations, Sub-Ref. Funds

GENERAL SERVICES—
General
Rotunda covering, appropriation for. HF 42, Brockett.
Additional land, capitol grounds. HF 188, Brockett.

Capitol mall, appropriation. HF 276, Brockett.
Central heating and cooling plant for capitol complex, appropriation. HF 289, Brockett.
State property and casualty insurance, general services established program for. HF 316, Bittle, et al.
Transfer state architect to department of general services. HF 354, Caffrey, et al.
Blind, commission for the, bonus board, educational radio and TV, appropriation. HF 399, Appropriations. Approved 4-28-75.
State records, general services, appropriation. SF 285, Appropriations. Vetoed 6-16-75.
Leasing of buildings and office space by general services. HF 460, State Government.
General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.
Tri light safety signal system, authorize study of, appropriation. HF 853, Woods.
Cigarette and little cigar tax stamps, printing and custody of. HF 899, Appropriations. Approved 7-8-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
Legislative council, fiscal committee, interim study committees, and supplies and expenses of the service bureau, appropriation. SF 584, Appropriations—HF 915, Appropriations. HF 915 withdrawn. SF 584 approved 7-9-75.

GEOLOGICAL SURVEY—
General
Fairs, fair board, geological survey, and natural resources council, appropriation. HF 455, Appropriations. Approved 4-22-75. Item Vetoed.
Statewide water plan. HF 760, Appropriations. Approved 5-15-75.

GEOLOGIST, STATE—
General
Abolish natural resources council, transfer powers and duties to environmental quality and geologist. SF 236, Gallagher—HF 609, O'Halloran.

GIFTS—
General
Gifts to officials, employees, etc., increase amount may be accepted. SF 131, Glenn.
Guidelines for the management and use of investments held by educational, religious, or charitable institutions. SF 381, Schwengels.
Anatomical gift may be declared on an operator's and chauffeur's license. HF 640, Monroe.

GLASS—
General
Safety glazing material (wire glass, rigid plastic, etc.) used in commercial, residential, and public buildings. SF 261, Kelly.

GOVERNMENTAL AFFAIRS—See State Government, all Sub-Refs.

GOVERNOR—
General
Joint convention January 13, 1975, 1:30 p.m.—Governor Ray's State of the State Message, January 14, 1975, 11:00 a.m., canvas of votes. HCR 1—H.J. 12 adopted—S.J. 9 adopted.
Joint committee to arrange for inauguration. SCR 3—S.J. 47, 61 adopted—H.J. 37 adopted.
Secretary of agriculture, appointed by governor. HF 51, Spear, et al.
Joint convention, Governor Ray's Budget Message, Friday, January 24, 1975, at 9:30 a.m. HCR 3—H.J. 94, 96 adopted—S.J. 154-155, 162 adopted.
Treasurer of state be appointed. HJR 2, Spear, et al.
Research foundation, Iowa, establish, appropriation. SF 84, Murray.
Executive officers of the state, change method of selection. HJR 6, Brandt, et al.
State information and liaison office, create, Washington, D. C., appropriation. SF 99, Murray.
Canvas of vote for governor, change to every four years. HF 160, Caffrey. Approved 5-15-75.
Historical board, state, increase (decrease—SF 155) members to. HF 177, Patchett—SF 211, Curtis and Shaw (companion)—SF 155, Shaw (similar subject matter). SF 155 and SF 211 withdrawn. HF 177 approved 5-15-75.
Civil defense and emergency planning, strengthen and supplement. SF 151, Briles and Miller of Des Moines—HF 447, Middleswart and Daggett.

Railroad passenger service, Clinton to Council Bluffs, Iowa City to Cedar Rapids, Des Moines to Marshalltown. HF 213, Patchett, et al.
Educational examiners, board of, replaced by professional standards board. HF 269, Patchett.
Capitol mall, appropriation. HF 276, Brockett.
Governor and lieutenant governor be elected as a team. HJR 9, Spear, et al.
East-west railroad passenger service across the state, appropriation. SF 237, Gallagher—HF 588, O'Halloran.
New governor elected, when current governor resigns or vacates office, if 24 months remain in term of office. SJR 4, Miller of Des Moines.
Spanish-speaking persons, appropriation to continue study of problems. SF 241, Gluba—HF 382, Caffrey and Cusack (companion)—SF 504, Appropriations (similar subject matter). SF 241 withdrawn. SF 504 approved 7-9-75.
Lieutenant governor, change duties of. HJR 12, Spear, et al.
Railroad passenger service, Davenport to Council Bluffs and Dubuque to Council Bluffs, appropriation. SF 281, Gluba, et al.—HF 578, Higgins.
Childhood development, continue governor's task force, appropriation. SJR 6, Doderer, et al. Approved 7-14-75.
Governor assign executive duties to the lieutenant governor. HJR 14, Brandt, et al.—HJR 21, State Government. Same.
Determine disability, or removal of disability, provide method for, governor. HJR 15, Spear, et al.
Crime commission, composition and appointment of members. SF 303, Lamborn. Approved 7-14-75.
Comprehensive energy program to inform public need for energy conservation, governor and energy policy council evaluate programs, etc., and initiate measures to achieve zero energy growth rate. SCR 24—S.J. 647, 663, 739, 898-899, 901, 1332-1333 adopted—H.J. 1729-1730.
Railroad passenger service, contract with national railroad passenger corporation for, purchase of depots, appropiation. HF 491, Patchett, et al.
Use of abandoned railroad right-of-way for bikeways. HF 528, Lipsky.
State fair board, membership, authority and financial affairs of. HF 562, Brandt, et al.
Childhood development, office of and advisory council, establish. HF 583, Lipsky, et al.
Postsecondary education, commission for, establish; replace higher education facilities, transfer appropriations. SF 389, Schwengels, et al.—HF 659, Welden, et al.
Disaster services and county-municipal disaster services and emergency planning administrations, create office of. HF 620, Harvey and Rinas—HF 808, State Government. Same.
Governor, with consent of Senate, appoint directors of aging and civil rights commission. HF 631, Cusack—HF 812, State Government. Same.
Rural mail delivery, all Iowans, appropriation. HF 646, Miller of Buchanan, et al.
Support decrees, enforcement of, reciprocity, procedures. HF 678, Connors and Hargrave.
Congratulate Colo, Iowa Future Farmers of America for having received the Governor's Citation for project "Colo Pride". HR 27—H.J. 1514-1515, 2727-2729 adopted.
Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.
Salary schedule for certain state officials and designated employees, governor may set salaries within such ranges, etc. SF 568, Appropriations. Approved 6-30-75.
Special employment security contingency fund, administration of. HF 902, Appropriations.

GRAIN—See Agriculture, Sub-Ref. Grain

GRATUITIES—
General
Prohibit addition of a "tip" on a guest check in restaurants, etc. HF 601, Wells, et al.

GREEN THUMB—
General
"Green Thumb", outdoor summer programs, employ elderly, appropriation. SF 326, Natural Resources—HF 685, Avenson. Similar subject matter in part to SF 573.
"Green thumb" (employment) program for elderly, handicapped, and lower income persons, appropriation. SF 573, Appropriations. Approved 7-14-75.

GUNS—See Firearms and/or Weapons

HANDICAPPED—Also see Disabled
General
Handicapped persons, counties provide facilities and services for. SF 4, Shaw—HF 16, Higgins. SF 4 withdrawn. HF 16 approved 3-14-75. Became law by pub. 3-20-75.
Signature of persons with physical disabilities. SF 60, Redmond—HF 76, Wells. SF 60 withdrawn. HF 76 approved 6-3-75.
Spanish-American war veterans, and employment of the handicapped, appropriation. SF 283, Appropriations. Approved 4-16-75.
Special license plates, automobiles, handicapped. SF 508, Human Resources.
Aging, commission on, drug abuse authority, division on alcoholism, and committee on handicapped, appropriation, counties share certain costs. SF 572, Appropriations. Approved 6-30-75.
Elderly and handicapped, committee to study problems of, etc. SCR 61—S.J. 2184-2186, 2206.

HAY—
General
Contracts for haying on medians of interstate highways, DOT, conservation commission. HF 303, Scheelhaase.

HEALTH—
General
Health care facilities, citizens' aide may investigate complaints. SF 126, Gluba, et al.—HF 220, Higgins, et al.
National health insurance program, urge Congress to establish. HCR 14—H.J. 293.
Adult foster home, change to adult foster family home, etc. SF 193, Human Resources. Approved 5-12-75.
Health and medical services for minors, consent, emergencies, etc. SF 224, Doderer and Murray.
Liens for support of medically ill, state and county, not subject to statute of limitations. SF 471, Winkelman.
Hazardous substances, regulation of, committee to study. HCR 50—H.J. 1696-1697.

Centers
County mental health centers, authorize expenditure of federal funds or grants for support of. HF 390, Bortell and Hutchins. Approved 6-6-75.
Health care centers, establish program for, public health nurse practitioners, appropriation. HF 591, Higgins, et al.
County health centers, increase tax levy. HF 596, Middleton, et al.

Department of
Ambulance service, standards for, levy taxes, etc. HF 40, Drake, et al.
Funeral homes, licensing. HF 45, Crabb. Withdrawn.
Massage, practice of, regulation of. SF 67, Shaw and Orr—HF 79, Bittle.
Health care facilities, citizens' aide may investigate complaints. SF 126, Gluba, et al.—HF 220, Higgins, et al.
Bacteriological laboratory, change to state hygienic laboratory, SUI, functions of, and charges. HF 225, Education—SF 199, Education. SF 199 withdrawn. HF 225 approved 3-14-75.
State housing code. HF 298, Cusack, et al.—HF 613, State Government. SSM.
Establish well-elderly demonstration clinics, preventive medicine, department of health, appropriation. HF 306, Cusack.
Deaf, establish a service program, department of health. SF 223, Palmer, et al.—HF 332, Connors, et al. SF 223 withdrawn. HF 332 approved 5-12-75.
Migrant labor camp inspectors, department of health employ 2 more, appropriation. SF 242, Gluba—HF 384, Jochum, et al.
Birth defects institute, establish, department of health. SF 247, Doderer.
Water well construction and pumping equipment installation, certification and regulation of contractors, appropriation. SF 311, Gluba.
Health care facilities, licensing and regulation of. HF 462, Higgins and Caffrey—SF 324, Gluba and Murray (companion)—HF 866, Human Resources—SF 525, Human Resources (similar) (all similar subject matter). SF 324, HF 462, and HF 866 withdrawn. SF 525 approved 7-14-75.
Migrant labor camps, minimum standards for, etc. SF 318, Gluba and Robinson—HF 509, Jochum.
Funding local health services, appropriation. SF 373, Doderer, et al.
Health care centers, establish program for, public health nurse practitioners, appropriation. HF 591, Higgins, et al.
Mobile home tiedowns. HF 617, Transportation.
Emergency medical technicians, department of health discontinue requirement of basic training course the 5 emergency ambulance runs. HCR 46—H.J. 1485.
Health, department of, appropriation. HF 887, Appropriations. Approved 7-11-75.
Exempt state motor vehicles used for venereal disease investigation from state sign and official registration plates. SF 546, State Government.

Aging, commission on, drug abuse authority, division on alcoholism, and committee on handicapped, appropriation, counties share certain costs. SF 572, Appropriations. Approved 6-30-75.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

Mental

Use of funds to assist counties, mental health and retardation services, charges by mental health institutes. HF 187, Lipsky, et al.
Mental health authority, appropriation. SF 181, Gluba—HF 380, Jesse, et al.
Liens, abolish certain ones, liability for payment of charges for care and treatment at certain institutions. HF 292, Human Resources.
Charges mental health institutes are required to make for care of patients, computation of. SF 300, Curtis.
Mental health services, administration of, need for consolidation, etc. (Same as SCR 35) HCR 42—H.J. 1228-1229.
Mentally ill, hospitalization of, major revision of. HF 815, Human Resources—SF 499, Human Resources. S. HF 815 withdrawn. SF 499 approved 6-16-75.
Mental health services, administration of, need for consolidation, etc. (Same as HCR 42) SCR 35—S.J. 1143, 1162, 1334.
Clarinda mental health institute advisory board, establish, also extension services, etc. HF 842, Human Resources.
Legal fees for inmates and patients of state institutions, payment of. SF 533, Junkins, et al.
Mental health study, appropriation to legislative council for. SF 548, Appropriations. Approved 6-16-75.
Services by county medical examiner rendered to a state institution paid by that institution. SF 552, Junkins, et al.

HEALTH CARE FACILITIES—

General

Adult foster home, change to adult foster family home, etc. SF 193, Human Resources. Approved 5-12-75.
Money and other property of residents of county care facilities, safeguarding and accounting of. HF 426, West—HF 855, County Government.
Health care facilities, licensing and regulation of. HF 462, Higgins and Caffrey—SF 324, Gluba and Murray (companion)—HF 866, Human Resources—SF 525, Human Resources (similar) (all similar subject matter). SF 324, HF 462, and HF 866 withdrawn. SF 525 approved 7-14-75.
Rights for hospital patients, create. SF 347, Gluba and Doderer—HF 585, O'Halloran (companion)—HF 819, Human Resources (similar).
Health care centers, establish program for, public health nurse practitioners, appropriation. HF 591, Higgins, et al.
Nonprofit hospitals and health care facilities, require trustees, directors, and officers file employment and financial interest reports. SF 403, Doderer.
Limiting damages in certain actions re malpractice suits. SF 429, Rodgers, et al.—HF 731, Bina, et al.
Consent in writing, patient care, liability, medical personnel and/or hospitals. SF 434, Doderer, et al.—HF 699, Harper, et al.
Liens for support of medically ill, state and county, not subject to statute of limitations. SF 471, Winkelman.

HEARING—HEARING AIDS—Also see Medical-Professional

General

Loss of hearing, workmen's compensation. SF 346, DeKoster.
Hearing aid dealers, licensing and regulation of. SF 558, Human Resources.

HEARINGS—Also see Public Hearings

General

Hearing procedures, insurance commissioners, persons may appeal. SF 119, Gallagher, et al. Approved 4-28-75.
Minors, rights at transfer hearings, juvenile court to criminal court. HF 603, Human Resources.

HEATING—

General

Central heating and cooling plant for capitol complex, appropriation. HF 289, Brockett.
Maximum energy consumption in residential, commercial, and public buildings. HF 539, Cusack.

HERBERT HOOVER BIRTHPLACE FOUNDATION—

General

Herbert Hoover Foundation, Mississippi River Parkway, Midwest Nuclear Compact, and Iowa American Revolution Bicentennial Commission, appropriation. HF 267, Appropriations. Approved 4-8-75.

HIGHER EDUCATION—Also see Colleges—Universities and/or Schools
General
State educational boards, method of determining the composition of. HF 11, Crabb.
Education, any type, prohibit discrimination. SF 34, Kelly—HF 122, Cusack, et al.
Midwestern College campus site at Denison, acquisition and use of. HF 10, Crabb.
Law enforcement officers, college education program. HF 62, Lipsky.
Tuition fees, prohibit increases, higher education. HF 183, Hines.
College textbooks may be deducted on income tax returns. HF 250, Patchett, et al.—SF 407, Redmond.
Part-time students included in tuition grant program. HF 331, Byerly, et al. —SF 385, Gluba.
Increase maximum tuition grant, appropriation to higher education facilities commission. HF 349, Avenson, et al.
Educational tuition grants or cash allowance, establish, national guard, appropriation. SF 325, Briles and Coleman—HF 472, Crabb.
Classes offered on educational radio and TV, degree in liberal arts. HF 494, Poncy.
Postsecondary education program for city police officers, establish. HF 571, Cusack.
Postsecondary education, commission for, establish; replace higher education facilities, transfer appropriations. SF 389, Schwengels, et al.—HF 659, Welden, et al.
Area schools, acquire and operate dormitories, student centers and parking facilities, revenue bonds. SF 438, Coleman—HF 705, Scheelhaase, et al.
National guard members receive 4 year free tuition. HF 632, Bina.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.
Part-time students and schools of nursing students included in tuition grant program. HF 762, Education. ((HF 331—SF 385 companion) and (HF 79—SF 468 companion) combined are similar to HF 762).
Optometry, feasibility of establishing a college, committee to study. SCR 49—S.J. 1883-1884, 1936.
Optometry, feasibility of establishing a college, committee to study. (Same as SCR 49) HCR 67—H.J. 2499-2500.

HIGHWAY DIVISION, DOT—Also see Roads and Highways
General
Moving expenses, transportation, employees of highway division, DOT. HF 81, Transportation. Approved 3-14-75.
Business signs on informational panels along highways, increase fees and permits. HF 91, Transportation.
Hard surface present granular surfaced primary highways, appropriation. HF 186, Daggett—SF 140, Briles.
Highway grade crossing safety fund, appropriation. HF 357, Daggett, et al.
Vehicle inspection, inspection orders, authorize employees. HF 502, Transportation. Approved 7-17-75.
Freeway-expressway system between Dubuque and Sioux City, appropriation. SF 402, Norpel—HF 718, Gilloon, et al.
Railroad grade crossings on public highways, increase funds allocated. HF 838, Transportation—HF 904, Appropriations. SSM. HF 838 withdrawn. HF 904 approved 7-14-75.

HIGHWAY PATROL—Also see Public Safety
General
Highway patrol personnel, exclude political affiliations. HF 6, Monroe. Approved 4-8-75.
Highway patrolmen, licensing drivers, remove from DOT. HF 106, Transportation. Approved 4-22-75.
Law enforcement communications with local law enforcement agencies. SF 156, Gallagher and Winkelman—HF 202, Doyle, et al. SF 156 withdrawn. HF 202 approved 4-14-75. Became law by pub. 5-8-75.
Increase salaries of highway patrolmen and contribution to peace officers' retirement system, appropriation from primary road fund. HF 319, Harvey.
Vehicle inspection, inspection orders, authorize employees. HF 502, Transportation. Approved 7-17-75.
Hazardous materials, transportation of, reporting accidents. HF 736, Energy.
Crime commission and public safety, appropriation, traffic records of individuals, also additional employees of highway patrol. HF 848, Appropriations. Approved 7-15-75. Item Vetoed.

HIGHWAYS—See Roads and Highways

HISTORICAL BOARDS—
General
Area research centers, state historical board, also include area schools. HF 5, Krause.
Historical board, state, increase (decrease—SF 155) members to. HF 177, Patchett—SF 211, Curtis and Shaw (companion)—SF 155, Shaw (similar subject matter). SF 155 and SF 211 withdrawn. HF 177 approved 5-15-75.
Historic preservation, local, tax for. HF 516, Tofte.
Historical societies, local, allow counties to levy a tax for. SF 551, Ways and Means.

HISTORICAL SITES—
General
Historical sites, establish an annual appropriation. HF 295, Patchett, et al.
Historic preservation, local, tax for. HF 516, Tofte.
Historic structures, etc., acquisition of by counties, 250,000 population. SF 515, County Government.

HISTORY AND ARCHIVES—
General
Area research centers, state historical board, also include area schools. HF 5, Krause.
Vital statistics, access to. HF 8, Crabb.
National Black History Week, February 9th thru February 14th, 1975. (Same as HCR 13) SCR 15—S.J. 267, 282, 436.
National Black History Week, February 9th thru February 14th, 1975. (Same as SCR 15) HCR 13—H.J. 249, 254 adopted—S.J. 277-278, 292, 437.
Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

HOLIDAYS—
General
Holidays for state employees. HF 15, Wyckoff—HF 166, Wyckoff, et al. S.
State employees working on holidays, compensation, options, and holidays. SF 162, Nystrom—HF 291, Griffee (companion)—SF 239, Redmond, et al.—HF 466, Hargrave, et al. (similar) (all similar subject matter).
Make general election day a legal public holiday. HF 242, Patchett, et al.
Adjourn Thursday, March 27, 1975; reconvene Monday, March 31, 1975, Good Friday. HCR 28—H.J. 742 adopted—S.J. 710-711 adopted.

HOME RULE—Also see County, Sub-Ref. Home Rule
General
Home rule for counties. SJR 8, County Government—HJR 22, County Government. SSM.
County home rule and needed county governmental services, committee to study. SCR 52—S.J. 2001.
County home rule and needed county governmental services, committee to study. (Same as SCR 52) HCR 70—H.J. 2501.

HOMES—
General
Winterize homes of elderly and low-income families, appropriation to planning and programming. HF 271, Cusack, et al.
Mechanics' liens, changes to. SF 330, Shaw and Willits.
Insulation of buildings, income tax credit. SF 440, Nystrom.
Loans on residential property by banks. HF 645, Newhard—SF 443, Rodgers, et al.

County
Money and other property of residents of county care facilities, safeguarding and accounting of. HF 426, West—HF 855, County Government.

Foster
Adult foster home, change to adult foster family home, etc. SF 193, Human Resources. Approved 5-12-75.

Juvenile
State juvenile system, appoint interim study committee to further investigate problems. HCR 25—H.J. 696-697.
Children in need of assistance, neglected, dependent, and definition of a delinquent child. HF 474, Lipsky, et al.—SF 358, Kelly, et al. SF 358 approved 7-19-75.

Nursing
Health care facilities, citizens' aide may investigate complaints. SF 126, Gluba, et al.—HF 220, Higgins, et al.

Health care facilities, changes, licensing, and regulation of. HF 462, Higgins and Caffrey—SF 324, Gluba and Murray (companion)—HF 866, Human Resources—SF 525, Human Resources (similar). All similar subject matter. SF 324 withdrawn. HF 462 and HF 866 withdrawn.
Nursing home costs and reimbursement for care of medical assistance patients, human resources committees appoint joint interim subcommittee to hold hearings and review. SCR 62—S.J. 2204-2205, 2243.

HOMESTEAD CREDIT—
General
Homestead tax credit and military service tax exemption, extend time claims may be audited. HF 182, Ways and Means. Approved 4-16-75.
Freeze property taxes, 65 or older. HF 437, Crabb.

HOSPITALIZATION—
General
Hospital outpatient insurance offered with hospitalization insurance. HF 201, Lipsky.
Mentally ill, hospitalization of, major revision of. HF 815, Human Resources—SF 499, Human Resources. S. HF 815 withdrawn. SF 499 approved 6-16-75.

HOSPITALS—
General
Trustees, county public hospital, qualifications of. HF 149, State Government.
Exempt sales to voluntary nonprofit hospitals from sales and use tax. SF 210, Nolin, et al.
Trustees, county hospitals, increase number of. SF 243, Rabedeaux.
Rights for hospital patients, create. SF 347, Gluba and Doderer—HF 585, O'Halloran (companion)—HF 819, Human Resources (similar).
County hospital buildings, permit use of revenue-sharing funds and federal matching funds. HF 514, Jesse.
Persons may refuse to participate in an abortion, also hospitals. SF 387, Human Resources—HF 821, Human Resources.
Nonproffit hospitals and health care facilities, require trustees, directors, and officers file employment and financial interest reports. SF 403, Doderer.
Limiting damages in certain actions re malpractice suits. SF 429, Rodgers, et al.—HF 731, Bina, et al.
Consent in writing, patient care, liability, medical personnel and/or hospitals. SF 434, Doderer, et al.—HF 699, Harper, et al.
Attorney fees, liability of a medical practitioner and hospitals. SF 436, Coleman, et al.—HF 727, Schroeder, et al.
Pathology and radiology services, doctors and hospitals may enter into contracts. SF 439, Doderer.
Prohibit dollar amount in certain cases re actions against a medical practitioner or hospital. HF 696, Bina, et al.—SF 478, Sovern, et al.
Mental
Use of funds to assist counties, mental health and retardation services, charges by mental health institutes. HF 187, Lipsky, et al.
Charges mental health institutes are required to make for care of patients, computation of. SF 300, Curtis.
Mentally ill, hospitalization of, major revision of. HF 815, Human Resources—SF 499, Human Resources. S. HF 815 withdrawn. SF 499 approved 6-16-75.

HOTELS—MOTELS—
General
Food establishments, hotels, and restaurants, establishment and maintenance of. HF 785, Agriculture.
Transient guest tax (hotels, motels, etc.) by cities and counties, authorize. SF 502, Cities—HF 873, Cities and Towns.

HOUSING—
General
State housing code. HF 298, Cusack, et al.—HF 613, State Government. SSM.
Building code, housing code, and fire safety regulations. SF 292, Lamborn.
Housing finance authority, establish. SF 294, Gluba, et al.—HF 448, Cusack, et al. (companion)—HF 823, Human Resources—SF 520, Human Resources (companion). SSM. SF 294 and SF 520 withdrawn. HF 823 approved 6-13-75.
Low-rent housing, eligibility for. HF 575, Cusack. Approved 6-3-75.
Housing projects may be financed by municipal revenue bonds. HF 676, Brandt.
Housing finance authority, appropriation. HF 896, Appropriations. Approved 6-29-75.
Inspection laws, buildings and housing, overlapping, subcommittees of Senate committee on cities and House committee on cities and towns, Legislative Council make appointments to for study. SCR 64—S.J. 2222, 2243.

HUMAN RESOURCES—
General
Human resources development commission, establish. HF 839, Poncy.

Nursing home costs and reimbursement for care of medical assistance patients, human resources committees appoint joint interim subcommittee to hold hearings and review. SCR 62—S.J. 2204-2205, 2243.
ADC program, human resources committees appoint joint interim subcommittee to determine if program may be restructured, etc. SCR 67—S.J. 2228-2229, 2243.
Department of youth services, juvenile justice system, human resources committees appoint joint subcommittee to study. SCR 68—S.J. 2229-2230, 2243.

HUMAN RIGHTS—
General
Change civil rights commission to human rights commission, other changes. HF 606, Nielsen of Polk.

HUMANS—
General
Humankind, schools teaching origin of must also teach creation theory. HF 608, Daggett.

HUNTING—
General
Hunting adjacent to game breeding and shooting preserves, prohibit. HF 22, Oakley.
Fishing and hunting licenses, lifetime, senior citizens. HF 48, Avenson, et al. —SF 47, Gluba, et al. SF 47 withdrawn. HF 48 approved 4-8-75.
Unlawful hunting or taking of protected species of wildlife, increase penalties. SF 63, Gallagher, et al.
Quail, open season for. HF 85, Harper.
Deer hunting licenses, landowner and/or member of family, and/or tenant. SF 94, Norpel—HF 322, Bortell and Pellett. SSM.
Prohibit hunting within 100 yards of buildings. SF 132, Ramsey, et al.—Approved 4-28-75.
Fishing, hunting or trapping license good until end of open season. HF 189, Schroeder, et al.—HF 775, Natural Resources. SSM.
Damages, payment of, hunters. HF 212, Patchett.
Nonresident hunting license, furbearing animals. HF 323, Baker.
Deer hunting season, possession of certain firearms, license, etc. HF 366, Baker.
Exempt Indians at Tama settlement from hunting and fishing laws. HF 415, Svoboda.
Prohibit hunting or fishing from a motor vehicle. HF 546, Daggett.

Licenses—See Licenses, Sub-Ref. Hunting

IDENTIFICATION—
General
Disabled persons, reasonable search for medical information, etc. HF 244, Patchett, et al.—HF 845, Judiciary and Law Enforcement. SSM.

IMMUNITY—
General
Civil immunity to persons serving on peer review committees. SF 235, Miller of Des Moines and Hultman—HF 369, Byerly, et al. (companion)—HF 790, Judiciary and Law Enforcement (same). HF 369 withdrawn.

IMPLIED CONSENT—
General
Operating a motor vehicle while under the influence of alcohol, implied consent, penalties, etc. SF 76, Plymat, et al.—HF 245, Oakley, et al.

INAUGURATION—
General
Joint committee to arrange for inauguration. SCR 3—S.J. 47, 61 adopted—H.J. 37 adopted.
Commend Adjutant General Joseph G. May, Colonel Eric P. Berner, the 186th Military Police Company, and Iowa National Guard for the excellent arranging of the inaugural ceremonies. SCR 12—S.J. 216, 228, 255.
Inaugural ceremonies, appropriation for expenses. HF 486, Appropriations. Approved 6-3-75. Became law by pub. 6-13-75.

INCOME TAX—See Tax, Sub-Ref. Income

INDEMNIFICATION—
General
Indemnification of county officers and employees. HF 12, Hansen. Approved 7-14-75.

INDIANS—
General
Deputy citizens' aide appointed, Indian problems, appropriation. HF 218, Doyle, et al.

Exempt Indians at Tama settlement from hunting and fishing laws. HF 415, Svoboda.

INDUSTRIAL COMMISSION—
General
Reasonable physician examination fee for injured employee, industrial commissioner. HF 572, Small—HF 833, State Government. SSM.
Workmen's compensation laws, changes. HF 863, Labor and Industrial Relations.
Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.

INDUSTRIAL LOANS—
General
Certificates of deposit, banks, savings and loan associations, and industrial loan companies give 10 days advance notice to holders of. HF 414, Commerce. Also see HF 118.

INDUSTRY—
General
Water use records, remove certain categories of water users presently exempt, water plan. SF 304, Culver.
Industrial projects, municipalities, industrial equipment used, retail sales and use taxes applicable. HF 592, Harvey.
Cities and counties may issue industrial revenue bonds for repairing, remodeling and reconstruction of existing lands and buildings. HF 751, Clark —HF 794, Cities and Towns. Same.
Assessment and equalization of certain industrial property. SF 501, Ways and Means.

INFORMATION—
General
State information and liaison office, create, Washington, D. C., appropriation. SF 99, Murray.

INHERITANCE TAX—See Tax, Sub-Ref. Inheritance

INSPECTION—Also see Agriculture, Sub-Ref. Inspection and/or Motor Vehicles, Sub-Ref. Inspection
General
Boilers, inspection of. SF 102. Ramsey.
Inspection of fishing bait, repeal requirement. SF 231, Natural Resources. Approved 4-28-75.
Migrant labor camp inspectors, department of health employ 2 more, appropriation. SF 242, Gluba—HF 384, Jochum, et al.
Exempt motor vehicles from inspection, dissolution of marriage. SF 287, Heying. Withdrawn.
Exempt motor vehicles from inspection if inspected in previous 60 days when transferring within a family. HF 432, Transportation. Approved 5-2-75.
Vehicle inspection, inspection orders, authorize employees. HF 502, Transportation. Approved 7-17-75.
Motor vehicle inspections, reciprocal agreements, etc. SF 462, Miller of Des Moines.
Grain inspection by department of agriculture. HF 786, Miller of Buchanan, et al.—HF 905, Ways and Means. SSM.
Inspection laws, buildings and housing, overlapping, subcommittees of Senate committee on cities and House committee on cities and towns, Legislative Council make appointments to for study. SCR 64—S.J. 2222, 2243.

INSTITUTIONS—See Schools, Sub-Ref. Institutions and/or Penal Institutions and/or Health, Sub-Ref. Mental and/or Hospitals, Sub-Ref. Mental

INSURANCE—Also see No Fault Insurance
General
Indemnification of county officers and employees. HF 12, Hansen. Approved 7-14-75.
Automobile insurance, renewal of, prohibit discrimination. HF 36, Lipsky. Approved 6-6-75.
Public buildings, use of, liability insurance to cover. SF 25, Norpel, et al.
Insurance consultants, licensing, penalties. HF 95, Halvorson—SF 344, Griffin, et al. S.
Insurance companies, filling vacancies on the board of directors, change. SF 107, Briles—HF 159, Daggett, et al. HF 159 withdrawn. SF 107 approved 4-8-75.
Every insurance company or assocation must pay premium taxes. SF 117, DeKoster—HF 391, Miller of Buchanan.

Accident and health insurance companies exempt from paying premium tax. HF 158, Stromer.
Extend social security benefits to members of general assembly, also insurance benefits, and deferred compensation to elected state officials. HF 164, Lipsky, et al.
Conduct study of availability, cost and terms of professional liability insurance. SCR 16—S.J. 346, 375, 511.
Livestock dealers or brokers, slaughter, licensing, bonding, etc. SF 179, Rodgers, et al.—HF 252, Junker, et al. SF 179 withdrawn.
Insurance agents, licensed, continued education. HF 272, Halvorson—SF 339, Griffin, et al. (companion)—HF 737, Commerce (similar subject matter).
Licensed insurance agent may place insurance business with other licensed agents. HF 311, Halvorson—SF 342, Griffin, et al. (companion)—HF 738, Commerce (similar subject matter).
State property and casualty insurance, general services establish program for. HF 316, Bittle, et al.
Banking beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.
Insurance company premium tax, use and distribution of. HF 508, Connors.
Uninsured motorist coverage for property damage to vehicle of insured. HF 555, Egenes.
Holders of escrow accounts to pay property taxes, insurance, etc. on real estate, pay interest on funds. HF 569, Miller of Buchanan.
Insurance proceeds payable to physicians, no differential of reimbursement. SF 423, Miller of Des Moines, et al.
Medical malpractice liability insurance, create a joint underwriting association. SF 447, Griffin, et al. (See HF 803).
One farm liability insurance policy cover both owner and tenant. HF 660, Miller of Buchanan.
Allow sale of title insurance. HF 675, Pellett and Hennessey.
Unfair discrimination in insurance, correct. HF 730, Brandt.
Reinsurance companies, accreditation of. HF 755, Jesse and Oakley.
No fault motor vehicle insurance. HF 759, Commerce.
Compensation of persons suffering loss as a result of medical malpractice. HF 803, Commerce. (Similar subject matter as SF 348 and SF 447 combined) HF 803 approved 6-30-75.
Amount of capital and surplus required by insurance companies to transact business in Iowa. HF 824, Commerce.
Medical malpractice insurance, interim study committee, appropriation. SJR 12, Commerce. Approved 6-16-75.
Sex or marital discrimination in insurance, eliminate. SF 500, Doderer.
Insurance, unfair and discriminatory practices based on a person's sex or marital status, committee to study. SCR 45—S.J. 1791-1792.

Commission

Hearing procedures, insurance commissioners, persons may appeal. SF 119, Gallagher, et al. Approved 4-28-75.
Securities, regulation of. HF 825, Commerce. Approved 7-19-75.

Medical

Hospital outpatient insurance offered with hospitalization insurance. HF 201, Lipsky.
National health insurance program, urge Congress to establish. HCR 14—H.J. 293.
Group insurance, conversion of, eligible employees. HF 423, Bittle.

INTEREST—

General

Savings and loan associations, and banks pay interest on funds held in trust accounts (for insurance, taxes, etc., on home loans). HF 254, Small.
Savings club plans, regulate interest rate. HF 261, Small.
Reduce interest ceiling on consumer credit transactions. SF 221, Gluba, et al.
Exempt loans of $100,000 or more from usury (interest) law. SF 307, Hill of Polk—HF 643, Hennessey, et al. ($25,000—business; $35,000—agriculture). SSM.
Agricultural credit corporations making consumer agricultural loans, raise interest ceiling. HF 500, Hansen.
Public bonds, interest rate on. HF 561, Junker.
Holders of escrow accounts to pay property taxes, insurance, etc. on real estate, pay interest on funds. HF 569, Miller of Buchanan.
Exclude sole proprietorships and partnerships from interest limitations. SF 392, Norpel.
Interest rate on nonstate public funds invested in bank time certificates of deposit. HF 703, Miller of Buchanan, et al.
Retail sales and income taxes, increase interest payments, and interest penalties, etc. HF 749, Ways and Means.
Interest rates for city bonds, 7 percent maximum. HF 846, Cities and Towns—SF 554, Cities. S.
Remove 9 percent maximum interest rate, securities purchased on credit. SF 503, Commerce.

Interest payments by the state on certain farm acquisition loans, appropriation. HF 861, Branstad.

INTERIM COMMITTEES—
General
Medical malpractice insurance, interim study committee, appropriation. SJR 12, Commerce. Approved 6-16-75.
Interim study committees, each member of House appointed to one before second appointments. HR 28—H.J. 1534.
Expenses of committee members attending meetings be paid upon filing of their expense accounts. SCR 59—S.J. 2078-2079.
Resolutions calling for interim studies not adopted by both Houses be delivered to Chief Clerk and Secretary of the Senate for consideration by Legislative Council. HCR 65—H.J. 2497-2498, 2727 adopted—S.J. 2241-2242, 2250 adopted.

INTERNAL REVENUE—See Federal Internal Revenue

INTERSTATE COMMERCE—
General
Interstate carriers must register with department of transportation, penalties. HF 597, Doyle.
Intrastate truck operators and contract carriers, issuance of permits. SF 437, Coleman.
Abandoned railroad right-of-way, reversion or sale of to adjoining property owner. HF 684, Wyckoff.

INTERSTATE PROBATION AND PAROLE COMPACT—
General
Interstate probation and parole compact, place full text into the Code. SF 150, Human Resources. Approved 4-28-75.

INTOXICATION—See Alcoholic Beverages and/or Alcoholism and/or Law Enforcement

INTRASTATE—
General
Intrastate truck operators and contract carriers, issuance of permits. SF 437, Coleman.

INVESTMENTS—
General
Investment reports by political subdivisions submitted to auditor of state on fiscal basis. SF 189, Winkelman—HF 886, Ways and Means. SSM. SF 189 approved 7-3-75.
Consolidation of various state and local retirement systems for investment of funds. SF 354, Coleman—HF 552, Connors, et al.
Banks may invest in industrial revenue bonds, cities. HF 487, Newhard, et al. —SF 357, Lamborn, et al.
Banks acting in a fiduciary capacity may invest in time deposits exceeding one year. HF 648, Newhard—SF 442, Rodgers, et al.

IOWA—
General
Flag, Iowa state, not banner. HF 147, Horn.
"Hawkeye State", official state title. HF 496, Wells.

IOWA SOLDIERS HOME—See Soldiers Home

IOWA STATE FAIR—See Fairs

IOWA WORLD FOOD EXPOSITION
General
Commend ISU of science and technology re challenge of world food problems and endorse the World Food Conference of 1976 as a bicentennial project. HCR 11—H.J. 188, 220 adopted—S.J. 260-261, 282, 399, 437, 525, 561 adopted.

IPERS—
General
Extend retirement age for state employees. HF 293, Hargrave, et al.—SF 232, Gluba, et al. (companion)—HF 752, State Government (same).
Increase contribution rate for IPERS, appropriation. HF 371, Poncy.
Conservation peace officers, establish monthly retirement allowance, IPERS. SF 305, Nystrom, et al.—HF 605, Connors, et al. (companion)—HF 768, State Government (same).
IPERS, change rates of contribution, benefits, payment, appropriation. SF 333, Nystrom, et al.
IPERS, appropriation from, to employment security commission, cost of administration. HF 485, Appropriations. Approved 4-28-75.
Increase of retirement benefits to certain retired public employees, appropriation. SF 365, Nystrom, et al.

Return of accumulated contributions to employers and employees, IPERS. SF 461, Murray.
Benefits for public employees and retired public employees, salary adjustments, etc., appropriations. SF 555, State Government. Approved 7-13-75.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.
Appropriation to provide funds to certain state agencies for increased employer contributions, IPERS. SF 581, Appropriations. Approved 7-13-75.

ISLANDS—
General
Sale of certain islands and abandoned river channels, repeal chapter 568. HF 112, Appropriations.

JAILS—See County, Sub-Ref. Jails and/or Law Enforcement and/or Penal Institutions

JUDGES—
General
Number of judgeships in judicial election districts. SF 136, Judiciary.
Retired supreme court judges, temporary service, regulations. SF 163, Shaff—HF 216, Welden.
Juvenile court, judges, referees, dependent, delinquent, and neglected children, changes. HF 439, Doyle, et al.
Judicial election districts, composition of. SF 301, Rodgers—HF 570, Middleswart, et al.
Juvenile court employees, judges may establish salaries. SF 428, DeKoster and Willits.
Senior judge of district chairman of judicial nominating commission, remove requirement. SJR 11, Griffin.
District court judges set salaries of clerks, their deputies and clerks, and amount of help needed. HF 644, Poncy and Newhard.
Eliminate statutory limitations on salaries of juvenile court employees, district judges set. HF 670, Judiciary and Law Enforcement. Also see SF 428. HF 670 approved 6-16-75.
Judges and magistrates, other than supreme court, elected. HJR 19, Nealson of Muscatine and Crabb.
Salary rates, judicial branch of government, public employment relations board. SF 564, Appropriations. Approved 6-30-75.

JUDICIARY—Also see Court, all Sub-Refs.
General
Magistrates, jurisdiction of. HF 2, Krause.
Expert witness fees, increase. HF 18, Oakley—SF 97, Kelly. SF 97 withdrawn. HF 18 approved 6-6-75.
State of the judicial department message by the chief justice. SF 98, Kelly.
Opening arguments, attorney for defense, criminal cases, may defer. HF 126, Doyle.
Law examiners, board of, and temporary examiners, bar examination, compensation. SF 116, Appropriations. Approved 3-7-75.
Tort liability, directors, officers, employees, etc., nonprofit corporations. HF 136, Kreamer—HF 816, Judiciary and Law Enforcement. Same. HF 136 withdrawn. HF 816 approved 7-19-75.
Number of judgeships in judicial election districts. SF 136, Judiciary.
Breach of contract to marry, abolish action. HF 172, Kreamer.
Court administrator, change duties of. SF 147, Judiciary. Approved 6-3-75.
Defendant in a criminal case may waive right to jury trial. HF 190, Doyle.
Retired supreme court judges, temporary service, regulations. SF 163, Shaff—HF 216, Welden.
Criminal Code bill. SF 85, Judiciary.
Conduct study of Uniform Probate Code. SCR 17—S.J. 346-347, 375, 511.
Witness fees, increase. HF 284, Caffrey.
Repeal Probate Code, enact Uniform Probate Code. HF 314, Lipsky.
Court of appeals, create. SF 258, Redmond, et al.
Family court system, committee to study. HCR 17—H.J. 480.
Public defender, office of, establish. SF 264, DeKoster and Hill of Polk—HF 567, Higgins.
Grand and petit jurors, method of selection. HF 429, Hullinger and Brunow.
Probation of an individual after commitment, allow court 90 days to review. HF 440, Doyle, et al.
Judicial election districts, composition of. SF 301, Rodgers—HF 570, Middleswart, et al.
Disbursement of costs in actions on appeal to supreme court. SF 329, Judiciary. Approved 5-12-75.
Medical malpractice panels, each judicial district. SF 348, Heying. (See HF 803)
Time in which actions arising out of patient care must be brought. SF 372, Miller of Des Moines, et al.—HF 530, Brunow, et al.

Prosecuting attorneys, establish an office for. HF 526, Oakley, et al.—HF 766, Judiciary and Law Enforcement. Same. HF 526 withdrawn. HF 766 approved 6-29-75.
Termination of parental rights proceedings, quantity or amount of proof of. HF 574, Doyle.
Juvenile court referee, strike juvenile court's authority to appoint. HF 577, Lipsky, et al.
Reorganize administrative functions of the supreme court. SF 431, DeKoster.
Senior judge of district chairman of judicial nominating commisison, remove requirement. SJR 11, Griffin.
Iowa legal services corporation, create, legal assistance to indigent and low-income persons, appropriation. HF 639, Higgins.
District court judges set salaries of clerks, their deputies and clerks, and amount of help needed. HF 644, Poncy and Newhard.
State juvenile justice system, continue study. HCR 41—H.J. 1227-1228.
Compensation of persons suffering loss as a result of medical malpractice. HF 803, Commerce. (Similar subject matter as SF 348 and SF 447 combined) HF 803 approved 6-30-75.
State juvenile justice system, continue study. (Same as HCR 41) SCR 37—S.J. 1144-1145, 1162, 1334.
Courts and agencies, and attorney general, appropriation. HF 883, Appropriations. Approved 7-11-75.
Clerks of district court, powers and duties of. SF 530, Judiciary.
Probate Code, changes in—fiduciary returns, sale of property, power of attorney, setting aside wills, dependent allowances. SF 541, Judiciary. Approved 7-14-75.
Hearing aid dealers, licensing and regulation of. SF 558, Human Resources.
Salary rates, judicial branch of government, public employment relations board. SF 564, Appropriations. Approved 6-30-75.

JURIES—
General
Jury trials, tort claims. HF 26, Oakley.
Clerk of grand jury, compensation of. HF 61, Higgins—SF 121, Shaw. HF 61 withdrawn. SF 121 approved 5-15-75.
Increase mileage rate paid to jurors and witnesses. SF 184, Miller of Des Moines—HF 339, Monroe. SF 184 approved 7-3-75.
Per diem compensation paid to clerk of grand jury, increase. HF 373, Branstad.
Grand and petit jurors, method of selection. HF 429, Hullinger and Brunow.
Judges of election, change selection and certification of potential jurors. SF 345, DeKoster.
Exempt jurors from parking meter regulation. HF 666, Bittle and Jesse—HF 874, Cities and Towns (includes boards of review). SSM.

JUVENILE COURT—See Court, Sub-Ref. Juvenile

JUVENILE HOMES—See Homes, Sub-Ref. Juvenile

JUVENILES—See Minors

KENNELS—
General
Abandoned animals, humane disposal of. HF 264, Agriculture. Approved 6-16-75.
Dealers, commercial breeders, kennel operators, and public auction operators, federally and/or state licensed may be inspected and regulated by secretary of agriculture. SF 570, Gluba.

LABELING—
General
Labeling of appliances, energy consumed. HF 850, Cusack.
Packaging of meat, poultry, eggs, and milk, date first packaged and removal date. HF 308, Patchett, et al.

LABOR—
General
Use of force, violence, etc., preventing a person from working, criminal offense. HF 441, Branstad.
Open collective bargaining negotiating sessions to the public. HF 681, Kreamer.
Workmen's compensation laws, changes. HF 863, Labor and Industrial Relations.
Mandatory overtime, procedures. SF 527, Robinson.
Bureau
Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

Commission
Occupational safety and health act, amend. SF 92, Robinson—HF 204, Labor and Industrial Relations. HF 204 withdrawn. SF 92 approved 2-28-75.
Payment of wages to employees, penalties. HF 165, Lipsky—SF 201, Nystrom, et al. HF 165 withdrawn.
State minimum wage, create. SF 139, Redmond.
Payment of witness fees by labor commissioner. HF 228, Appropriations. Approved 4-8-75.
Payment of wages and expenses by an employer, "Iowa Wage Payment Collection Law". HF 351, Labor and Industrial Relations. Approved 6-3-75.
Unions
Right to work law, violation of, specific penalty. HF 444, Branstad.
Prohibit persons not involved in a particular labor dispute from picketing. HF 445, Branstad.
Petition Congress to refrain from approving any measure which would require states and political subdivisions to recognize and bargain with unions representing public employees HCR 32—H J. 961-962, 1086.

LABORATORIES—
General
Bacteriological laboratory, change to state hygienic laboratory, SUI, functions of, and charges. HF 225, Education—SF 199, Education. SF 199 withdrawn. HF 225, approved 3-4-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

LADYBUG—
General
Ladybug, state insect. HCR 30—H.J. 843-844.

LAKES—Also see Water
General
Lake dredging Black Hawk, Blue, and Silver Lakes, appropriation, conservation. SF 19, Culver—HF 141, Crabb, et al. (similar subject matter)—SF 424, Winkelman, et al.—HF 865, Miller of Calhoun, et al. (companion) (all similar subject matter).
Lake dredging, Blue Lake and Lake Manawa, appropriation, conservation commission. SF 274, Culver, et al.—HF 511, Walter, et al.
Five Island Lake, shoreline development, appropriation. HF 457, Krause.
Red Rock and Coralville Reservoirs, committee to study damages to property, etc. SCR 27—S.J. 796-797, 821, 1010.

LAND—Also see Land Use and/or Property and/or Real Estate
General
State land use policy. HF 58, Middleswart, et al.—SF 127, Winkelman, et al. (companion)—HF 505, Natural Resources. S.
Property or land having no access to a road, 10 year route, or other, may be used. HF 86, Wyckoff.
Sale of certain islands and abandoned river channels, repeal chapter 568. HF 112, Appropriations.
Severance of certain land from an established drainage district, permit if. SF 93, Taylor—HF 239, Stromer.
Description of assessed property, may be greater than 40 acres. HF 148, Menke.
Additional land, capitol grounds. HF 188, Brockett.
Eminent domain procedures, amend. HF 207, Transportation.
Corporation farming. HF 215, Husak, et al.—SF 171, Rodgers, et al. SF 171 withdrawn. HF 215 approved 7-11-75.
Land owned or controlled by nonresident aliens, corporations, etc., must file reports. HF 217, Avenson, et al.—SF 457, Schwengels. SSM.
Land acquired thru eminent domain, option to repurchase land not used. SF 176, Heying and Taylor—HF 692, Agriculture. S.
Farming by domestic and foreign corporations, cooperative corporations, reports. HF 240, Wyckoff, et al.
Surface-mined land, rehabilitation of, fees, etc. HF 259, Higgins and Bina.
Fences on another's land, relocation and payment of. HF 345, Jordan, et al.—SF 430, Sovern.
Tax levy for purchase of land, county conservation board, one-fourth mill. HF 372, Hinkhouse.
Easement acquired for a public purpose, require an offer every 5 years to renegotiate. SF 259, Gallagher.
Prohibit foreign corporations from farming, certain domestic corporations may, divestment of land, reports. SF 262, Taylor, et al.
Include caves and caverns in limitation of liability, public use of private land. HF 517, Tofte—SF 422, Natural Resources (companion)—HF 777, Natural Resources (same). HF 777 withdrawn. SF 422 approved 6-3-75.

Roads through rural farm land, consider placement of. HF 580, Bortell.
Land trusts, prohibit secrecy of beneficial interests in. HF 590, Hargrave—HF 813, State Government. Same.
Partition fences, responsibility for. SF 401, Winkelman.
Abandoned railroad right-of-way, reversion or sale of to adjoining property owner. HF 684, Wyckoff.
Legalize purchase of land by Buchanan County supervisors. HF 728, Judiciary and Law Enforcement. Approved 5-15-75. Became law by pub. 6-4-75.
Interest payments by the state on certain farm acquisition loans, appropriation. HF 861, Branstad.
Platting of land, changes to. HF 909, Ways and Means.

LAND USE—
General
State land use policy. HF 58, Middleswart, et al.—SF 127, Winkelman, et al. (companion)—HF 505, Natural Resources. S.
Civil defense and emergency planning, strengthen and supplement. SF 151, Briles and Miller of Des Moines—HF 447, Middleswart and Daggett.
Land use bill, HF 505, plan a legislative sponsored public forum for analysis, etc., of. (Same as SCR 51) HCR 62—H.J. 2321-2322.
Land use bill, HF 505, plan a legislative sponsored public forum for analysis, etc., of. (Same as HCR 62) SCR 51—S.J. 1933-1934, 1936.

LANDLORD—
General
Uniform Residential Landlord and Tenant Act. HF 515, Small, et al.—HF 770, State Government. Same.

LANDSCAPE—
General
Accountancy architecture, engineering, watchmaking and landscape architecture, increase fees appropriation. SF 166, Appropriations—HF 251, Appropriations. SF 166 withdrawn. HF 251 approved 3-14-75.

LAUNDRIES—
General
Coin-operated laundries, repeal service tax on. HF 121, Harper, et al.—SF 257, Heying, et al.

LAW ENFORCEMENT—Also see Crime and/or Unified Law Enforcement
General
Assaulting and obstructing a law enforcement officer, penalties. HF 103, Nealson of Muscatine.
Parole, eligibility for, and suspended sentences, persons displaying firearms, felony—life sentences. HF 145, Nealson of Muscatine.
Law enforcement communications with local law enforcement agencies. SF 156, Gallagher and Winkelman—HF 202, Doyle, et al. SF 156 withdrawn. HF 202 approved 4-14-75. Became law by pub. 5-8-75.
Criminal Code bill. SF 85, Judiciary.
County sheriffs provide law enforcement to cities of less than 1,500 population, if requested, to cities over 1,500. HF 258, Doyle, et al.
Felons prohibited from carrying firearms, etc. SF 249, Schwengels, et al.
Prostitution, and other offenses, define. HF 417, Wulff.
Transporting cattle, swine, and grain, law enforcement. SF 366, Agriculture. Withdrawn.
Crime commission and public safety, appropriation, traffic records of individuals, also additional employees of highway patrol. HF 848, Appropriations. Approved 7-15-75. Item Vetoed.
Iowa police radio system, separate division, public safety. SF 514, Schwengels.
Traffic and/or motor vehicle offenses, uniform citations and charges, etc. SF 535, Judiciary.
Training Academy
Law enforcement officers, college education program. HF 62, Lipsky.
Law enforcement academy, appropriation. SF 549, Appropriations. Approved 6-16-75.

LEASING—
General
Leasing of county owned property. HF 97, Monroe.
Leasing of buildings and office space by general services. HF 460, State Government.

LEAVES OF ABSENCE—
General
Leaves of absence, state officers and employees, candidates. HF 7, Crabb.
Leaves of absence, candidates for election to general assembly. SF 125, Carr—HF 222, O'Halloran, et al.
Leave of absence, sickness or injury, 60 additional days retained in a bank. SF 200, Nystrom, et al.—HF 483, Lonergan, et al.
Leaves of absence, persons elected to a municipal, county, state or federal office. SF 266, Robinson.

Leave of absence time, or sick leave, state employees may surrender accumulated time for compensation. HF 712, Kreamer and Stromer.

LEGAL ACTIONS—See Court, all Sub-Refs. and/or Judiciary

LEGAL AID—
General
Iowa legal services corporation, create, legal assistance to indigent and low-income persons, appropriation. HF 639, Higgins.
Legal fees for inmates and patients of state institutions, payment of. SF 533, Junkins, et al.
Legal service for indigent and low-income persons, committee to study. HCR 75—H.J. 2569-2570.

LEGAL COUNSEL—See Attorneys

LEGALIZING ACTS—
General
Western Iowa Municipal Electric Cooperative Association, legalize proceedings for organization and operating of. HF 510, Hutchins—HF 741, Judiciary and Law Enforcement. Same. HF 741 approved 5-15-75. Became law by pub. 5-30-75.
Missouri Valley, Iowa, legalize proceedings for vacating and disposing of certain streets and alleys. HF 553, Danker—HF 742, Judiciary and Law Enforcement. Same. HF 742 approved 6-6-75. Became law by pub. 6-27-75.
Legalize purchase of land by Buchanan County supervisors. HF 728, Judiciary and Law Enforcement. Approved 5-15-75. Became law by pub. 6-4-75.

LEGISLATIVE COUNCIL—
General
Code editor, publication of Code of Iowa and Administrative Code. SF 23, Redmond.
Medical malpractice insurance, interim study committee, appropriation. SJR 12, Commerce. Approved 6-16-75.
Social services, committee to study structure and functioning of. SJR 13, Appropriations. Approved 7-19-75.
Legislative council, fiscal committee, interim study committees, and supplies and expenses of the service bureau, appropriation. SF 584, Appropriations—HF 915, Appropriations. HF 915 withdrawn. SF 584 approved 7-9-75.

LEGISLATIVE FISCAL BUREAU—
General
Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.
Iowa consumer price index, school aid program, computed by legislative fiscal director, appropriation. HF 912, Appropriations.
Legislative council, fiscal committee, interim study committees, and supplies and expenses of the service bureau, appropriation. SF 584, Appropriations—HF 915, Appropriations. HF 915 withdrawn. SF 584 approved 7-9-75.

LEGISLATIVE RESEARCH BUREAU—
General
Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.

LEGISLATURE—See General Assembly

LEVEE—See Drainage

LIABILITY—
General
Intoxicated persons, establish maximum civil liability. SF 26, Griffin and Norpel.
Liens, abolish certain ones, liability for payment of charges for care and treatment at certain institutions. HF 292, Human Resources.
Civil immunity to persons serving on peer review committees. SF 235, Miller of Des Moines and Hultman—HF 369, Byerly, et al. (companion)—HF 790, Judiciary and Law Enforcement (same). HF 369 withdrawn.
Exempt from personal liability due to acts or omissions of, directors, officers, employees, and members of nonprofit corporations. SF 278, Shaw.
Include caves and caverns in limitation of liability, public use of private land. HF 517, Tofte—SF 422, Natural Resources (companion)—HF 777, Natural Resources (same). HF 777 withdrawn. SF 422 approved 6-3-75.

Liability protection for state employees. SF 406, Plymat, et al.—HF 799, State Government. S. HF 799 approved 6-30-75.
Actions arising out of patient care, requirements for, liability. SF 412, Priebe, et al.—HF 697, Brunow, et al.
Consent in writing, patient care, liability, medical personnel and/or hospitals. SF 434, Doderer, et al.—HF 699, Harper, et al.
Attorney fees, liability of a medical practitioner and hospitals. SF 436, Coleman, et al.—HF 727, Schroeder, et al.
Prohibit dollar amount in certain cases re actions against a medical practitioner or hospital. HF 696, Bina, et al.—SF 478, Sovern, et al.

LIAISON—
General
State information and liaison office, create, Washington, D. C., appropriation. SF 99, Murray.

LIBRARIES—Also see Schools, Sub-Ref. Libraries
General
Libraries, change filing date for election. HF 374, Hinkhouse.
Depository library center, establish, state publications. HF 589, Small, et al.
Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.

LICENSES—
General
Dogs, licensing of, change date. HF 44, Clark.
Funeral homes, licensing. HF 45, Crabb. Withdrawn.
Social workers, licensing and regulation of. HF 83, Miller of Cerro Gordo, et al.—SF 185, Miller of Des Moines, et al. (companion)—SF 297, Miller of Des Moines, et al.—HF 484, State Government (similar subject matter). SF 185 withdrawn.
Insurance consultants, licensing, penalties. HF 95, Halvorson—SF 344, Griffin, et al. S.
Dog licensing, vaccination exemptions, domestic animal fund, repeal certain provisions. HF 111, Doyle, et al.
Regulation and vaccination of dogs, rabies, repeal licensing provision. SF 197, Griffin.
Insurance agents, licensed, continued education. HF 272, Halvorson—SF 339, Griffin, et al. (companion)—HF 737, Commerce (similar subject matter).
Exclude banks from membership sales licensing requirements. HF 362, Jesse—SF 302, Lamborn, et al.
Professional or occupational license renewal, continuing education requirements, legislative review of examining board activities, etc. HF 410, Egenes, et al.—SF 321, Junkins, et al.
Law, suspension or revocation of a license to practice. SF 276, Hill of Polk.
Barbering and cosmetology, establish and regulate practice of. SF 296, State Government—HF 470, State Government. HF 470 withdrawn. SF 296 vetoed 7-19-75.
Health care facilities, licensing and regulation of. HF 462, Higgins and Caffrey—SF 324, Gluba and Murray (companion)—HF 866, Human Resources—SF 525, Human Resources (similar) (all similar subject matter). SF 324, HF 462, and HF 866 withdrawn. SF 525 approved 7-14-76.
Dogs, licensing of, increase, repeal provisions re domestic animal fund. HF 536, Brockett.
Speech pathologists and audiologists, licensing of, examining board. HF 642, Harper, et al.—HF 695, State Government (same)—SF 476, State Government (similar).
Pharmacies, issuing of new licenses, labeling of certain prescription drugs, and regulation of controlled substances. HF 729, Judiciary and Law Enforcement.
Hearing aid dealers, licensing and regulation of. SF 558, Human Resources.
Agriculture
Livestock dealers or brokers, slaughter, licensing, bonding, etc. SF 179, Rodgers, et al.—HF 252, Junker, et al. SF 179 withdrawn.
Grain dealers, abolish licensing of. HF 350, Brunow.
Veterinary lay assistants, licensing of. HF 396, Agriculture. Approved 6-3-75.
Drivers
Photograph, operators' and chauffeurs' licenses. SF 1, Griffin.
Restoration of a suspended license and registration or nonresident's operating privilege. HF 146, Transportation. Approved 4-22-75.
Operator's license classification system, establish, also colored photograph. HF 179, Drake.
Probationary motor vehicle operator's license shall not be suspended or revoked if person re-enters a public or private school. SF 416, Shaw.
Anatomical gift may be declared on an operator's and chauffeur's license. HF 640, Monroe.
Sale of lists of motor vehicle licensees by public safety be approved by confidential records council. HF 665, Higgins.

Allow either parent to sign minor's application for driver's license. HF 667, Bittle.
Periodic retesting of operators of motor vehicles. HF 817, Transportation.
Operators of motor vehicles, exceptions in licensing. HF 840, Transportation.

Fish and Game

Persons 65 or older fish without license. SF 15, Norpel. Withdrawn.
Fishing and hunting licenses, lifetime, senior citizens. HF 48, Avenson, et al. —SF 47, Gluba, et al. SF 47 withdrawn. HF 48 approved 4-8-75.
Fishing license for senior citizens, provide lifetime. SF 29, Palmer, et al. Withdrawn.
Fishing or hunting license, exempt certain military personnel. HF 59, Woods, et al.
Persons 65 or older fish and hunt without license, reimbursement for same to conservation commission. HF 64, Halvorson.
Fishing, hunting or trapping license good until end of open season. HF 189, Schroeder, et al.—HF 775, Natural Resources. SSM.
Fishing licenses for senior citizens, reciprocity. HF 363, Howell.
Prohibit nonresidents from obtaining resident fish and game licenses. SF 317, Natural Resources.
Service fee for issuing hunting and fishing licenses. SF 458, Miller of Des Moines and Junkins—HF 757, Monroe, et al.

Hunting

Fishing and hunting licenses, lifetime, senior citizens. HF 48, Avenson, et al.—SF 47, Gluba, et al. SF 47 withdrawn. HF 48 approved 4-8-75.
Fishing or hunting license, exempt certain military personnel. HF 59, Woods, et al.
Persons 65 or older fish and hunt without license, reimbursement for same to conservation commission. HF 64, Halvorson.
Deer hunting licenses, landowner and/or member of family, and/or tenant. SF 94, Norpel—HF 322, Bortell and Pellett. SSM.
Fishing, hunting or trapping license good until end of open season. HF 189, Schroeder, et al.—HF 775, Natural Resources. SSM.
Nonresident hunting license, furbearing animals. HF 323, Baker.

Liquor

Hours alcoholic beverages and beer may be sold, fees required. SF 22, Griffin, et al.—HF 100, Cusack.
Liquor licensees, retail, repeal 15 percent tax. SF 27, Griffin, et al.—HF 87, Cusack.
Prohibit social gambling, or other, on premises where a liquor license or beer permit has been issued. SF 31, Glenn, et al. Withdrawn.
Prohibit gambling (games of skill, chance, bingo and raffles) at premises covered by a "B" or "C" liquor license. SF 122, Andersen.
Class "E" liquor control license, create, for wine, certain class "B" beer permit holders. HF 278, Griffee.
Sale of alcoholic liquor by packaged liquor retailer (stores), license, fees, and tax. HF 389, Hargrave.
Sunday beer and liquor sales. HF 761, Judiciary and Law Enforcement.
Strengthen regulatory powers of beer and liquor control department re licenses, etc. HF 847, State Government.

Marriage

Marriage licenses, age requirements, legitimacy of children. SF 192, Doderer—HF 367, Brandt, et al. SF 192 approved 7-14-75.

Medical—Professional

Special license for practice of medicine and surgery. HF 459, Human Resources. Approved 5-15-75.

Motor Vehicles

Special registration plates to owners of vehicles holding amateur radio licenses, also personalized registration plates. SF 13, Van Gilst. Approved 3-18-75.
Registration plates and fees, exempt churches from paying. HF 134, Wells.
County treasurer may refuse to issue motor vehicle license if outstanding warrant against applicant. HF 137, Kreamer, et al.—SF 204, Palmer, et al.—SF 519, Cities (all similar subject matter).
Snowmobile operators, licenses, implied consent and financial responsibility requirements, etc. SF 349, Glenn—HF 548, Brunow.
Special registration (license) plates issued to national guardsmen. SF 377, Coleman.
Disallow use of vowels on license plates. HF 683, Bina.
Third plate, duplicate, for campers mounted on motor trucks. SF 486, Scott.
Motor vehicle registration fees, change, include mileage per gallon of fuel. HF 849, Brunow.
Special license plates, automobiles, handicapped. SF 508, Human Resources.

Real Estate

Real estate apprentice salesmen, establish license and qualifications. SF 53, Gluba, et al.—HF 124, Cusack, et al.

Trapping

Trapping licenses to nonresidents. SF 14, Tieden—HF 19, Halvorson. HF 19 withdrawn. SF 14 approved 3-18-75. Became law by pub. 3-28-75.

Fishing, hunting or trapping license good until end of open season. HF 189, Schroeder, et al.—HF 775, Natural Resources. SSM.

LIE DETECTORS—
General
Polygraph examination prohibited, employer interviewing prospective employee. HF 238, Jochum, et al.

LIENS—Also see Federal Tax Liens
General
Liens, abolish certain ones, liability for payment of charges for care and treatment at certain institutions. HF 292, Human Resources.
Mechanics' liens, changes to. SF 330, Shaw and Willits.
Recording of an instrument and a lien affecting real estate. HF 706, Oakley.
Mechanic's liens filed with county recorder. SF 460, Miller of Des Moines—HF 758, Monroe, et al.
Liens for support of medically ill, state and county, not subject to statute of limitations. SF 471, Winkelman.
Condemnation actions, appeal procedures, notice to a lienholder. HF 756, Jesse.

LIEUTENANT GOVERNOR—Also see President of the Senate
General
Joint committee to arrange for inauguration. SCR 3—S.J. 47, 61 adopted—H.J. 37 adopted.
Executive officers of the state, change method of selection. HJR 6—Brandt, et al.
Salaries and expenses of lieutenant governor's office paid from funds appropriated for same. SF 115, Appropriations. Approved 3-7-75.
Governor and lieutenant governor be elected as a team. HJR 9, Spear, et al.
Lieutenant governor, change duties of. HJR 12, Spear, et al.
Governor assign executive duties to the lieutenant governor. HJR 14, Brandt, et al.—HJR 21, State Government. Same.
Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.

LIGHTS—Also see Advertising, Sub-Ref. Lights
General
Road machinery, repeal certain sections re red signal lanterns or lights. SF 70, County Government—HF 102, County Government. HF 102 withdrawn. SF 70 approved 3-7-75.
Flashing lights, all emergency vehicles may use. HF 107, Doyle, et al.
Ambulance service personnel authorized to use flashing blue lights on their vehicles. HF 154, Patchett, et al.
Emergency lighting system for public buildings. SF 173, Scott.
Animal-drawn vehicles, flashing amber lights. SF 393, Schwengels—HF 635, Millen and Harper (companion)—HF 743, Transportation (same). SF 393 withdrawn. HF 743 approved 7-8-75.
Benefited street lighting districts, remove requirement that petitioners must own 25 percent of resident property. SF 397, Willits and Palmer—HF 791, County Government. SSM. HF 791 withdrawn. SF 397 approved 6-5-75.
White light may be mounted on top of a school bus. SF 414, Norpel.

LIQUOR—See Alcoholic Beverages

LIQUOR CONTROL COMMISSION—See Beer and Liquor Control Commission

LITTERING—Also see Environmental Preservation and/or Pollution
General
Simple and aggravated littering, defining, penalties. SF 405, Kelly.

LIVESTOCK—See Animals

LOANS—
General
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as SCR 13) HCR 10—H.J. 187, 220 adopted—S.J. 260, 282, 437, 485, 575 adopted.
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as HCR 10) SCR 13—S.J. 235, 243, 255.
Prohibit unsolicited loan offers. SF 159, Gallagher.
Savings and loan associations, and banks pay interest on funds held in trust accounts (for insurance, taxes, etc. on home loans). HF 254, Small.
Reduce interest ceiling on consumer credit transactions. SF 221, Gluba, et al.
Area schools having received interest grant funds may extend the maturation date of loans. HF 401, Jesse and Mennenga. Withdrawn.

Exempt loans of $100,000 or more from usury (interest) law. SF 307, Hill of Polk—HF 643, Hennessey, et al. ($25,000—business; $35,000—agriculture). SSM.
Agricultural credit corporations making consumer agricultural loans, raise interest ceiling. HF 500, Hansen.
Amend Uniform Commercial Code, place of filing to perfect a security interest, farm equipment, products, etc., collateral. HF 529, Bortell and Daggett.
Officers of state banks allowed $10,000 loan, education. HF 650, Newhard—SF 444, Rodgers, et al.
Loans on residential property by banks. HF 645, Newhard—SF 443, Rodgers, et al.
Finance charges on consumer credit open-end loan accounts, reduce. HF 687, Walter—HF 714, Walter. SSM.
Prohibit the taking of a security interest, other than purchase money, in personal effects, consumer loan. HF 690, Walter.
Savings and loan associations, regulation of, numerous changes. SF 487, Commerce.
Interest payments by the state on certain farm acquisition loans, appropriation. HF 861, Branstad.

LOBBYISTS—
General
Lobbyists, Senate rules governing. SR 6—S.J. 41-46, 144, 148-151, 152-153, 155-159 adopted.
Lobbyists, establish regulation of. SF 81, Shaff, et al.—SF 542, Judiciary. SSM.

LONG TRUCKS—Also see Motor Vehicles, Sub-Ref. Trucks
General
Maximum lengths of vehicles, repeal authority of the department of transportation. SF 66, Hill of Jasper.

LONGEVITY—
General
Longevity pay for certain employees of the state. SF 227, Robinson, et al.—HF 418, Newhard, et al. (companion)—HF 827, State Government (same).

LOTTERIES—Also see Gambling
General
State lottery. SF 177, Carr, et al.—HF 279, Caffrey, et al.

MACHINERY—
General
Road machinery, repeal certain sections re red signal lanterns or lights. SF 70, County Government—HF 102, County Government. HF 102 withdrawn. SF 70 approved 3-7-75.
Retailer may recover part of price of farm machinery, other costs, cancellation of contract with manufacturer. HF 377, Hutchins.

MAGISTRATES—Also see Law Enforcement and/or Officers
General
Magistrates, jurisdiction of. HF 2, Krause.
Motor vehicle offenses, permit pleas of no contest, nonindictable charge. HF 125, Doyle.
Judges and magistrates, other than supreme court, elected. HJR 19, Nealson of Muscatine and Crabb.
Salary rates, judicial branch of government, public employment relations board. SF 564, Appropriations. Approved 6-30-75.

MAIL—
General
Rural mail delivery, all Iowans, appropriation. HF 646, Miller of Buchanan, et al.

MANUFACTURING—
General
Retailer may recover part of price of farm machinery other costs, cancellation of contract with manufacturer. HF 377, Hutchins.

MARKETING—Also see Agriculture, Sub-Ref. Marketing
General
Livestock, marketing of, history of, liability, eliminate department of agriculture veterinary inspection fees, etc. HF 199, Husak, et al.—SF 368, Agriculture. S.
Marketing board, members of, department of agriculture, receive per diem. HF 793, Agriculture. Approved 6-6-75.
Livestock, marketing of, implied warranty provisions, etc., committee to study. HCR 81—H.J. 2731.

MARRIAGE—
General
Surnames to be used after marriage. HF 21, Spear, et al.
Breach of contract to marry, abolish action. HF 172, Kreamer.
Marriage licenses, age requirements, legitimacy of children. SF 192, Doderer—HF 367, Brandt, et al. SF 192 approved 7-14-75.
Dissolution of marriage. SF 238, Shaw—HF 352, Oakley. SF 238 withdrawn.
Common-law marriages, remove legal status. HF 361, Oakley.
Marriage certificates, prohibit certain information. HF 595, Lageschulte, et al.—HF 774, Judiciary and Law Enforcement. Same.
Married persons shall not be denied admittance, attendance, etc. to a public school. HF 604, Education.
Educational needs considered, divorce, property settlements and alimony payments. HF 664, O'Halloran.
Decree in a dissolution of marriage action. SF 482, Doderer.

MASSAGE—
General
Massage, practice of, regulation of. SF 67, Shaw and Orr—HF 79, Bittle.
Counties regulate practice of massage and operation of massage establishments. HF 542, Caffrey and Woods.

MEAT AND POULTRY—See Foods

MEDICAL—PROFESSIONAL—
General
Nursing and pharmacy included within the definition of professional. SF 123, Commerce. Approved 3-18-75.
Medical personnel may refuse to assist, perform, or participate in abortions. HF 167, Cusack.
Hospital outpatient insurance offered with hospitalization insurance. HF 201, Lipsky.
Prescription drugs, labeling, certain information available to pharmacy examiners, pharmacists and practitioners, etc. HF 200, Patchett, et al.—SF 268, Redmond and Gluba.
Conduct study of availability, cost and terms of professional liability insurance. SCR 16—S.J. 346, 375, 511.
Disabled persons, reasonable search for medical information, etc. HF 244, Patchett, et al.—HF 845, Judiciary and Law Enforcement. SSM.
Medical procedures to prolong life. SF 207, Ramsey.
Employee may choose doctor, workmen's compensation benefits. HF 302, Jochum, et al.—HF 721, Labor and Industrial Relations. Same.
Establish well-elderly demonstration clinics, preventive medicine, department of health, appropriation. HF 306, Cusack.
Regulation of prescription drugs, defining wholesalers. HF 310, Cusack, et al.
Health and medical services for minors, consent, emergencies, etc. SF 224, Doderer and Murray.
Medical, nursing and pharmacy examiners, boards of, appropriation to. HF 333, Appropriations. Approved 4-8-75.
Civil immunity to persons serving on peer review committees. SF 235, Miller of Des Moines and Hultman—HF 369, Byerly, et al. (companion)—HF 790, Judiciary and Law Enforcement (same). HF 369 withdrawn.
Birth defects institute, establish, department of health. SF 247, Doderer.
Rights for hospital patients, create. SF 347, Gluba and Doderer—HF 585, O'Halloran (companion)—HF 819, Human Resources (similar).
Medical malpractice panels, each judicial district. SF 348, Heying. (See HF 803)
Time in which actions arising out of patient care must be brought. SF 372, Miller of Des Moines, et al.—HF 530, Brunow, et al.
Distribution of free samples of prescription drugs to medical practitioners by drug salesmen. HF 547, Cusack.
Actions arising out of patient care, requirements for, liability. SF 412, Priebe, et al.—HF 697, Brunow, et al.
Insurance proceeds payable to physicians, no differential of reimbursement. SF 423, Miller of Des Moines, et al.
Limiting damages in certain actions re malpractice suits. SF 429, Rodgers, et al.—HF 731, Bina, et al.
Consent in writing, patient care, liability, medical personnel and/or hospitals. SF 434, Doderer, et al.—HF 699, Harper, et al.
Attorney fees, liability of a medical practitioner and hospitals. SF 436, Coleman, et al.—HF 727, Schroeder, et al.
Pathology and radiology services, doctors and hospitals may enter into contracts. SF 439, Doderer.
Speech patholgoists and audiologists, licensing of, examining board. HF 642, Harper, et al.—HF 695, State Government (same)—SF 476, State Government (similar).
Medical malpractice liability insurance, create a joint underwriting association. SF 447, Griffin, et al. (See HF 803)
Autistic (fantasy, communication and behavior disorders, etc.) children, define. HF 689, Bina and Cusack.

Prohibit dollar amount in certain cases re actions against a medical practitioner or hospital. HF 696, Bina, et al.—SF 478, Sovern, et al.
Pharmacies, issuing of new licenses, labeling of certain prescription drugs, and regulation of controlled substances. HF 729, Judiciary and Law Enforcement.
Liens for support of medically ill, state and county, not subject to statute of limitations. SF 471, Winkelman.
State catastrophic illness program, expand and complete study of. (Same as SCR 36) HCR 40—H.J. 1227.
Compensation of persons suffering loss as a result of medical malpractice. HF 803, Commerce. (Similar subject matter as SF 348 and SF 447 combined) HF 803 approved 6-30-75.
Medical malpractice insurance, interim study committee, appropriation. SJR 12, Commerce. Approved 6-16-75.
State catastrophic illness program, expand and complete study of. (Same as HCR 40) SCR 36—S.J. 1144, 1162, 1334.
Emergency medical technicians, department of health discontinue requirement of basic training course the 5 emergency ambulance runs. HCR 46—H.J. 1485.
Health, department of, appropriation. HF 887, Appropriations. Approved 7-11-75.
Medical examiners, chiropractic examining board, physical therapy examiners, and engineering examiners, appropriation. SF 550, Appropriations. Approved 7-3-75. Became law by pub. 7-11-75.
Hearing aid dealers, licensing and regulation of. SF 558, Human Resources.
Nursing home costs and reimbursement for care of medical assistance patients, human resources committees appoint joint interim subcommittee to hold hearings and review. SCR 62—S.J. 2204-2205, 2243.

Chiropractic

Medical examiners, chiropractic examining board, physical therapy examiners, and engineering examiners, appropriation. SF 550, Appropriations. Approved 7-3-75. Became law by pub. 7-11-75.

Dentistry

Mobile dental unit program, appropriation, regents, board of. SF 144, Gluba—HF 329, Patchett.

Optometry

Remedial eye care program, social services continue. HF 463, Human Resources. Approved 5-12-75.
Optometry, feasibility of establishing a college, committee to study. SCR 49—S.J. 1883-1884, 1936.
Optometry, feasibility of establishing a college, committee to study. (Same as SCR 49) HCR 67—H.J. 2499-2500.

Osteopathy

Certain students at college of osteopathic medicine and surgery, establish a financial assistance and tuition grant program, appropriation. SF 310, Willits, et al.—HF 495, Kreamer, et al.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.

Physical Therapy

Medical examiners, chiropractic examining board, physical therapy examiners, and engineering examiners, appropriation. SF 550, Appropriations. Approved 7-3-75. Became law by pub. 7-11-75.

Physicians

Rural physicians associate program, establish, appropriation. SF 263, Winkelman.
Special license for practice of medicine and surgery. HF 459, Human Resources. Approved 5-15-75.
Reasonable physician examination fee for injured employee, industrial commissioner. HF 572, Small—HF 833, State Government. SSM.

Psychology

Psychology examiners, board of, one member may be a teacher. HF 398, State Government. Approved 5-12-75.

MEDICAL EXAMINERS—

General

Autopsies, reasons for conducting. HF 420, Lipsky.
Special license for practice of medicine and surgery. HF 459, Human Resources. Approved 5-15-75.

MEETINGS—

General

Meetings of public agencies in closed sessions, further eliminate exceptions, and actions that may be taken. HF 214, Griffee, et al.
Board of public instruction, change date of first regular meeting. HF 275, Education. Approved 5-2-75.

Open meetings of public agencies. HF 285, Patchett.
Public agency meetings in closed session, detailed minutes, voiding, attorney fees and court costs. SF 217, Willits, et al.
Expenses of committee members attending meetings be paid upon filing of their expense accounts. SCR 59—S.J. 2078-2079.

MEMORIALS—
General
Holidays for state employees. HF 15, Wyckoff—HF 166, Wyckoff, et al. S.
Honor the memory of Reverend Martin Luther King, Jr. SCR 8—S.J. 54, 130, 217.
Memorial session, Thursday evening, April 24, 1975 at 7:30 p.m. HCR 24—H.J. 663, 824 adopted—S.J. 795, 798 adopted.
State memorial for persons awarded congressional medal of honor, appropriation. HF 522, Harper and Wyckoff.

MEN—
General
Equal rights for men and women, rescind ratification of proposed amendment. SJR 7, Hill of Jasper.

MENTAL HEALTH—See Health, Sub-Ref. Mental and/or Hospitals, Sub-Ref. Mental

MERCHANDISE—
General
Price increases of merchandise, retail. HF 247, Patchett, et al.

MERIT SYSTEM—
General
Boards and commissions, merit system, employees not exempt from. HF 335, Appropriations. Approved 6-3-75.
Temporary employees subject to a federally funded emergency employment utilization program exempted from state merit system. HF 348, Fitzgerald and Monroe—SF 477, State Government. SF 477 withdrawn. HF 348 approved 5-6-75. Became law by pub. 5-16-75.
Public employees, 7 percent salary increase. HF 406, Hennessey, et al.
Merit employment commission may reimburse prospective professional employees for interview expenses, and if hired, moving expenses. SF 394, Junkins, et al.
General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.
Complaints, employment, actions that may be taken, merit system employees, civil rights commission. HF 836, Judiciary and Law Enforcement.
Appropriate from road use tax fund, primary road fund, aeronautics fund, and general fund to department of transportation for administration and other purposes; and share for administration of merit system. HF 892, Appropriations. Approved 6-29-75.

METAL—
General
Brass and copper material, theft of. SF 43, Rabedeaux.

MIDWEST NUCLEAR COMPACT—Also see Nuclear and/or Energy
General
Herbert Hoover Foundation, Mississippi River Parkway, Midwest Nuclear Compact, and Iowa American Revolution Bicentennial Commission, appropriation. HF 267, Appropriations. Approved 4-8-75.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

MIGRANT LABORERS—
General
Migrant labor camp inspectors, department of health employ 2 more, appropriation. SF 242, Gluba—HF 384, Jochum, et al.
Migrant labor camps, minimum standards for, etc. SF 318, Gluba and Robinson —HF 509, Jochum.

MILEAGE—
General
Increase mileage rate paid to jurors and witnesses. SF 184, Miller of Des Moines—HF 339, Monroe. SF 184 approved 7-3-75.

MILITARY—
General
Fishing or hunting license, exempt certain military personnel. HF 59, Woods, et al.
Change date of World War II, Korean Conflict, and Vietnam Conflict, coincide with federal government dates. HF 411, Wyckoff and Harper—SF 280,

Norpel (companion)—HF 587, Krause (similar subject matter). SF 280 withdrawn. HF 411 approved 6-6-75.
Educational tuition grants or cash allowance, establish, national guard, appropriation. SF 325, Briles and Coleman—HF 472, Crabb.
Citizens of Iowa in military service shall not serve outside territorial limits in an undeclared war. HF 512, Cusack.
Special registration (license) plates issued to national guardsmen. SF 377, Coleman.
State memorial for persons awarded congressional medal of honor, appropriation. HF 522, Harper and Wyckoff.
Retirement or disability retirement pay, armed forces, excluded from income tax. HF 531, Wyckoff.
Eliminate specific dates of service for veterans benefits, one year after December 7, 1941. HF 534, Stromer.
National guard members receive 4 year free tuition. HF 632, Bina.

MILITARY SERVICE TAX CREDIT—
General
Military service tax credit, veteran file once. SF 79, Norpel, et al.
Homestead tax credit and military service tax exemption, extend time claims may be audited. HF 182, Ways and Means. Approved 4-16-75.
Veterans' property tax exemption, change dates of eligibility. HF 277, Koogler—HF 593, Bina. SSM. HF 277 withdrawn.
Military service tax exemption, retroactive. HF 811, Ways and Means. Approved 7-14-75. Became law by pub. 7-25-75.

MINING—MINERALS—
General
Surface-mined land, rehabilitation of, fees, etc. HF 259, Higgins and Bina.
Surface coal mining, regulation of, fees, and rehabilitation of. SF 314, Energy—HF 476, O'Halloran. SF 314 approved 5-15-75.

MINORS—
General
Adoptions, parental rights, etc. SF 41, Shaw, et al.—HF 92, Oakley, et al. (companion)—HF 614, Human Resources (similar). HF 92 withdrawn.
Child support paid out of assets of an estate, trusts. HF 70, Doyle and O'Halloran—SF 172, Doderer.
Juvenile court supervisory personnel, counties 250,000 or more population. HF 72, Bittle and Caffrey.
Child care centers, appropriation to social services. SF 112, Murray, et al.
Mandatory school attendance until 18 years of age, exceptions. HF 157, Horn.
Juveniles, services for, community-based correctional programs. SF 143, Murray and Ramsey.
Minors may change name. HF 221, Tofte.
Delinquent children, definition of, delete certain provisions of. HF 241, Cusack and Bina.
Marriage licenses, age requirements, legitimacy of children. SF 192, Doderer—HF 367, Brandt, et al. SF 192 approved 7-14-75.
Health and medical services for minors, consent, emergencies, etc. SF 224, Doderer and Murray.
Dissolution of marriage. SF 238, Shaw—HF 352, Oakley. SF 238 withdrawn.
Detention of a child for more than 48 hours. SF 255, DeKoster, et al.—HF 655, Middleton, et al.
Possession with intent to distribute, narcotics, increase penalties. HF 378, Hargrave.
Childhood development, continue governor's task force, appropriation. SJR 6, Doderer, et al. Approved 7-14-75.
Juvenile court, judges, referees, dependent, delinquent, and neglected children, changes. HF 439, Doyle, et al.
Contributing to the delinquency of a minor child, lessen penalty. HF 442, Doyle.
Change age of majority, Uniform Gifts to Minors Act. SF 340, Griffin.
Children in need of assistance, neglected, dependent, and definition of a delinquent child. HF 474, Lipsky, et al.—SF 358, Kelly, et al. SF 358 approved 7-19-75.
Obscenity, regulation of. HF 513, Wells, et al.
Termination of parental rights proceedings, quantity or amount of proof of. HF 574, Doyle.
Childhood development, office of and advisory council, establish. HF 583, Lipsky, et al.
Minors, rights at transfer hearings, juvenile court to criminal court. HF 603, Human Resources.
Parentage of children, repeal chapter—paternity of children, etc., rights and obligations. SF 420, Doderer.
Juvenile court records made available to claimant for damages. SF 433, Shaw.
Prohibit storage of criminal history data, certain juveniles. HF 649, Doyle, et al.
Allow either parent to sign minor's application for driver's license. HF 667, Bittle.

Autistic (fantasy, communication and behavior disorders, etc.) children, define. HF 689, Bina and Cusack.
State juvenile justice system, continue study. HCR 41—H.J. 1227-1228.
Special education programs and services, requirement for. HF 801, Education. Approved 7-17-75.
Child care facilities, licensing and regulation of. SF 491, Human Resources. Approved 7-17-75.
State juvenile justice system, continue study. (Same as HCR 41) SCR 37—S.J. 1144-1145, 1162, 1334.
Vietnamese children, placement and adoption. HF 877, Oakley. Approved 7-8-75.
Child support recovery unit within department of social services, create. SF 518, Human Resources. Approved 7-17-75.

MISSISSIPPI PARKWAY PLANNING COMMISSION—
General
Herbert Hoover Foundation, Mississippi River Parkway, Midwest Nuclear Compact, and Iowa American Revolution Bicentennial Commission, appropriation. HF 267, Appropriations. Approved 4-8-75.
Great River Road, appropriation to department of transportation for. SF 540, Junkins, et al.

MISSOURI RIVER RIVERFRONT PROJECT—
General
Missouri River riverfront project, appropriation to conservation commission. SF 579, Appropriations. Approved 7-14-75.

MOBILE EQUIPMENT—
General
Mobile dental unit program, appropriation, regents, board of. SF 144, Gluba—HF 329, Patchett.

MOBILE HOMES—
General
Mobile home tax, deductible on Iowa income tax returns. HF 89, Bortell.
Mobile homes, etc., movement of. HF 210, Woods, et al.—HF 479, Transportation (similar)—HF 235, Drake (similar subject matter). HF 479 approved 6-6-75.
Mobile home tiedowns, shelters, etc. HF 263, Patchett, et al.
Mobile home tiedowns. HF 617, Transportation.
Reimburse counties, additional property tax relief, owners of mobile homes, 65 or older or disabled, appropriation. HF 702, Miller of Buchanan.

MONEYS AND CREDITS—
General
Intangible personal property, imposition of a tax. HF 876, Mennenga.
Moneys and credits replacement fund, appropriation. SF 560, Appropriations. Approved 6-16-75.

MORTGAGES—
General
Savings and loan associations, and banks pay interest on funds held in trust accounts (for insurance, taxes, etc. on home loans). HF 254, Small.
Loans on residential property by banks. HF 645, Newhard—SF 443, Rodgers, et al.
Valuation of property for tax purposes, consider mortgage. HF 854, Mennenga.

MOTELS—See Hotels—Motels

MOTOR VEHICLES—Also see Transportation
General
Vehicle accidents, reporting of. SF 6, Norpel—SF 18, Priebe. SSM. SF 6 withdrawn. SF 18 approved 7-19-75.
Magistrates, jurisdiction of. HF 2, Krause.
Accident records, delete if, motor vehicles. SF 11, Norpel. Withdrawn.
Motor vehicle accidents, sticker removed after repair. SF 17, Kelly.
Emergency vehicles, may drive to left of center of roadway. SF 45, Redmond, Withdrawn.
Operating a motor vehicle while intoxicated, penalties for. HF 52, Oakley.
Vehicle safety standards, department of transportation. SF 58, Norpel.
Turn signals, require use of. SF 69, Rodgers.
Road machinery, repeal certain sections re red signal lanterns or lights. SF 70, County Government—HF 102, County Government. HF 102 withdrawn. SF 70 approved 3-7-75.
Operating a motor vehicle while under the influence of alcohol, implied consent, penalties, etc. SF 76, Plymat, et al.—HF 245, Oakley, et al.
Persons convicted of driving while intoxicated pay costs of chemical test administered. SF 80, Winkelman.
Emergency vehicles, may be driven left of center line, or wrong way on a one-way street. HF 90, Judiciary and Law Enforcement.
Flashing lights, all emergency vehicles may use. HF 107, Doyle, et al.

Motor vehicle offenses, permit pleas of no contest, nonindictable charge. HF 125, Doyle.
Registration plates and fees, exempt churches from paying. HF 134, Wells.
Regulate modification of road clearance or center of gravity of motor vehicles. HF 150, Miller of Buchanan, et al.—HF 576, Transportation. SSM.
Ambulance service personnel authorized to use flashing blue lights on their vehicles. HF 154, Patchett, et al.
Abandoned vehicles need not be sold only to a dealer. HF 161, Schroeder—135, Gluba.
Operating a motor vehicle while under influence of alcohol, redefine offense, etc. HF 168, Daggett.
Motor vehicles towing disabled vehicles, speed restrictions. HF 196, Doyle—HF 753, Transportation. SSM.
Locking a wheel of a car, prohibit. HF 223, Patchett, et al.
Cars, restrict number used and operated by a household. HF 256, Horn.
Prohibit studded tires or ice grips, exceptions. SF 226, Transportation.
Abandoned vehicles, change definition, and time element. HF 324, Transportation.
Repair of consumer products, household appliances, motor vehicles, etc. HF 355, Horn.
Motor vehicles used by railroad companies, safety standards and equipment. SF 295, Miller of Des Moines, et al.
Confiscated motor vehicles, proceeds from sale of deposited in general fund. HF 446, Crabb.
False odometer statements, offense subject to penalty. HF 498, Transportation. Approved 6-6-75.
Prohibit hunting or fishing from a motor vehicle. HF 546, Daggett.
Uninsured motorist coverage for property damage to vehicle of insured. HF 555, Egenes.
Control of motor vehicles when approaching certain warning devices. SF 388, Miller of Des Moines.
Animal-drawn vehicles, flashing amber lights. SF 393, Schwengels—HF 635, Millen and Harper (companion)—HF 743, Transportation (same). SF 393 withdrawn. HF 743 approved 7-8-75.
Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing, appropriation to department of transportation. HF 594, Hutchins, et al.
Motor vehicles, state, purchase and use of, use of private motor vehicles for state business. HF 602, Daggett, et al—HF 814, State Government. SSM. HF 602 withdrawn. HF 814 approved 6-29-75. Became law by pub. 7-11-75.
Escort fees for oversized vehicles, DOT establish. SF 417, Tieden.
Noise levels of motor vehicles, regulation of, local authorities. SF 467, Hill of Polk—SF 484, Cities. SSM.
Regulating open containers of alcoholic liquor, beer, or wine within a motor vehicle being operated on highways. HF 733, Hutchins.
Transportation of alcoholic liquors or beer, carriers or private individuals, prohibit open containers unless within a compartment, vehicles. HF 746, Tansportation.
No fault motor vehicle insurance. HF 759, Commerce.
Width of passenger buses and vehicles carrying modular building materials, increase. SF 489, Transportation.
Operators of motor vehicles, exceptions in licensing. HF 840, Transportation.
Agricultural implements excluded from width requirements re movement. HF 843, Agriculture.
Tri light safety signal system, authorize study of, appropriation. HF 853, Woods.
Vehicle registration fee structure, committee to study. HCR 48—H.J. 1615.
Traffic and/or motor vehicle offenses, uniform citations and charges, etc. SF 535, Judiciary.
Exempt state motor vehicles used for venereal disease investigation from state sign and official registration plates. SF 546, State Government.
Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing expenses, appropriation. HF 910, Appropriations. Approved 7-8-75.

Ambulances

Ambulance service, counties, all or portions, surcharge. SF 35, Shaff.
Ambulance service, standards for, levy taxes, etc. HF 40, Drake, et al.
Emergency vehicles, may drive to left of center of roadway. SF 45, Redmond. Withdrawn.
Emergency vehicles, may be driven left of center line, or wrong way on a one-way street. HF 90, Judiciary and Law Enforcement.
Flashing lights, all emergency vehicles may use. HF 107, Doyle, et al.
Benefited fire districts may own and operate ambulances. HF 153, Patchett.
Ambulance service personnel authorized to use flashing blue lights on their vehicles. HF 154, Patchett, et al.
Ambulances may use amber flashing light. SF 398, Norpel, et al.
Ambulance service expense fund, county, create. HF 630, Brunow.

Buses—Also see Schools, Sub-Ref. Buses

Mufflers on city motor buses. SF 32, Robinson, et al.

School buses, require use of flashing signal lights and stop arms within city limits. HF 142, Bittle—HF 394, Transportation. Same. HF 142 withdrawn.
Seat belts, school buses. HF 233, Lipsky and Drake.
White light may be mounted on top of a school bus. SF 414, Norpel.

Fees

Special trucks, registration fees. SF 24, Priebe, et al.
Allow motor vehicle fees and fuel taxes to accrue to the general fund. HJR 20, Small.
Motor vehicle registration fees, change, include mileage per gallon of fuel. HF 849, Brunow.

Inspection

Exempt motor vehicles from inspection, dissolution of marriage. SF 287, Heying. Withdrawn.
Exempt motor vehicles from inspection if inspected in previous 60 days when transferring within a family. HF 432, Transportation. Approved 5-2-75.
Vehicle inspection, inspection orders, authorize employees. HF 502, Transportation. Approved 7-17-75.
Motor vehicle inspections, reciprocal agreements, etc. SF 462, Miller of Des Moines.

Licenses

Special registration plates to owners of vehicles holding amateur radio licenses, also personalized registration plates. SF 13, Van Gilst. Approved 3-18-75.
Proof of motor vehicle financial responsibility, reinstated driving privileges. SF 187, Gallagher.
Motor vehicle registration fees and licenses and excise taxes on motor vehicle fuel be used for highway purposes, repeal. SJR 3, Gluba—HJR 13, Small.
Motorized bicycles, motor vehicle license. HF 658, Hines.
Special license plates, automobiles, handicapped. SF 508, Human Resources.

Motorcycles

Motorcycles, muffling devices. HF 110, Bittle, et al.
Protective headgear for motorcyclists. HF 133, Horn. Also see HF 421.
Protective headgear, and equipment, motorcyclists. HF 421, Transportation. Approved 6-16-75.
Operation of motorcycles by persons issued instruction permits. HF 704, Transportation.

Registration

Special registration plates to owners of vehicles holding amateur radio licenses, also personalized registration plates. SF 13, Van Gilst. Approved 3-18-75.
Farm trailers, registration. SF 44, Priebe, et al. Approved 6-5-75. Became law by pub. 6-13-75.
Registration plates and fees, exempt churches from paying. HF 134, Wells.
County treasurer may refuse to issue motor vehicle license if outstanding warrant against applicant. HF 137, Kreamer, et al.—SF 204, Palmer, et al.—SF 519, Cities (all similar subject matter).
Restoration of a suspended license and registration or nonresident's operating privilege. HF 146, Transportation. Approved 4-22-75.
Travel trailers, registration of, storage. HF 304, Doyle.
Motor vehicle registration fees and licenses and excise taxes on motor vehicle fuel be used for highway purposes, repeal. SJR 3, Gluba—HJR 13, Small.
Motor vehicle registration, revise, increase certain fees; braking and hitching requirements for certain travel and semitrailers, width of vehicles, etc. HF 450, Transportation. Approved 7-17-75.
Church owned vehicles carry "Church Bus" registration plates, $5.00 annual fee. SF 316, Gluba.
Disallow use of vowels on license plates. HF 683, Bina.
Registration of trailers and semitrailers for a 3 year period, trip permits, and registration apportionment agreements. HF 724, Transportation. Approved 7-14-75.
Travel trailers, registration of. HF 744, Transportation.
Motor vehicle registration fees, change, include mileage per gallon of fuel. HF 849, Brunow.

Snowmobiles

Snowmobile registration fees, percentage credited to county conservation or general fund, and state conservation fund. SF 170, Priebe, et al.—HF 315, Husak, et al.
Snowmobile operators, licenses, implied consent and financial responsibility requirements, etc. SF 349, Glenn—HF 548, Brunow.
Snowmobiles, operation of, time, etc. HF 480, Howell.
Snowmobile accidents, committee to study. HCR 53—H.J. 2011.

Trailers

Farm trailers, registration. SF 44, Priebe, et al. Approved 6-5-75. Became law by pub. 6-13-75.

Motor trucks or truck tractors pulling farm trailers, registration of. HF 53, Husak and Pellett. Withdrawn.
Travel trailers, registration of, storage. HF 304, Doyle.
Overall length of combinations of vehicles, 65 feet. HF 404, Woods, et al.—HF 884, Transportation. S.
Travel and semitrailers, braking and hitching requirements. HF 688, Doyle. Withdrawn.
Registration of trailers and semitrailers for a 3 year period, trip permits, and registration apportionment agreements. HF 724, Transportation. Approved 7-14-75.
Travel trailers, registration of. HF 744, Transportation.

Trucks

Special trucks, registration fees. SF 24, Priebe, et al.
Motor trucks or truck tractors pulling farm trailers, registration of. HF 53, Husak and Pellett. Withdrawn.
Maximum lengths of vehicles, repeal authority of the department of transportation. SF 66, Hill of Jasper.
Rubbish trucks may exceed axle gross weight. HF 301, Hines.
Overall length of combinations of vehicles, 65 feet. HF 404, Woods, et al.—HF 884, Transportation. S.
Motor vehicles reduce speed approaching slow moving vehicles, garbage trucks may display reflective devices. SF 271, Willits.
Transportation commission may have up to 45 days after convening of the general assembly to submit rules re length limits of vehicles. SF 391, Norpel.
Increase maximum weight limits for motor vehicles. SF 415, Norpel—HF 686, Wyckoff.
Intrastate truck operators and contract carriers, issuance of permits. SF 437, Coleman.
Registation of trailers and semitrailers for a 3 year period, trip permits, and registration appropriation agreements. HF 724, Transportation. Approved 7-14-75.
Non-self-propelled implements of agriculture included in 60 foot length of vehicles, transporting. HF 763, Wulff.
Third plate, duplicate, for campers mounted on motor trucks. SF 486, Scott.

MOTORCYCLES—See Motor Vehicles, Sub-Ref. Motorcycles

MOVING—

General

Moving expenses, transportation, employees of highway division, DOT. HF 81, Transportation. Approved 3-14-75.

MUSIC—

General

Congratulate Larry Graham for his outstanding success and musical accomplishments and best wishes for continued success. (Same as HR 47) SR 15—S.J. 2074, 2256-2257 adopted.
Congratulate Larry Graham for his outstanding success and musical accomplishments and best wishes for continued success. (Same as SR 15) HR 47—H.J. 2506-2507, 2671.

NAMES—

General

Surnames to be used after marriage. HF 21, Spear, et al.
Minors may change name. HF 221, Tofte.
Names of school districts, may change, election. HF 405, Evans and West.
Telephone companies publish in directories, if requested, names of both husband and wife. SF 320, Doderer, et al.
"Hawkeye State", official state title. HF 496, Wells.
School districts may change name, election. SF 383, Burroughs—HF 779, Education. HF 779 withdrawn. SF 383 approved 5-12-75.

NARCOTICS—Also see Drugs and/or Medical—Professional and/or Pharmacy

General

Narcotic drugs, distribution of, penalty. HF 78, Danker, et al.
Possession with intent to distribute, narcotics, increase penalties. HF 378, Hargrave.
Pharmacies, issuing of new licenses, labeling of certain prescription drugs, and regulation of controlled substances. HF 729, Judiciary and Law Enforcement.

NATIONAL CONFERENCE OF STATE LEGISLATIVE LEADERS—

General

That the I.R.C. of the National Conference of State Legislatures and the Midwestern Conference of the Council of State Governments appoint committees to develop proposals to aid farmers and ranchers for consideration by Congress and the states. SCR 19—S.J. 497, 535, 595.

Transfer of retirement benefits from one state to another, public employee plans, committee develop program and model legislation. **HCR 20—H.J. 530.**

NATIONAL GUARD—See Military

NATURAL RESOURCES AND COUNCIL—
General
Shelter belt program, appropriation. HF 31, Krause.
Abolish natural resources council, transfer powers and duties to environmental quality and geologist. SF 236, Gallagher—HF 609, O'Halloran.
Fairs, fair board, geological survey, and natural resources council, appropriation. HF 455, Appropriations. Approved 4-22-75. Item Vetoed.
Membership of the natural resources council. SF 338, Natural Resources. Vetoed 5-15-75.
Search warrant and bonding authority of natural resources council, investigations. SF 369, Culver.
Statewide water plan. HF 760, Appropriations. Approved 5-15-75.
Certain state agencies report quarterly to standing Senate and House natural resources committees. SF 512, Natural Resources.

NO FAULT INSURANCE—Also see Insurance
General
No fault motor vehicle insurance. HF 759, Commerce.

NOISE—
General
Noise pollution, prevention, abatement or control of. HF 713, Lipsky.
Noise levels of motor vehicles, regulation of, local authorities. SF 467, Hill of Polk—SF 484, Cities. SSM.

NOTICES—
General
Summons and notice by juvenile court, counsel. SF 273, Doderer, et al.—HF 489, Newhard, et al.
Summary of a proposed city budget with notice of public hearing published. SF 306, Rabedeaux—HF 554, Newhard.
Mechanics' liens, changes to. SF 330, Shaw and Willits.
Forfeiture of real estate contracts, vendee pay costs. SF 537, Kelly.

NUCLEAR—Also see Energy and/or Midwest Nuclear Compact
General
Nuclear power plants, construction of, waiting period of 5 years. HF 282, Cusack.
Urge Congress direct the Office of Technology Assessment study and investigate the entire nuclear cycle from mining through fuel reprocessing and waste management, safety, licensing, etc. SCR 23—S.J. 606-607, 622, 664.
State nuclear power plant monitoring program, establish. HF 656, Hennessey.
Regulation of hazardous substances, committee to study. SCR 34—S.J. 1096-1097.
Regulation of nuclear reactors. SF 509, Energy.
Hazardous substances, regulation of, committee to study. HCR 50—H.J. 1696-1697.

NURSING—
General
Nursing and pharmacy included within the definition of professional. SF 123, Commerce. Approved 3-18-75.
Medical, nursing and pharmacy examiners, boards of, appropriation to. HF 333, Appropriations. Approved 4-8-75.
Nursing examiners, suspension and revocation of licenses, same hearing powers as medical examiners. HF 538, Cusack.
Schools of nursing, students included in tuition grant program. HF 579, Horn and Connors—SF 468, Nolting.
Part-time students and schools of nursing students included in tuition grant program. HF 762, Education. ((HF 331—SF 385 companion) and (HF 79—SF 468 companion) combined are similar to HF 762).

NURSING HOMES—See Homes, Sub-Ref. Nursing

OBSCENITY—
General
Obsenity, defines, certain acts a crime, etc. SF 219, Andersen.
Obscenity, regulation of. HF 513, Wells, et al.
Obscene material, public offense. HF 888, Spencer, et al.

OCCUPATIONAL SAFETY AND HEALTH—
General
Occupational safety and health act, amend. SF 92, Robinson—HF 204, Labor and Industrial Relations. HF 204 withdrawn. SF 92 approved 2-28-75.

Employment security commission, industrial commisisoner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.

ODOMETERS—
General
False odometer statements, offense subject to penalty. HF 498, Transportation. Approved 6-6-75.

OFFENDERS—Also see Crime and/or Law Enforcement
General
Operating a motor vehicle while intoxicated, penalties for. HF 52, Oakley.
Motor vehicle offenses, permit pleas of no contest, nonindictable charge. HF 125, Doyle.
Operating a motor vehicle while under influence of alcohol, redefine offense, etc. HF 168, Daggett.
Prostitution, and other offenses, define. HF 417, Wulff.

OFFICERS—Also see Police
General
Peace officers' retirement system, qualifications. SF 9, Hultman and Tieden.
Retirement age for policemen and firemen. SF 10, Hultman and Tieden.
Assaulting and obstructing a law enforcement officer, penalties. HF 103, Nealson of Muscatine.
Disabled persons, reasonable search for medical information, etc. HF 244, Patchett, et al.—HF 845, Judiciary and Law Enforcement. SSM.
Increase salaries of highway patrolmen and contribution to peace officers' retirement system, appropriation from primary road fund. HF 319, Harvey.
Conservation peace officers, establish monthly retirement allowance, IPERS. SF 305, Nystrom, et al.—HF 605, Connors, et al. (companion)—HF 768, State Government (same).
Disability benefits paid to policemen and firemen deducted from salary and allowances. SF 319, Andersen and Shaw—HF 519, Junker.
Peace officers' retirement, accident and disability system, improve certain benefits. SF 332, Nystrom, et al.—HF 622, Connors, et al. (companion)—HF 772, State Government (same)—SF 473, State Government (similar subject matter).
Retirement qualifications for peace officers, change to 25 years of service. SF 379, Junkins, et al.
Transfer special agents of the fraud, arson and explosives unit of the div. of fire protection of public safety from IPERS to public safety peace officers' retirement system. HF 624, Connors, et al.
Peace officers employed by department of public safety may administer oaths, acknowledge signatures, etc. HF 820, Transportation. Approved 6-30-75.
Fees collected by sheriffs and certain other police authorities. HF 891, Ways and Means. Approved 6-29-75.
Retirement benefits for peace officers, police and firemen, changes. HF 914, Appropriations.
Pension and retirement needs of peace officers and corrections officers, committee to study. HCR 76—H.J. 2570.

OLD AGE ASSISTANCE—
General
Claims against estates of decedents having received old age assistance, void. SF 233, DeKoster. Approved 4-28-75. Became law by pub. 5-6-75.

OMBUDSMAN—See Citizens' Aide

ORGANIZATIONS—
General
Organizations, institutions, or charities (churches excluded) soliciting and receiving public donations, require accurate statements, increase penalties. HF 138, Doyle.
Organizations doing business with the state or political subdivisions disclose ownership interests. HF 280, Hargrave.
Civil immunity to persons serving on peer review committees. SF 235, Miller of Des Moines and Hultman—HF 369, Byerly, et al. (companion)—HF 790, Judiciary and Law Enforcement (same). HF 369 withdrawn.
Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing, appropriation to department of transportation. HF 594, Hutchins, et al.
Permissible locations of games of skill, chance and raffles, qualified organizations. SF 441, Gluba.
Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing expenses, appropriation. HF 910, Appropriations. Approved 7-8-75.

OSTEOPATHY—See Medical—Professional, Sub-Ref. Osteopathy

OXYGEN—
General
Oxygen, prescribed, exempt from sales and use tax. HF 38, Lipsky. Approved 7-15-75.

PACKAGING—
General
Packaging of meat, poultry, eggs, and milk, date first packaged and removal date. HF 308, Patchett, et al.
Packaged meat, sold to public, must be in a transparent package. SF 229, Hill of Polk—HF 365, Brockett.

PARI-MUTUEL—
General
Permit pari-mutuel betting, create racing commission, one track. SF 152, Kinley—HF 198, Caffrey.
Pari-mutuel betting as it affects the citizens, economy and political subdivisions of the state, committee to study. HCR 64—H.J. 2517.

PARKING—
General
Fines for parking violations, payment of to city clerk or his designee. HF 634, Crawford—HF 800, Cities and Towns. Same.

PARKING METERS—
General
Exempt jurors from parking meter regulation. HF 666, Bittle and Jesse—HF 874, Cities and Towns (includes boards of review). SSM.

PARKS—
General
State park roads, and other, maintenance and repair of, conservation commission jurisdiction. HF 68, Small, et al.
State park advisory committees, create. HF 152, Patchett, et al.—SF 290, Doderer.
Recreational areas, impose fee for restricted areas. SF 260, Bergman, et al.
Parks, certain trees and rocks removed by conservation commission for safety and timber resource reasons. HF 488, Middleswart. Approved 6-3-75. Became law by pub. 6-10-75.
Recreational facilities under conservation commission, financing of. HF 707, Brunow.
Ledges State Park, flooding of, agreements, conservation commission and other governmental agencies. SF 336, Nystrom—HF 717, Crawford and Hines.

PAROLE—See Social Services, Sub-Ref. Parole, Board of

PARTNERSHIPS—
General
Exclude sole proprietorships and partnerships from interest limitations. SF 392, Norpel.

PATERNITY—
General
Parentage of children, repeal chapter—paternity of children, etc., rights and obligations. SF 420, Doderer.

PEACE OFFICERS—See Officers and/or Police

PENAL INSTITUTIONS—
General
Benefits for employees, and their dependents, of adult penal and correctional institutions, appropriation. HF 499, Doyle, et al.—HF 771, Judiciary and Law Enforcement. Same.
Penal institution employees paid overtime after 40 hours. SF 382, Schwengels, et al.
Conditional release for inmates of correctional institutions. SF 538, Kelly and Doderer.
Services by county medical examiner rendered to a state institution paid by that institution. SF 552, Junkins, et al.
Prisoners
Parole, eligibility for, and suspended sentences, persons displaying firearms, felony—life sentences. HF 145, Nealson of Muscatine.
Exchange of inmates with federal bureau of prisons. SF 253, DeKoster, et al.
Autopsy on deceased persons confined in prisons, jails or correctional institutions, require. HF 430, Lipsky, et al.
Inmates and prisoners injured, employment duties, compensation. HF 435, Newhard, et al.
Furlough programs for inmates. HF 456, Doyle, et al.
Work release programs for inmates of institutions. HF 458, Lipsky, et al.
Persons serving life terms, parole board review after 5 years. HF 481, Doyle, et al.

Transfer of prisoners from an adult correctional institution to another institution, social services. HF 503, Human Resources.
Legal fees for inmates and patients of state institutions, payment of. SF 533, Junkins, et al.

Prisons

Prison industry depreciation fund, establish. SF 254, DeKoster and Kelly.
Adult penal and correctional system, state, study committee to further investigate and study. HCR 22—H.J. 531-532.
Wardens shall not receive dwelling nor inmate domestic service. HF 657, Middleton, et al.—SF 451, Kelly and Doderer. S.

Reformatories

Discharged inmates of penal institutions furnished clothing, transportation, and money. SF 169, Doderer and Kelly—SF 456, Judiciary. SSM. SF 169 withdrawn. SF 456 approved 7-14-75.
Adult penal and correctional system, state, study committee to further investigate and study. HCR 22—H.J. 531-532.
Autopsy on deceased persons confined in prisons, jails or correctional institutions, require. HF 430, Lipsky, et al.

PENSIONS—See Retirement Systems

PERMITS—

General

Hours alcoholic beverages and beer may be sold, fees required. SF 22, Griffin, et al.—HF 100, Cusack.
Beer permits, may obtain any or all. SF 28, Griffin, et al.
Mobile homes, etc., movement of. HF 210, Woods, et al.—HF 479, Transportation (similar)—HF 235, Drake (similar subject matter). HF 479 approved 6-6-75.
Intrastate truck operators and contract carriers, issuance of permits. SF 437, Coleman.
Cigarette permits, issuance of. HF 725, Ways and Means. Approved 7-8-75.
Increase gross weight for hauling livestock, grain, fuel, and agricultural materials, permits issued, DOT. SF 480, Taylor, et al.
Sunday beer and liquor sales. HF 761, Judiciary and Law Enforcement.
Rubbish trucks, annual special permit for operation of, excess weight. HF 906, Ways and Means.

PERSONNEL—See Merit System and/or Employment

PESTICIDES—Also see Agriculture, Sub-Ref. Pesticides

General

Airmen, instructors, and aircraft, application of herbicides and pesticides, increase fees. HF 105, Transportation. Approved 4-8-75.

PETROLEUM—

General

Producers, refiners, and distributors of motor fuel register with secretary of agriculture, prohibit operation of service stations, prohibit discrimination re stations, etc. HF 550, Patchett, et al.—SF 408, Redmond.
Petroleum products, marketing, distribution, and pricing of, committee to study. SCR 39—S.J. 1310.
Petroleum products, marketing, distribution, and pricing of, committee to study. (Same as SCR 39) HCR 52—H.J. 1914-1915.

PHARMACY—Also see Drugs and/or Narcotics and/or Medical—Professional

General

Nursing and pharmacy included within the definition of professional. SF 123, Commerce. Approved 3-18-75.
Prescription drugs, labeling, certain information available to pharmacy examiners, pharmacists and practitioners, etc. HF 200, Patchett, et al.—SF 268, Redmond and Gluba.
Regulation of prescription drugs, defining wholesalers. HF 310, Cusack, et al.
Medical, nursing and pharmacy examiners, boards of, appropriation to. HF 333, Appropriations. Approved 4-8-75.
Distribution of free samples of prescription drugs to medical practitioners by drug salesmen. HF 547, Cusack.
Prescription drugs, retail price posted in every pharmacy, advertising. HF 636, Bina, et al.
Pharmacies, issuing of new licenses, labeling of certain prescription drugs, and regulation of controlled substances. HF 729, Judiciary and Law Enforcement.

PHOTOGRAPHS—

General

Photograph, operators' and chauffeurs' licenses. SF 1, Griffin.

PHYSICAL THERAPY—See Medical—Professional, Sub-Ref. Physical Therapy

PHYSICIANS—See Medical—Professional, Sub-Ref. Physicians

PICKETING—Also see Civil Disorders, Riots and/or Strikes
General
Prohibit persons not involved in a particular labor dispute from picketing. HF 445, Branstad.

PIONEER LAWMAKERS—
General
Joint session Thursday, April 10, 1975, at 2.00 p.m., Pioneer Lawmakers present program. SCR 18—S.J. 459, 476 adopted—H.J. 441, 613 adopted.
Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.

PIPELINES—
General
Annual rental charges to landowner, other damages, eminent domain, pipelines. SF 65, Gallagher, et al.—HF 309, Avenson, et al.—HF 754, Agriculture. S.
Public utilities acquiring easements, terms negotiable. SF 175, Heying and Taylor.

PLANNING AND PROGRAMMING—
General
Winterize homes of elderly and low-income families, appropriation to planning and programming. HF 271, Cusack, et al.
Development commission, abolish. SF 469, Gluba.
Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.

PLATTING—Also see Property and/or Real Estate
General
Recording of subdivisions, platting, surveying, etc. HF 388, Bittle.
Platting of land, changes to. HF 909, Ways and Means.

POLICE—Also see Officers
General
Peace officers' retirement system, qualifications. SF 9, Hultman and Tieden.
Retirement age for policemen and firemen. SF 10, Hultman and Tieden.
Assaulting and obstructing a law enforcement officer, penalties. HF 103, Nealson of Muscatine.
Law enforcement communications with local law enforcement agencies. SF 156, Gallagher and Winkelman—HF 202, Doyle, et al. SF 156 withdrawn. HF 202 approved 4-14-75. Became law by pub. 5-8-75.
Disabled persons, reasonable search for medical information, etc. HF 244, Patchett, et al.—HF 845, Judiciary and Law Enforcement. SSM.
Abandoned vehicles, change definition, and time element. HF 324, Transportation.
Civil service systems of cities, change. HF 395, Cities and Towns. Approved 6-3-75.
Disability benefits paid to policemen and firemen deducted from salary and allowances. SF 319, Andersen and Shaw—HF 519, Junker.
Police and fire retirement systems, improve certain benefits. SF 334, Nystrom, et al.—HF 626, Byerly (companion)—HF 804, State Government (same)—SF 490, State Government (similar subject matter).
Retirement qualifications for policemen and firemen, change to 25 years of service. SF 361, Junkins, et al.
Postsecondary education program for city police officers, establish. HF 571, Cusack.
Change method of computing pension increases for retired firemen and policemen. SF 410, Carr.
Hazardous materials, transportation of, reporting accidents. HF 736, Energy.
Police districts, county, establish public safety commissions for, property tax levy. SF 492, Schwengels, et al.
Iowa police radio system, separate division, public safety. SF 514, Schwengels.
Fees collected by sheriffs and certain other police authorities. HF 891, Ways and Means. Approved 6-29-75.
Retirement benefits for peace officers, police and firemen, changes. HF 914, Appropriations.
Pension and retirement needs of peace officers and corrections officers, committee to study. HCR 76—H.J. 2570.

POLITICAL CAMPAIGNS—See Campaigns

POLITICAL CANDIDATES—See Candidates

POLITICAL ORGANIZATIONS—
General
Primary elections, disregard political affiliation, etc. HF 381, Wyckoff.

POLITICS—
General
Highway patrol personnel, exclude political affiliations. HF 6, Monroe. Approved 4-8-75.
Campaign finance and disclosure recommendations. SF 164, Hansen, et al.—HF 246, Norland and West.
Boards, commissions, and councils, state, political affiliation of persons on. SF 488, State Government.

POLLUTION—Also see Environmental Preservation
General
Air or water pollution, repeal limited property tax exemption. SF 87, Gluba, et al.—HF 119, Brandt, et al.
Air and water pollution, reduce length of time for property tax exemption. HF 143, Cusack.
Environmental impact statements issued when planning construction or operation of development projects. HF 274, Cusack.
Simple and aggravated littering, defining, penalties. SF 405, Kelly.
Noise pollution, prevention, abatement or control of. HF 713, Lipsky.
Regulation of hazardous substances, committee to study. SCR 34—S.J. 1096-1097.
Indirect sources of air pollution, department of environmental quality. HF 862, Varley.
Rubbish trucks, annual special permit for operation of, excess weight. HF 906, Ways and Means.

POLYGRAPHS—See Lie Detectors

PREGNANCY—
General
Public employees' absences because of pregnancy and recovery may use sick leave. HF 243, Patchett, et al.

PRESIDENT and/or VICE-PRESIDENT—UNITED STATES—
General
Presidential preferential primary election. HF 209, Patchett, et al.
Presidential electors, expenses paid from funds other than those appropriated from general fund. HF 229, Appropriations. Approved 4-8-75.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as SCR 20) HCR 18—H.J. 480-481, 495-496 adopted—S.J. 541-542, 613, 680-681 adopted—H.J. 749, 801, 963-964 adopted—S.J. 997 adopted.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as HCR 18) SCR 20—S.J. 540-541, 610-611, HCR 18 substituted 680, withdrawn 681.
Presidential electors, election of. SF 265, Miller of Marshall—HF 427, West, et al.

PRESS—
General
Current Codes and Session Laws furnished legislators, staff and press. SCR 4—S.J. 47, 61 adopted—H.J. 37-38 adopted.

PRINTING—PUBLISHING—
General
Delinquent tax lists, published, require publication of corrections. HF 237, Patchett, et al.
College textbooks may be deducted on income tax returns. HF 250, Patchett, et al.—SF 407, Redmond.
Summary of a proposed city budget with notice of public hearing published. SF 306, Rabedeaux—HF 554, Newhard.
Telephone companies publish in directories, if requested, names of both husband and wife. SF 320, Doderer, et al.
Proceedings of city councils and boards of supervisors, require publication of. HF 493, Brunow.
Depository library center, establish, state publications. HF 589, Small, et al.
Index books, county recorder may combine. SF 494, County Government. Approved 7-3-75.
Revise and print additional copies of The Golden Dome. SR 10—S.J. 1178, 1186 adopted.
Chief Clerk authorized to print fourteenth edition of "How a Bill Becomes a Law". HR 34—H.J. 1666, 1697, 1795, 2163-2164 adopted.

PRINTING DIVISION—G.S.—
General
Centralized printing, purchasing, and vehicle dispatcher, appropriation. HF 424, Appropriations. Approved 5-15-75.

General services, capitol planning commission, executive council, merit employment, and printing, appropriation. SF 425, Appropriations. Approved 5-6-75.

PRISONERS—See Penal Institutions, Sub-Ref. Prisoners and/or County, Sub-Ref. Jails

PRISONS—See Penal Institutions, Sub-Ref. Prisons

PROBATE CODE—
General
Conduct study of Uniform Probate Code. SCR 17—S.J. 346-347, 375, 511.
Repeal Probate Code, enact Uniform Probate Code. HF 314, Lipsky.
Probate Code, changes in—fiduciary returns, sale of property, power of attorney, setting aside wills, dependent allowances. SF 541, Judiciary. Approved 7-14-75.

PROBATION—
General
Chief probation officer allowed to supervise parolees and probationers. SF 252, DeKoster, et al.—HF 436, Newhard, et al.
Probation of an individual after commitment, allow court 90 days to review. HF 440, Doyle, et al.
Probation, length of set by court. HF 475, Newhard, et al.—SF 450, Kelly and Doderer.

PROBATION OFFICERS—
General
Chief probation officer, allowed to supervise parolees and probationers. SF 252, DeKoster, et al.—HF 436, Newhard, et al.
Probation officers and other officers, percentage basis for setting salaries. SF 277, DeKoster.

PRODUCTS—
General
Repair of consumer products, household appliances, motor vehicles, etc. HF 355, Horn.

PROFESSIONAL AND OCCUPATIONAL LICENSES—
General
Professional or occupational license renewal, continuing education requirements, legislative review of examining board activities, etc. HF 410, Egenes, et al.—SF 321, Junkins, et al.

PROFESSIONAL STANDARDS BOARD—
General
Educational examiners, board of, replaced by professional standards board. HF 269, Patchett.

PROFESSIONAL TEACHING PRACTICES COMMISSION—
General
Educational examiners, board of, replaced by professional standards board. HF 269, Patchett.

PROPERTY—Also see Land and/or Real Estate
General
Board of review, 5 members. SF 5, Curtis.
Dwellings on land owned by the state, conservation commission develop program for vacating, lease agreement, etc. HF 60, Halvorson, et al.—SF 73, Tieden.
Purchase of real estate by cities, towns, counties, schools, etc., may be by contract. SF 56, Norpel.
Annual rental charges to landowner, other damages, eminent domain, pipelines. SF 65, Gallagher, et al.—HF 309, Avenson, et al.—HF 754, Agriculture. S.
Valuation of property, change date, notification of changes. SF 75, Ways and Means—HF 82, Ways and Means. HF 82 withdrawn. SF 75 approved 2-28-75.
Leasing of county owned property. HF 97, Monroe.
School property, only certain persons allowed on. HF 109, Horn.
Property exempt from execution and surrender in bankruptcy. SF 120, Gallagher.
Description of assessed property, may be greater than 40 acres. HF 148, Menke.
Eminent domain procedures, amend. HF 207, Transportation.
Sales price of real estate, full disclosure, real estate transfers, etc. HF 231, Ways and Means—HF 504, Ways and Means—SF 539, Ways and Means. SSM.
Valuation of agricultural property for tax purposes, average mortgage loan rate for previous year. SF 183, Shaff, et al.

Property exempt from execution, revise, bankruptcy. HF 281, Middleton—SF 399, Kelly. S.
Fences on another's land, relocation, and payment of. HF 345, Jordan, et al.—SF 430, Sovern.
Easement acquired for a public purpose, require an offer every 5 years to renegotiate. SF 259, Gallagher.
Market value of agricultural property for tax purposes, determining. SF 279, Priebe, et al.
Conveyed property, require disclosure of the ownership. HF 419, Hennessey, et al.
Real estate contracts, etc. shall not contain discriminating clauses. SF 284, Murray.
Solar energy systems of heating and cooling residential, commercial or public buildings, exemption from taxation for property used for. HF 468, Cusack.
Improvement, repair, and maintenance of residential property, provide limited tax incentives. HF 557, Cusack—HF 607, Small—SF 576, Gluba. SSM.
Partition fences, responsibility for. SF 401, Winkelman.
Flood control project funds, distribution of excess, fences, etc. HF 647, Brunow.
Loans on residential property by banks. HF 645, Newhard—SF 443, Rodgers, et al.
Abandoned railroad right-of-way, reversion or sale of to adjoining property owner. HF 684, Wyckoff.
Valuation of property for tax purposes, consider mortgage. HF 854, Mennenga.
Assessment and equalization of certain industrial property. SF 501, Ways and Means.
Real property, definition of, held for sale, lease, or rent, business. HF 867, Ways and Means.
Exempt equalization of property from provisions of the Administrative Procedure Act. HF 885, Ways and Means—SF 553, Judiciary. SF 553 withdrawn. HF 885 approved 6-16-75.
Property, improvements to, committee to study feasibility of providing a tax moratorium. SCR 56—S.J. 2077, 2086.

Personal

Property exempt from execution and surrender in bankruptcy. SF 120, Gallagher.
Property exempt from execution, revise, bankruptcy. HF 281, Middleton—SF 399, Kelly. S.
Money and other property of residents of county care facilities, safeguarding and accounting of. HF 426, West—HF 855, County Government.
Real property, definition of, held for sale, lease, or rent, business. HF 867, Ways and Means.

Taxes—See Tax, Sub-Ref. Property

PROPRIETORSHIPS—

General

Exclude sole proprietorships and partnerships from interest limitations. SF 392, Norpel.

PROSECUTORS—

General

Public prosecutors may be employed in certain counties. HF 826, Judiciary and Law Enforcement. Approved 7-8-75.

PROSTITUTION—

General

Prostitution, and other offenses, define. HF 417, Wulff.

PUBLIC AGENCIES—

General

Meetings of public agencies in closed sessions, further eliminate exceptions, and actions that may be taken. HF 214, Griffee, et al.
Open meetings of public agencies. HF 285, Patchett.
Public agency meetings in closed session, detailed minutes, voiding, attorney fees and court costs. SF 217, Willits, et al.
Contracts among public agencies, may also include financial assistance. HF 464, State Government.

PUBLIC BUILDINGS AND GROUNDS—See Buildings, and/or Buildings Grounds, State

PUBLIC DEFENDER—

General

Public defender, office of, establish. SF 264, DeKoster and Hill of Polk—HF 567, Higgins.

PUBLIC DEFENSE—Also see Civil Defense

General

Commerce commission and public defense, appropriation. HF 334, Appropriations. Approved 4-28-75. Item Vetoed.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

PUBLIC EMPLOYMENT—
General
Employment security commission, industrial commissioner, bureau of labor, occupational safety and health review commission and public employment relations board, appropriation for financing programs, also increase certain fees. HF 890, Appropriations. Approved 7-11-75.

PUBLIC HEALTH—See Health, Sub-Ref. General

PUBLIC HEARINGS—Also see Hearings
General
Public hearings, budget, area education agency. HF 96, Daggett, et al.
Summary of a proposed city budget with notice of public hearing published. SF 306, Rabedeaux—HF 554, Newhard.

PUBLIC IMPROVEMENTS—
General
Public improvements, committee to study feasibility of financing without special assessments. SCR 53—S.J. 2074-2075, 2085.

PUBLIC INSTRUCTION, DEPARTMENT OF—Also see Schools, Sub-Ref. Public Instruction, Department of
General
State educational boards, method of determining the composition of. HF 11, Crabb.
School desegregation, policies of public instruction. HF 13, Junker, et al.
Prohibit forced bussing. HF 33, Woods and Bortell.
Public hearings, budget, area education agency. HF 96, Daggett, et al.
Diplomas, issuance of high school equivalency, fees. HF 191, Daggett—HF 386, Education. S. HF 191 withdrawn. HF 386 approved 6-29-75.
Public instruction conduct study to evaluate the average state program costs per student, etc. HCR 15—H.J. 293-294, 327 adopted—S.J. 337-338, 375, 437, 469, 496 adopted—H.J. 453, 454 adopted.
Seat belts, school buses. HF 233, Lipsky and Drake.
Enrollment of senior citizens, certain courses, area schools, reimbursement, appropriation. HF 236, Byerly, et al.
Board of public instruction, change date of first regular meeting. HF 275, Education. Approved 5-2-75.
Environmental education program, establish. HF 407, Pellett, et al. Withdrawn.
School days, inclement weather, make up days, superintendent of public instruction may excuse. HF 482, Crabb, et al.—HF 720, Education. S.
School foundation bill. HF 558, Education. Approved 6-3-75. Became law by pub. 6-11-75.
White light may be mounted on top of a school bus. SF 414, Norpel.
That an environmental education advisory council be created within the department of public instruction for planning and developing an environmental education program. HCR 34—H.J. 996-997, 1136 adopted —S.J. 1039-1040, 1098, 1200, 1366, 1968-1969 adopted.
Religious groups exempted from education standards and laws. HF 671, Dunton.
Air conditioner chilling unit, purchase and install, Area VII, appropriation. HF 680, Brandt.
Tuition reciprocity agreements, by board of regents and public instruction. SF 470, Murray, et al.—HF 856, Crawford, et al.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.
Driver education courses, administration of, public instruction, appropriation. SF 559, Appropriations. Approved 6-16-75.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.

PUBLIC OFFICES—
General
Dismissal from regular employment, persons candidates for public office or elected to public office, campaign finance disclosure commission determine disputes. HF 321, Cusack, et al.

PUBLIC PROJECTS—
General
Emergency employment for public projects, appropriation. HF 834, Egenes, et al.

PUBLIC RETIREMENT SYSTEMS—See Retirement Systems

PUBLIC SAFETY, DEPARTMENT OF—Also see Safety and/or Highway Patrol

General

Vehicle accidents, reporting of. SF 6, Norpel—SF 18, Priebe. SSM. SF 6 withdrawn. SF 18 approved 7-19-75.

Bicycles, use of reflectorized materials. SF 7, Norpel—HF 3, Hennessey.

Accident records, delete if, motor vehicles. SF 11, Norpel. Withdrawn.

Highway patrol personnel, exclude political affiliations. HF 6, Monroe. Approved 4-8-75.

Fifty-five (55) mph speed limit. HF 46, Drake, et al.—HF 66, Transportation (same)—SF 574, Transportation (similar subject matter). HF 46 and SF 574 withdrawn. HF 66 approved 6-28-75.

Brass and copper material, theft of. SF 43, Rabedeaux.

Vehicle safety standards, department of transportation. SF 58, Norpel.

Highway patrolmen, licensing drivers, remove from DOT. HF 106, Transportation. Approved 4-22-75.

Speed limit in a school district. HF 117, Kreamer.

Protective headgear for motorcyclists. HF 133, Horn. Also see HF 421.

Restoration of a suspended license and registration or nonresident's operating privilege. HF 146, Transportation. Approved 4-22-75.

Regulate modification of road clearance or center of gravity of motor vehicles. HF 150, Miller of Buchanan, et al.—HF 576, Transportation. SSM.

Abandoned vehicles need not be sold only to a dealer. HF 161, Schroeder—SF 135, Gluba.

Proof of motor vehicle financial responsibility, reinstated driving privileges. SF 187, Gallagher.

Increase salaries of highway patrolmen and contribution to peace officers' retirement system, appropriation from primary road fund. HF 319, Harvey.

Firearms, use of, training program by public safety. HF 412, Monroe, et al.

Protective headgear, and equipment, motorcyclists. HF 421, Transportation. Approved 6-16-75.

Drunk-driving enforcement programs, public safety, appropriation. SF 337, Murray.

Vehicle inspection, inspection orders, authorize employees. HF 502, Transportation. Approved 7-17-75.

Ambulances may use amber flashing light. SF 398, Norpel, et al.

Transfer special agents of the fraud, arson and explosives unit of the div. of fire protection of public safety from IPERS to public safety peace officers' retirement system. HF 624, Connors, et al.

Sale of lists of motor vehicle licensees by public safety be approved by confidential records council. HF 665, Higgins.

Credit cards may be used in payment of certain traffic fines. HF 673, Doyle.

Hazardous materials, transportation of, reporting accidents. HF 736, Energy.

Peace officers employed by department of public safety may administer oaths, acknowledge signatures, etc. HF 820, Transportation. Approved 6-30-75.

Crime commission and public safety, appropriation, traffic records of individuals, also additional employees of highway patrol. HF 848, Appropriations. Approved 7-15-75. Item Vetoed.

Iowa police radio system, separate division, public safety. SF 514, Schwengels.

Traffic and/or motor vehicle offenses, uniform citations and charges, etc. SF 535, Judiciary.

State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

Emergency planning and coordination of emergency services, disasters; create an office of civil preparedness, committee to study. HCR 77—H.J. 2571.

PUBLIC UTILITIES——See Utilities, Sub-Ref. Public

PUBLICATIONS—See Printing—Publishing

RABIES—Also see Animals, Sub-Ref. Diseases and/or Disease

General

Regulation and vaccination of dogs, rabies, repeal licensing provision. SF 197, Griffin.

RACING—

General

Permit pari-mutuel betting, create racing commission, one track. SF 152, Kinley—HF 198, Caffrey.

RADIATION—
General
Hazardous substances, regulation of, committee to study. HCR 50—H.J. 1696-1697.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.

RADIO—See Communications and/or Schools, Sub-Ref. Radio and TV

RAILROADS—Also see Transportation and/or DOT
General
Railroad laws, revise and repeal obsolete provisions. HF 127, Transportation. Approved 5-15-75.
Railroads, persons operating must construct and maintain catwalks and handrails. HF 205, Labor and Industrial Relations. Approved 3-14-75.
Railroad passenger service, Clinton to Council Bluffs, Iowa City to Cedar Rapids, Des Moines to Marshalltown. HF 213, Patchett, et al.
Firearms, prohibit discharging over public waters and highways. HF 268, Patchett—SF 208, Ramsey and Redmond—HF 627, Lipsky and Monroe (all similar subject matter). SF 208 withdrawn.
Railroad rights-of-way acquired by conservation commission and political subdivisions, maintain. HF 313, Agriculture.
East-west railroad passenger service across the state, appropriation. SF 237, Gallagher—HF 588, O'Halloran.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as SCR 20) HCR 18—H.J. 480-481, 495-496 adopted—S.J. 541-542, 613, 680-681 adopted—H.J. 749, 801, 963-964 adopted—S.J. 997 adopted.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as HCR 18) SCR 20—S.J. 540-541, 610-611, HCR 18 substituted 680, withdrawn 681.
Railroad passenger service, Davenport to Council Bluffs and Dubuque to Council Bluffs, appropriation. SF 281, Gluba, et al.—HF 578, Higgins.
Railroad assistance fund, improvement of branch line railroad roadbeds, track, etc. SF 286, Energy—HF 433, Energy. S. SF 286 withdrawn. HF 433 approved 4-8-75.
Motor vehicles used by railroad companies, safety standards and equipment. SF 295, Miller of Des Moines, et al.
Railroad passenger service, contract with national railroad passenger corporation for, purchase of depots, appropriation. HF 491, Patchett, et al.
Use of abandoned railroad right-of-way for bikeways. HF 528, Lipsky.
Railway passenger service from Chicago to the Missouri River, appropriation. HF 565, Higgins.
Railroad cars must be equipped with reflectors. HF 615, Monroe, et al.
Trains, ordinances regulating speed of referred to commerce commission for approval. HF 623, Transportation—SF 472, Transportation. SF 472 withdrawn. HF 623 approved 6-29-75.
Repair of railway crossings, agreements between a railway company and a highway authority. HF 641, Bortell.
Grain purchased by warehouses, assessment on, railroad branch line improvement. HF 677, Evans, et al.—HF 789, Agriculture. S.
Abandoned railroad right-of-way, reversion or sale of to adjoining property owner. HF 684, Wyckoff.
Abandoned railroad right-of-way, department of transportation adopt a public use plan for. HF 709, Small—HF 837, Transportation. SSM.
Rail transportation services in Iowa, committee to study. HCR 36—H.J. 1125-1126.
Rail problems in Iowa, roadbeds and trackage, committee to study. SCR 32—S.J. 1008.
Highway railroad crossings repairs. HF 831, Agriculture.
Railroad grade crossings on public highways, increase funds allocated. HF 838, Transportation—HF 904, Appropriations. SSM. HF 838 withdrawn. HF 904 approved 7-14-75.

RAPE—
General
Desex rape laws, replace certain terminology. HF 108, Small.

REAL ESTATE—Also see Land and/or Licenses, Sub-Ref. Real Estate and/or Property
General
Board of review, 5 members. SF 5, Curtis.
Real estate transfers, taxation of. HF 49, Oakley.
Real estate apprentice salesmen, establish license and qualifications. SF 53, Gluba, et al.—HF 124, Cusack, et al.

Purchase of real estate by cities, towns, counties, schools, etc., may be by contract. SF 56, Norpel.
Corporation farming. HF 215, Husak, et al.—SF 171, Rodgers, et al. SF 171 withdrawn. HF 215 approved 7-11-75.
Sales price of real estate, full disclosure, real estate transfers, etc. HF 231, Ways and Means—HF 504, Ways and Means—SF 539, Ways and Means. SSM.
Conveyed property, require disclosure of the ownership. HF 419, Hennessey, et al.
Real estate contracts, etc. shall not contain discriminating clauses. SF 284, Murray.
Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.
Trust accounts by real estate brokers may also be maintained in a savings and loan association. SF 376, Hill of Polk.
Improvement, repair, and maintenance of residential property, provide limited tax incentives. HF 557, Cusack—HF 607, Small—SF 576, Gluba. SSM.
Holders of escrow accounts to pay property taxes, insurance, etc. on real estate, pay interest on funds. HF 569, Miller of Buchanan.
Land trusts, prohibit secrecy of beneficial interests in. HF 590, Hargrave—HF 813, State Government. Same.
Revenue from real estate transfers, 50 percent to counties, 50 percent to state. HF 600, Monroe, et al.
Recording of an instrument and a lien affecting real estate. HF 706, Oakley.
Forfeiture of real estate contracts, vendee pay costs. SF 537, Kelly.

REAPPORTIONMENT OF LEGISLATURE—
General
Reapportionment of the general assembly. HJR 10, Crabb, et al.—SJR 5, Shaw and Hill of Polk.

RECIPROCITY—
General
Trapping licenses to nonresidents. SF 14, Tieden—HF 19, Halvorson. HF 19 withdrawn. SF 14 approved 3-18-75. Became law by pub. 3-28-75.
Real estate apprentice salesmen, establish license and qualifications. SF 53, Gluba, et al.—HF 124, Cusack, et al.
Motor vehicle inspections, reciprocal agreements, etc. SF 462, Miller of Des Moines.
Tuition reciprocity agreements, by board of regents and public instruction. SF 470, Murray, et al.—HF 856, Crawford, et al.

RECORDS—
General
Accident records, delete if, motor vehicles. SF 11, Norpel. Withdrawn.
Vital statistics, access to. HF 8, Crabb.
Property or land having no access to a road, 10 year route, or other, may be used. HF 86, Wyckoff.
Copying of public records, allowed if equipment available. SF 244, Doderer.
State records, general services, appropriation. SF 285, Appropriations. Vetoed 6-16-75.
School records, comply with federal law. HF 541, Patchett—HF 783, Education. SSM.
Rights of parents and guardians of school children. HF 545, Daggett.
Records, public and other, restrictions on use of and access to. SF 497, Hill of Polk.

RECREATION—
General
Carnival owners, file financial statements or appearance bonds. SF 206, Ramsey.
Recreational areas, impose fee for restricted areas. SF 260, Bergman, et al.
Recreational facilities under conservation commission, financing of. HF 707, Brunow.

REFLECTORS—Also see Safety
General
Railroad cars must be equipped with reflectors. HF 615, Monroe, et al.

REFORMATORIES—See Penal Institutions, Sub-Ref. Reformatories

REFUNDS—
General
Rate refunds by public utilities, also pay interest. SF 88, Gluba—HF 283, Small. SSM.
Refund on beverage containers, prohibit sale of snap top cans, redemption centers. SF 275, Miller of Marshall, et al.—HF 413, O'Halloran, et al. (companion)—HF 797, Energy (same).

REGENTS, BOARD OF—
General
Midwestern College campus site at Denison, acquisition and use of. HF 10, Crabb.
State educational boards, method of determining the composition of. HF 11, Crabb.
Regents, board of, power to issue revenue bonds, repeal certain provisions, appropriation. SF 103, Hill of Jasper.
Tuition fees, prohibit increases, higher education. HF 183, Hines.
Mobile dental unit program, appropriation, regents, board of. SF 144, Gluba—HF 329, Patchett.
Public employees, 7 percent salary increase. HF 406, Hennessey, et al.
Tuition reciprocity agreements, by board of regents and public instruction. SF 470, Murray, et al.—HF 856, Crawford, et al.
Faculty compensation at universities administered by board of regents. SF 498, Hansen—HF 858, O'Halloran, et al.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.
State agencies, appropriation for capital improvements, education institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

REGIONAL—
General
Substate regional agencies and districts, committee to study. HCR 47—H.J. 1485-1486.

REGISTRATION—Also see Motor Vehicles, Sub-Ref. Registration
General
Special registration plates to owners of vehicles holding amateur radio licenses, also personalized registration plates. SF 13, Van Gilst. Approved 3-18-75.
Special trucks, registration fees. SF 24, Priebe, et al.
Farm trailers, registration. SF 44, Priebe, et al. Approved 6-5-75. Became law by pub. 6-13-75.
Airmen, instructors, and aircraft, application of herbicides and pesticides, increase fees. HF 105, Transportation. Approved 4-8-75.
Registration plates and fees, exempt churches from paying. HF 134, Wells.
County treasurer may refuse to issue motor vehicle license if outstanding warrant against applicant. HF 137, Kreamer, et al.—SF 204, Palmer, et al.—SF 519, Cities (all similar subject matter).
Restoration of a suspended license and registration or nonresident's operating privilege. HF 146, Transportation. Approved 4-22-75.
Exempt nonmotorized watercraft from registration. HF 197, Avenson.
Exempt beach or water toys and water safety devices from registration. SF 161, Shaw.
Travel trailers, registration of, storage. HF 304, Doyle.
Motor vehicle registration, revise, increase certain fees; braking and hitching requirements for certain travel and semitrailers, width of vehicles, etc. HF 450, Transportation. Approved 7-17-75.
Church owned vehicles carry "Church Bus" registration plates, $5.00 annual fee. SF 316, Gluba.
Registration of voters, permit by mail or at polls on day of election. HF 471, Brandt.
Special registration (license) plates issued to national guardsmen. SF 377, Coleman.
Disallow use of vowels on license plates. HF 683, Bina.
Registration of trailers and semitrailers for a 3 year period, trip permits, and registration apportionment agreements. HF 724, Transportation. Approved 7-14-75.
Travel trailers, registration of. HF 744, Transportation.
Third plate, duplicate, for campers mounted on motor trucks. SF 486, Scott.
Securities, regulation of. HF 825, Commerce. Approved 7-19-75.
Watercraft, storage of, registration of, certificate of origin, etc., exempt beach or water toys, etc. SF 511, Natural Resources. Approved 7-3-75.
Vehicle registration fee structure, committee to study. HCR 48—H.J. 1615.

RELIGIOUS INSTITUTIONS—
General
Guidelines for the management and use of investments held by educational, religious, or charitable institutions. SF 381, Schwengels.
Religious groups exempted from education standards and laws. HF 671, Dunton.
Exempt a house of worship and a residence for each house from property tax. HF 682, Nealson of Muscatine.

REPAIRS—
General
Repair of consumer products, household appliances, motor vehicles, etc. HF 355, Horn.
Improvement, repair, and maintenance of residential property, provide limited tax incentives. HF 557, Cusack—HF 607, Small—SF 576, Gluba. SSM.

REPOSSESSION—
General
Consumer credit transactions, repossession of goods, and/or judgment, depends. HF 708, Walter.

RESEARCH—
General
Vital statistics, access to. HF 8, Crabb.
Research foundation, Iowa, establish, appropriation. SF 84, Murray.

RESOLUTIONS—
General
Ralph R. Brown, special consultant, compensation and vacation. SCR 1—S.J. 7-8 adopted—H.J. 17-18, 107 adopted.
Additional joint employees, joint committee appointed. SCR 2—S.J. 46, 128 adopted—H.J. 89-90 adopted.
Joint committee to arrange for inauguration. SCR 3—S.J. 47, 61 adopted—H.J. 37 adopted.
Current Codes and Session Laws furnished legislators, staff and press. SCR 4—S.J. 47, 61 adopted—H.J. 37-38 adopted.
Journals, bills and binders to be furnished free to county auditors—also to Iowa's United States Senators and Congressmen. SCR 5—S.J. 47-48, 61 adopted—H.J. 38-39 adopted.
Joint Rules of the Senate and House. SCR 6—S.J. 48-54, 59, 123, 210-211, 214-215 adopted—H.J. 177-183, 250, 252, 254-260 adopted, 287-288—S.J. 298, 553-554 refused to concur—H.J. 594 insists, 600 conference committee appointed—S.J. 616 conference committee appointed—H.J. 2017—S.J. 1825 report, second conference committee appointed—H.J. 2272 report, 2273 second conference committee appointed.
Adjournment Thursday, January 16, 1975—reconvene Monday, January 20, 1975 at 10:00 a.m.—also adjournment Friday, March 14, 1975—reconvene Monday, March 24, 1975 at 10:00 a.m. SCR 7—S.J. 54, 61 adopted—H.J. 39 adopted.
Honor the memory of Reverend Martin Luther King, Jr. SCR 8—S.J. 54, 130, 217.
Designate northwest Iowa as a disaster area, provide aid. SCR 9—S.J. 73-74, 130.
Congratulate Lisbon, Iowa on its 100th anniversary. (Same as HCR 2) SCR 10—S.J. 151, 160.
Include highway 520 in five year plan. SCR 11—S.J. 190-191, 198, 255.
Ralph R. Brown be employed as special consultant. SR 1—S.J. 7 adopted.
Appointment of secretaries. SR 2—S.J. 22, 61 adopted.
Rules of the Senate. SR 3—S.J. 22-39, 57-58, 88-90, 100-114 adopted.
Extend appreciation and thanks to Ralph R. Brown. SR 4—S.J. 8 adopted.
Code of Ethics, Senate. SR 5—S.J. 39-41, 147-148 adopted.
Lobbyists, Senate rules governing. SR 6—S.J. 41-46, 144, 148-151, 152-153, 155-159 adopted.
Joint convention, January 13, 1975, 1:30 p.m.—Governor Ray's State of the State Message, January 14, 1975, 11:00 a.m., canvas of votes. HCR 1—H.J. 12 adopted—S.J. 9 adopted.
Congratulate Lisbon, Iowa on its 100th anniversary. (Same as SCR 10) HCR 2—H.J. 75, 88-89 adopted—S.J. 142, 160.
Joint convention, Governor Ray's Budget Message, Friday, January 24, 1975, at 9:30 a.m. HCR 3—H.J. 94, 96 adopted—S.J. 154-155, 162 adopted.
Joint rules of House and Senate be adopted as temporary joint rules of 1975 session. HCR 4—H.J. 96-97, 105 adopted—S.J. 162-163.
Compensation of chaplains, officers and employees. HCR 5—H.J. 97-103, 106-107 adopted—S.J. 163-171 adopted.
Request Iowa Congressional delegation further investigate bankruptcy petition by American Beef Packers, Inc., etc. HCR 6—H.J. 135, 147 adopted—S.J. 208, 228, 255, 284, 307-308 adopted—H.J. 327, 378 adopted.
Urge Iowa Congressional delegation secure federal assistance for beef producers for loss of livestock (blizzard). HCR 7—H.J. 135-136, 147 adopted—S.J. 209, 228, 255, 284, 308-309 adopted—H.J. 327, 378-379 adopted.
Committee to arrange with ministers for opening sessions with prayer. HR 1— H.J. 13-14 adopted.
Appointment of clerks, secretaries and pages. HR 2—H.J. 14 adopted.
Expression of gratitude to the Honorable William H. Harbor. HR 3—H.J. 15 adopted.
Congratulate Anita, Iowa on its 100th anniversary. HR 4—H.J. 140-141, 421 adopted.
Congratulate Marne, Iowa on its 100th anniversary. HR 5—H.J. 141, 421 adopted.

Procedure for adjournment. HCR 8—H.J. 158-159.
Commend Adjutant General Joseph G. May, Colonel Eric P. Berner, the 186th Military Police Company, and Iowa National Guard for the excellent arranging of the inaugural ceremonies. SCR 12—S.J. 216, 228, 255.
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as SCR 13) HCR 10—H.J. 187, 220 adopted—S.J. 260, 282, 437, 485, 575 adopted.
Commend ISU of science and technology re challenge of world food problems and endorse the World Food Conference of 1976 as a bicentennial project. HCR 11—H.J. 188, 220 adopted—S.J. 260-261, 282, 399, 437, 525, 561 adopted.
Urge Congress and President establish program for making loans to farmers unable to collect money due from American Beef Packers, Inc. (Same as HCR 10) SCR 13—S.J. 235, 243, 255.
National network of youth advisory boards, encourage Congress enact legislation to implement this proposal. SCR 14—S.J. 235-236, 243, 320.
Joint convention Wednesday, February 12, 1975 at 1:00 p.m., observance of Lincoln's Birthday. HCR 9—H.J. 184 adopted—S.J. 231-232, 238 adopted.
House Information Office expenditures be kept to $1,500 per month. HR 6—H.J. 194.
Urge United States Corps of Engineers provide full funding and cooperation to conservation commission for restocking game fish in Coralville Reservoir. HCR 12—H.J. 230-231, 341, 421-422 adopted—S.J. 458, 484, 579, 595 683-684 adopted.
National Black History Week, February 9th thru February 14th, 1975. (Same as HCR 13) SCR 15—S.J. 267, 282, 436.
National Black History Week, February 9th thru February 14th, 1975. (Same as SCR 15) HCR 13—H.J. 249, 254 adopted—S.J. 277-278, 292, 437.
Iowa Congressional delegation scheduled to meet with the Iowa Legislature, Friday, February 14, 1975. SR 7—S.J. 291, 292, 436, 485, 563-566.
National health insurance program urge Congress to establish. HCR 14—H.J. 293.
Public instruction conduct study to evaluate the average state program costs per student, etc. HCR 15—H.J. 293-294, 327 adopted—S.J. 337-338, 375, 437, 469, 496 adopted—H.J. 453, 454 adopted.
Include highway 520 in five year plan. (Same as SCR 11) HCR 16—H.J. 294-295.
Extend best wishes for speedy recovery to Steve Carney. HR 7—H.J. 341.
Conduct study of availability, cost and terms of professional liability insurance. SCR 16—S.J. 346, 375, 511.
Conduct study of Uniform Probate Code. SCR 17—S.J. 346-347, 375, 511.
Joint session Thursday, April 10, 1975, at 2:00 p.m., Pioneer Lawmakers present program. SCR 18—S.J. 459, 476 adopted—H.J. 441, 613 adopted.
Congratulate students of Williams Junior High School, Davenport, Iowa, for their excellence in school athletics. HR 8—H.J. 430, 1968, 2132.
That the I.R.C. of the National Conference of State Legislatures and the Midwestern Conference of the Council of State Governments appoint committees to develop proposals to aid farmers and ranchers for consideration by Congress and the states. SCR 19—S.J. 497, 535, 595.
Congratulate Calmar, Iowa on its 125th anniversary. HR 9—H.J. 461.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad and that the President and Congress give high priority to the reform of the transportation industry. (Same as SCR 20) HCR 18—H.J. 480-481, 495-496 adopted—S.J. 541-542, 613, 680-681 adopted—H.J. 749, 801, 963-964 adopted—S.J. 997 adopted.
Family court system, committee to study. HCR 17—H.J. 480.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as HCR 18) SCR 20—S.J. 540-541, 610-611, HCR 18 substituted 680, withdrawn 681.
Congratulate Polk City, Iowa on its 100th anniversary of incorporation. HCR 19—H.J. 504, 676 adopted.
Congratulate Emmetsburg, Iowa on its 15th year of observance of St. Patrick's Day. HR 10—H.J. 504, 532, 665 adopted.
Iowa bicentennial commission organize and implement a "World Youth Festival", education. (Same as SCR 22) HCR 21—H.J. 531, 540, 671.
Adult penal and correctional system, state, study committee to further investigate and study. HCR 22—H.J. 531-532.
Transfer of retirement benefits from one state to another, public employee plans, committee develop progam and model legislation. HCR 20—H.J. 530.
International Women's Day, March 8, 1975, general assembly recognize. SCR 21—S.J. 592, 608, 664.
Iowa bicentennial commission organize and implement a "World Youth Festival", education. (Same as HCR 21) SCR 22—S.J. 592-593, 608, 664.
Urge Congress direct the Office of Technology Assessment study and investigate the entire nuclear cycle from mining through fuel re-

processing and waste management, safety, licensing, etc. SCR 23—S.J. 606-607, 622, 664.
That 1975 be proclaimed International Women's Year in Iowa. HCR 23—H.J. 598-599, 696, 807 adopted—S.J. 794-795, 821, 1010.
Congratuate Bussey, Iowa on its 100th anniversary. HR 11—H.J. 599, 617, 749 adopted.
Congratulate Tracy, Iowa on its 100th anniversary. HR 12—H.J. 599-600, 617, 750 adopted.
Comprehensive energy program to inform public need for energy conservation, governor and energy policy council evaluate programs, etc., and initiate measures to achieve zero energy growth rate. SCR 24—S.J. 647, 663, 739, 898-899, 901, 1332-1333 adopted—H.J. 1729-1730.
Memorial session, Thursday evening, April 24, 1975 at 7:30 p.m. HCR 24—H.J. 663, 824 adopted—S.J. 795, 798 adopted.
State juvenile system, appoint interim study committee to further investigate problems. HCR 25—H.J. 696-697.
Inspection and replacement of bridges, urge Congress appropriate funds. HCR 26—H.J. 697, 755-756, 824 adopted—S.J. 795-796, 821, 1334.
Congratulate Drake University, coach Bob Ortegal and basketball team for being true champions and bringing honor and victory to their school and the state of Iowa. HR 13—H.J. 706, 744, 808 adopted.
Legislators sponsoring or cosponsoring resolutions calling for a study committee shall not be appointed to the study committee. HCR 27—H.J. 724.
Adjourn Thursday, March 27, 1975; reconvene Monday, March 31, 1975, Good Friday. HCR 28—H.J. 742 adopted—S.J. 710-711 adopted.
Congratulate Sisters of Mercy, Cedar Rapids, Iowa, on their 100th anniversary. HCR 29—H.J. 724.
Congratulate Lincoln Railsplitters, their coaches, cheerleaders, etc., for their sportsmanship, etc., in winning the Class AAA basketball championship. HR 14—H.J. 725, 755, 825 adopted.
Compliment Missouri Valley, Iowa, as sponsors and participants of the 21st Annual World's Championship Goose Calling Contest. (Same as SR 9) SCR 25—S.J. 714, 737, 1010.
Congratulate Minden, Iowa on its 100th anniversary. HR 15—H.J. 750.
Congratulate Lynnville, Iowa on its 100th anniversary. HR 16—H.J. 750, 2120, 2382 adopted.
Congratulate Ossian, Iowa on its 125th anniversary. HR 17—H.J. 750-751.
Adjourn May 1, 1975; reconvene Monday, January 12, 1976. SCR 26—S.J. 756, 783, 1010.
Ladybug, state insect. HCR 30—H.J. 843-844.
Red Rock and Coralville Reservoirs, committee to study damages to property, etc. SCR 27—S.J. 796-797, 821, 1010.
Congratulate the St. Alberts Falcons, their coaches, cheerleaders, etc., in winning the Class AA basketball championship. (Same as HR 19) SR 8—S.J. 782-783, 806, 1010.
Congratulate the St. Alberts Falcons, their coaches, cheerleaders, etc., in winning the Class AA basketball championship. (Same as SR 8) HR 19—H.J. 812, 1006, 1135 adopted.
Extend thanks and appreciation to House Pages serving first fifty-three legislative days. HR 18—H.J. 807 adopted.
Compliment Missouri Valley, Iowa as sponsors and participants of the 21st Annual World's Championship Goose Calling Contest. (Same as SCR 25) SR 9—S.J. 797, 821, 1010.
Community correction facilities, location of, consult residents of neighborhoods. HCR 33—H.J. 911.
Iowa Legislature strongly objects to USDA calling for greater productivity from Iowa land while cutting funds for soil conservation. HCR 31—H.J. 910-911.
Extend appreciation to W. W. Molsberry, Sigourney, Iowa, having the longest public school teaching record in Iowa, retiring July 1, 1975. HR 20—H.J. 911-912, 1084, 1225 adopted.
Petition Congress to refrain from approving any measure which would require states and political subdivisions to recognize and bargain with unions representing public employees. HCR 32—H.J. 961-962, 1086.
Congratulate St. Mary's Irish, their coaches, cheerleaders, etc., in winning the Class A basketball championship. HR 21—H.J. 962, 1006, 1135 adopted.
That an environmental education advisory council be created within the department of public instruction for planning and developing an environmental education program. HCR 34—H.J. 996-997, 1136 adopted—S.J. 1039-1040, 1098, 1200, 1366, 1968-1969 adopted.
Robert's Rules of Order first published 100 years ago, urge Postmaster General of the U. S. issue a commemorative stamp. HR 22—H.J. 997-998, 1038, 1179 adopted.
Congratulate Sheffield, Iowa on its 100th anniversary. HR 23—H.J. 1038, 1066, 1199 adopted.
Dogs, proper care and regulation of, committee to study. HCR 35—H.J. 1048-1049.
Rail transportation services in Iowa, committee to study. HCR 36—H.J. 1125-1126.

Urge U. S. Department of Agriculture take necessary regulatory steps, if unwilling or unable then Congress. to require any purchaser of meat and meat products to pay for these commodities within 48 hours. HCR 37—H.J. 1156-1157.
Congratulate Palmer, Iowa on its 75th anniversary. HR 24—H.J. 1157-1158, 2418, 2671 adopted.
That the Iowa General Assembly make application to Congress to submit to the states for ratification an amendment to the U. S. Constitution that the President submit, at beginning of each new Congress, an annual budget, expenditures and estimated revenue, etc. SCR 28—S.J. 962-963, 1008, 1334.
Urge all citizens and citizen groups boost Iowa home communities and to build communities better, as good neighbors. SCR 29—S.J. 975, 1009, 1334.
Membership and qualifications of members of boards, councils, and commissions, their purposes and need for retaining, committee to study. SCR 30—S.J. 975-976, 1009, 1334.
That the general assembly continue to support bicentennial efforts, authorize funds for local and state celebrations and projects, and that the 66th General Assembly be named Iowa American Revolutionary Bicentential General Assembly. SCR 31—S.J. 1007-1008, 1053, 1334.
Rail problems in Iowa, roadbeds and trackage, committee to study. SCR 32—S.J. 1008.
Urge Congress to continue adequate funding of "priority primary" highway programs, highway 520. HCR 38—H.J. 1191, 1250, 1346, 1404 adopted—S.J. 1154-1155, 1163, 1180, 1200.
Request Congress call a convention amending the U. S. Constitution re usurping powers of the states, ratification. HCR 39—H.J. 1191-1192, 1739-1740 adopted, 1766—S.J. 1398, 1434, 1467-1468, 1572.
State catastrophic illness program, expand and complete study of. (Same as SCR 36) HCR 40—H.J. 1227.
State juvenile justice system, continue study. HCR 41—H.J. 1227-1228.
Mental health services, administration of, need for consolidation, etc. (Same as SCR 35) HCR 42—H.J. 1228-1229.
Closing of highways for cities having local celebrations, department of transportation amend its policy to allow. HCR 43—H.J. 1304-1305.
Regulation of hazardous substances, committee to study. SCR 34—S.J. 1096-1097.
Urge federal government not delay in construction of the new Alton Lock and Dam. SCR 33—S.J. 1095-1096, 1331-1332 adopted—H.J. 1730-1731.
Congratulate Gifford, Iowa on its 100th anniversary. HR 25—H.J. 1377, 1441, 1654 adopted.
Mental health services, administration of, need for consolidation, etc. (Same as HCR 42) SCR 35—S.J. 1143, 1162, 1334.
State catastrophic illness program, expand and complete study of. (Same as HCR 40) SCR 36—S.J. 1144, 1162, 1334.
State juvenile justice system, continue study. (Same as HCR 41) SCR 37—S.J. 1144-1145, 1162, 1334.
Productive employment by unemployed, condition of unemployment compensation or welfare benefits, committee to study. SCR 38—S.J. 1177, 1198, 1571.
Unified trial court, expenses and cost of, committee to study. HCR 44—H.J. 1484.
Crime, causes of, reduction of, committee to study. HCR 45—H.J. 1484-1485.
Emergency medical technicians, department of health discontinue requirement of basic training course the 5 emergency ambulance runs. HCR 46—H.J. 1485.
Substate regional agencies and districts, committee to study. HCR 47—H.J. 1485-1486.
Congratulate Nora Springs, Iowa on its 100th anniversary. HR 26—H.J. 1486-1487.
Revise and print additional copies of The Golden Dome. SR 10—S.J. 1178, 1186 adopted.
Congratulate Colo, Iowa Future Farmers of America for having received the Governor's Citation for project "Colo Pride". HR 27—H.J. 1514-1515, 2727-2729 adopted.
Interim study committees, each member of House appointed to one before second appointments. HR 28—H.J. 1534.
Congratulate Cincinnati, Iowa on its 100th anniversary. HR 29—H.J. 1534-1535, 1691, 1831 adopted.
Urge Congresss take necessary steps to assist Vietnamese refugees. HR 30—H.J. 1566-1567.
Congratulate Edgewood, Iowa on being named an official bicentennial community. HR 31—H.J. 1567, 1697, 1831 adopted.
Vehicle registration fee structure, committee to study. HCR 48—H.J. 1615.
Congratulate Ankeny, Iowa on its 100th anniversary. HR 32—H.J. 1615-1616, 1697, 1831 adopted.
Congratulate Royal, Iowa on its 75th anniversary. HR 33—H.J. 1616, 1691, 1831 adopted.
Petroleum products, marketing, distribution, and pricing of, committee to study. SCR 39—S.J. 1310.

Property taxes, committee to study. (Similar subject matter as HCR 54 and SCR 44) HCR 49—H.J. 1653-1654.
Chief Clerk authorized to print fourteenth edition of "How a Bill Becomes a Law". HR 34—H.J. 1666, 1697, 1795, 2163-2164 adopted.
Hazardous substances, regulation of, committee to study. HCR 50—H.J. 1696-1697.
Congratulate Clutier, Iowa on its 75th anniversary. HR 35—H.J. 1726, 1811, 1939 adopted.
Congratulate Mechanicsville, Iowa on its 120th anniversary. HR 36—H.J. 1726-1727.
Social services, committee to study functions, duties, and operation of; also need for reorganization. SCR 40—S.J. 1466-1467, 1487.
Address system of Senate, request Secretary of Senate have necessary repairs made for proper function. SR 11—S.J. 1466, 1487.
Contested elections, committee to study. HCR 51—H.J. 1810-1811.
Commissioners of elections thoroughly acquaint themselves with all election laws, also new ones, and strictly comply with them. HR 37—H.J. 1809-1810, 1968, 2096, 2671.
Congratulate Lytton, Iowa on its 75th anniversary. HR 38—H.J. 1829, 2154, 2441 adopted.
Congratulate Rake, Iowa on its 75th anniversary. HR 39—H.J. 1898, 1968, 2164 adopted.
Civil defense and disaster assistance, committee to study. SCR 41—S.J. 1536, 1571.
Petroleum products, marketing, distribution, and pricing of, committee to study. (Same as SCR 39) HCR 52—H.J. 1914-1915.
Congratulate Woodbine Tigerettes, coaches and managers on third consecutive track win. HR 41—H.J. 1915-1916, 1939, 2120 adopted.
Livestock producers selling livestock for slaughter, liens and other safeguards for, committee to study. HR 40—H.J. 1915.
Congratulate Lisbon, Iowa on its 100th anniversary. HR 42—H.J. 1939, 1968, 2164 adopted.
Air conditioning for legislative lounges. SCR 42—S.J. 1613, 1637.
Snowmobile accidents, committee to study. HCR 53—H.J. 2011.
Property taxes, committee to study. (Similar subject matter as HCR 49 and SCR 44) HCR 54—H.J. 2042-2043.
Congratulations and expression of support to Davenport Municipal Art Gallery and the Davenport Community re Gallery's Golden Anniversary. HR 43—H.J. 2066-2067, 2097, 2273, 2727-2729 adopted.
Congratulate Calmar, Iowa on its 125th anniversary. SR 13—S.J. 1704, 1754.
Congratulate Ossian, Iowa on its 125th anniversary. SR 12—S.J. 1703-1704, 1754.
Fifty-five mile per hour speed limit, committee to study disparities and inequities. HCR 56—H.J. 2131-2132.
Legislative sessions, handling of bills, and adjournment procedures, committee to study. (Same as SCR 54) HCR 55—H.J. 2131.
Energy facilities, committee to study. SCR 43—S.J. 1753-1754.
Property tax freeze, and revising method of valuing agricultural property; committee to study. (Similar subject matter as HCR 49 and HCR 54) SCR 44—S.J. 1791.
Insurance, unfair and discriminatory practices based on a person's sex or marital status, committee to study. SCR 45—S.J. 1791-1972.
Multistate Tax Commission, approve Iowa's participation as an associate member, etc. SCR 46—S.J. 1837, 1885.
Grain, grading and moisture testing of, committee to study. (Same as HCR 59) SCR 47—S.J. 1837-1838, 1885.
Drainage and levee districts, updating and needed corrections in law governing, committee to study. (Same as SCR 50) HCR 57—H.J. 2235.
Final adjournment, Friday, June 13, 1975 at 5:00 p.m. HCR 58—H.J. 2235.
Grain, grading and moisture testing of, committee to study. (Same as SCR 47) HCR 59—H.J. 2235-2236.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as HCR 61) SCR 48—S.J. 1883.
Congratulate Sheffield, Iowa on its 100th anniversary. SR 14—S.J. 1858, 1936.
Financial institutions, create a separate state agency to regulate, committee to study. HCR 60—H.J. 2283-2284.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as SCR 48) HCR 61—H.J. 2284-2285.
Optometry, feasibility of establishing a college, committee to study. SCR 49—S.J. 1883-1884, 1936.
Electronic funds transfer systems, development and use of, regulation of, committee to study. HCR 63—H.J. 2322-2323.
Express personal sympathy to Representative Den Herder, Mrs. Den Herder and members of their family in the loss of their son, Roger. HR 44—H.J. 2323.
Land use bill, HF 505, plan a legislative sponsored public forum for analysis, etc., of. (Same as SCR 51) HCR 62—H.J. 2321-2322.
Land use bill, HF 505, plan a legislative sponsored public forum for analysis, etc., of. (Same as HCR 62) SCR 51—S.J. 1933-1934, 1936.

Drainage districts, updating and needed corrections in law governing, committee to study. (Similar as HCR 57) SCR 50—S.J. 1932-1933, 1936.
County home rule and needed county governmental services, committee to study. SCR 52—S.J. 2001.
Congratulate Larry Graham for his outstanding success and musical accomplishments and best wishes for continued success. (Same as HR 47) SR 15—S.J. 2074, 2256-2257 adopted.
Public improvements, committee to study feasibility of financing without special assessments. SCR 53—S.J. 2074-2075, 2085.
Legislative sessions, handling of bills, and adjournment procedures, committee to study. (Same as HCR 55) SCR 54—S.J. 2075-2076, 2085.
Iowa family farmers, committee to study, available capital, etc. SCR 55—S.J. 2076, 2085.
Property, improvements to, committee to study feasibility of providing a tax moratorium. SCR 56—S.J. 2077, 2086.
Legislative internships, establish a joint committee to organize and supervise the program. SCR 57—S.J. 2077-2078.
Final adjournment, Saturday, June 14, 1975. SCR 58—S.J. 2078.
Expenses of committee members attending meetings be paid upon filing of their expense accounts. SCR 59—S.J. 2078-2079.
Claims rejected by joint claims committee, action be approved. SCR 60—S.J. 2079-2085, 2096 adopted—H.J. 2560, 2614-2621, 2650 adopted.
Resolutions calling for interim studies not adopted by both houses be delivered to Chief Clerk and Secretary of the Senate for consideration by Legislative Council. HCR 65—H.J. 2497-2498, 2727 adopted—S.J. 2241-2422, 2250 adopted.
Iowa family farmers, available capital, etc., committee to study. (Same as SCR 55) HCR 66—H.J. 2498-2499.
Optometry, feasibility of establishing a college, committee to study. (Same as SCR 49) HCR 67—H.J. 2499-2500.
Details of closing the 1975, First Regular Session of the 66th General Assembly, interim staff and work, reconvening 1976, Second Regular Session, etc. HCR 68—H.J. 2500-2501, 2727 adopted—S.J. 2242-2243.
County home rule and needed county governmental services, committee to study. (Same as SCR 52) HCR 70—H.J. 2501.
Municipal financing, individual needs, aid to cities, committee to study. (Same as SCR 65) HCR 71—H.J. 2501-2502, 2579.
Architectural services, various state agencies, committee to study need for consolidation, coordination, elimination or placed within one agency. HCR 72—H.J. 2502.
Transportation policy submitted by the department of transportation be adopted by the general assembly. HCR 73—H.J. 2503-2504, 2576, 2667-2668 adopted—S.J. 2180-2182, 2207 adopted.
Tuition payments for public school districts, inequities, etc., committee to study. HCR 74—H.J. 2504-2505.
Congratulate Lake View Hawkettes High School basketball team, coaches, etc., for sportsmanship, etc., in winning the Iowa Girls High School basketball championship. HR 45—H.J. 2505, 2727-2729 adopted.
Congratulate Larry Graham for his outstanding success and musical accomplishments and best wishes for continued success. (Same as SR 15) HR 47—H.J. 2506-2507, 2671.
Pari-mutuel betting as it affects the citizens, economy and political subdivisions of the state, committee to study. HCR 64—H.J. 2517.
Legal services for indigent and low-income persons, committee to study. HCR 75—H.J. 2569-2570.
Pension and retirement needs of peace officers and corrections officers, committee to study. HCR 76—H.J. 2570.
Emergency planning and coordination of emergency services, disasters; create an office of civil preparedness, committee to study. HCR 77—H.J. 2571.
Final adjournment Thursday, June 19, 1975. HCR 69—H.J. 2612, 2749-2750 adopted—S.J. 2243, 2257 adopted.
Joint rules, committee to study. HCR 78—H.J. 2613.
Campaign disclosure law, public financing of political campaigns, income tax check-off, committee to study. HCR 79—H.J. 2613.
Employment security law, committee to study. HCR 80—H.J. 2614.
Congratulate Hawarden, Iowa on being the starting point for the Register's Annual Great Bike Ride Across Iowa on August 3, 1975. HR 49—H.J. 2614, 2727-2729 adopted.
Congratulate Lime Springs, Iowa on being designated an American revolution bicentennial town. HR 48—H.J. 2579-2580, 2727-2729 adopted.
Elderly and handicapped, committee to study problems of, etc. SCR 61—S.J. 2184-2186, 2206.
Radiation safety, designated state agencies concerned with environment, health and energy needs establish an ad hoc committee to study. HR 46—H.J. 2505-2506, 2667 adopted.
Municipal financing, individual needs, aid to cities, committee to study. (Same as HCR 71) SCR 65—S.J. 2223, 2243.
Inspection laws, buildings and housing, overlapping, subcommittees of Senate committee on cities and House committee on cities and towns, Legislative Council make appointments to for study. SCR 64—S.J. 2222, 2243.

Salary increase for officers and employees of the House and Senate. SCR 63—S.J. 2222, 2224-2225 adopted—H.J. 2698, 2745-2748 adopted.
Nursing home costs and reimbursement for care of medical assistance patients, human resources committees appoint joint interim subcommittee to hold hearings and review. SCR 62—S.J. 2204-2205, 2243.
Volga River project, if conservation commission decides against, disbursement of funds appropriated. SR 16—S.J. 2224, 2243.
Correction of SF 536. SCR 66—S.J. 2223-2224, 2225 adopted.—H.J. 2698-2699, 2726-2727 adopted.
ADC program, human resources committees appoint joint interim subcommittee to determine if program may be restructured, etc. SCR 67—S.J. 2228-2229, 2243.
Department of youth services, juvenile justice system, human resources committees appoint joint subcommittee to study. SCR 68—S.J. 2229-2230, 2243.
Bovine and swine brucellosis, committee to study. HCR 82—H.J. 2731-2732.
Property taxes, committee to study. HCR 83—H.J. 2732-2733.
Livestock, marketing of, implied warranty provisions, etc., committee to study. HCR 81—H.J. 2731.
Public mass transit, committee to study. HCR 86—H.J. 2753.
Transportation funds, new formula for allocating and increasing, committee to study. HCR 85—H.J. 2752-2753.
Equal opportunity in hiring, advancement and pay, committee to study or review compliance. HCR 84—H.J. 2752.

RESTAURANTS—Also see Food

General

Restaurants and food establishments, licensing and regulation of. SF 167, Griffin. Approved 7-14-75.
Prohibit addition of a "tip" on a guest check in restaurants, etc. HF 601, Wells, et al.
Food establishments, hotels, and restaurants, establishment and maintenance of. HF 785, Agriculture.

RETAILER—

General

Sales tax collections, allow retailer a credit or discount. HF 4, Stromer (similar subject matter to)—SF 62, Hultman and Tieden—HF 716, Harper, et al. (companion).
Beer, retail sale of, minimum prices for. SF 20, Griffin, et al.
Fair trade practices, repeal law. SF 40, Shaw. Approved 2-28-75.
Credit sales, permit discounts for early payment. SF 95, Tieden, et al.—HF 132, Nielsen of Polk and Welden.
Competition between business, commercial, or professional entities. HF 248, Jesse, et al.—HF 584, Judiciary and Law Enforcement. S.
Price increases of merchandise, retail. HF 247, Patchett, et al.
Price increases of food products, retail. HF 249, Patchett, et al.
Sale of items by banks and savings and loan associations. SF 194, Redmond—HF 830, Commerce. SSM.
Unit and total pricing of food for sale to consumers. HF 342, Patchett, et al.
Retailer may recover part of price of farm machinery, other costs, cancellation of contract with manufacturer. HF 377, Hutchins.
Finance charges, definition of, consumer credit transactions, cash discounts. SF 308, Commerce. Approved 7-3-75.

RETIREMENT SYSTEMS—

General

Programs for elderly, commission on aging, elderly participate. HJR 7, Cusack, et al.
Increase salaries of highway patrolmen and contribution to peace officers' retirement system, appropriation from primary road fund. HF 319, Harvey.
Disallow sex discrimination in retirement programs. HF 337, Patchett, et al.—SF 312, Gluba.
Retirement or disability retirement pay, armed forces, excluded from income tax. HF 531, Wyckoff.
Retired Iowan employment program, appropriation. HF 566, Cusack.
Mandatory retirement due to age, prohibit, exceptions. HF 459, Cusack.
Individual retirement annuity premiums exempt from taxation. SF 543, Ways and Means—HF 881, Ways and Means. SF 543 withdrawn. HF 881 approved 6-6-75.
Benefits for public employees and retired public employees, salary adjustments, etc., appropriations. SF 555, State Government. Approved 7-13-75.
Pension and retirement needs of peace officers and corrections officers, committee to study. HCR 76—H.J. 2570.

Public

Peace officers' retirement system, qualifications. SF 9, Hultman and Tieden.
Retirement age for policemen and firemen. SF 10, Hultman and Tieden.
Income tax exemption, civil service retirement and disability annuities. HF 71, Junker, et al.—SF 104, Gluba, et al.

Extend retirement age for state employees. HF 293, Hargrave, et al.—SF 232, Gluba, et al. (companion)—HF 752, State Government (same).
Prohibit mandatory retirement policies for public employees. HF 338, Patchett, et al.
Transfer of retirement benefits from one state to another, public employee plans, committee develop program and model legislation. HCR 20—H.J. 530.
Conservation peace officers, establish monthly retirement allowance, IPERS. SF 305, Nystrom, et al.—HF 605, Connors, et al. (companion)—HF 768, State Government (same).
Peace officers' retirement, accident and disability system, improve certain benefits. SF 332, Nystrom, et al.—HF 622, Connors, et al. (companion)—HF 772, State Government (same)—SF 473, State Government (similar subject matter).
IPERS, change rates of contribution, benefits, payment, appropriation. SF 333, Nystrom, et al.
Police and fire retirement systems, improve certain benefits. SF 334, Nystrom, et al.—HF 626, Byerly (companion)—HF 804, State Government (same)—SF 490, State Government (similar subject matter).
Consolidation of various state and local retirement systems for investment of funds. SF 354, Coleman—HF 552, Connors, et al.
Salaries paid to rehired retired state employees. HF 477, Hargrave.
Retirement qualifications for policemen and firemen, change to 26 years of service. SF 361, Junkins, et al.
Increase of retirement benefits to certain retired public employees, appropriation. SF 365, Nystrom, et al.
Insurance company premium tax, use and distribution of. HF 508, Connors.
Retirement qualifications for peace officers, change to 25 years of service. SF 379, Junkins, et al.
Change method of computing pension increases for retired firemen and policemen. SF 410, Carr.
Transfer special agents of the fraud, arson and explosives unit of the div. of fire protection of public safety from IPERS to public safety peace officers' retirement system. HF 624, Connors, et al.
Retirement benefits for peace officers, police and firemen, changes. HF 914, Appropriations.

REVENUE, DEPARTMENT OF—
General
State income tax returns, use of the optional standard deduction. HF 23, Spear.
Prohibit social gambling, or other, on premises where a liquor license or beer permit has been issued. SF 31, Glenn, et al. Withdrawn.
Military service tax credit, veteran file once. SF 79, Norpel, et al.
Livestock, and property subject to moneys and credits tax be eliminated on assessments to department of revenue. HF 104, Ways and Means—SF 109, Ways and Means. HF 104 withdrawn. SF 109 approved 2-28-75.
Homestead tax credit and military service tax exemption, extend time claims may be audited. HF 182, Ways and Means. Approved 4-16-75.
Appeal procedures, department of revenue and board of tax review. SF 142, Redmond.
Confiscated cigarettes, change disposition of. SF 153, Ways and Means—HF 318, Ways and Means. HF 318 withdrawn. SF 153 approved 3-18-75.
Sales price of real estate, full disclosure, real estate transfers, etc. HF 231, Ways and Means—HF 504, Ways and Means—SF 539, Ways and Means. SSM.
Cigarettes and little cigars, increase tax on. HF 253, Monroe—HF 629, Poncy. SSM.
Valuation of agricultural property for tax purposes, average mortgage loan rate for previous year. SF 183, Shaff, et al.
Market value of agricultural property for tax purposes, determining. SF 279, Priebe, et al.
Payment and final returns of inheritance tax. SF 418, Ways and Means. Approved 4-28-75.
Bonding of nonresident employers and withholding agents, payment of income taxes withheld. SF 483, Ways and Means.
Military service tax exemption, retroactive. HF 811, Ways and Means. Approved 7-14-75. Became law by pub. 7-25-75.
Exempt equalization of property from provisions of the Administrative Procedure Act. HF 885, Ways and Means—SF 553, Judiciary. SF 553 withdrawn. HF 885 approved 6-16-75.
Property assessments (valuation), effective date of equalization orders issued by director of revenue; appropriation for Iowa consumer price index. SF 545, Ways and Means. Approved 7-14-75.
Administration of the motor fuel tax program, appropriation to department of revenue. SF 565, Appropriations. Approved 7-9-75.
Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agricultural aerial application services and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.

Director
Certain actions commenced by director of revenue may be held in any county. HF 266, Hullinger, et al.
Insulation of buildings, income tax credit. SF 440, Nystrom.
Inheritance tax, final return, payment and refund, appeal procedures. HF 679, Ways and Means. Approved 6-3-75.
Transient guest tax (hotels, motels, etc.) by cities and counties, authorize. SF 502, Cities—HF 873, Cities and Towns.
Salary range for certain state officials, designated employees of the state, governor set salaries. SF 568, Appropriations.
Cigarette and little cigar tax stamps, printing and custody of. HF 899, Appropriations. Approved 7-8-75.

REVIEW, BOARD OF—See Assessments and/or Property

RIGHT OF WAY—
General
Firearms, prohibit discharging over public waters and highways. HF 268, Patchett—SF 208, Ramsey and Redmond—HF 627, Lipsky and Monroe (all similar subject matter). SF 208 withdrawn.

RIGHT TO WORK—Also see Labor
General
Right to work law, violation of, specific penalty. HF 444, Branstad.
Prohibit persons not involved in a particular labor dispute from picketing. HF 445, Branstad.

RIVERFRONTS—
General
Missouri River riverfront project, appropriation to conservation commission. SF 579, Appropriations. Approved 7-14-75.

RIVERS—Also see Water
General
Sale of certain islands and abandoned river channels, repeal chapter 568. HF 112, Appropriations.
Trotlines or throw lines may be used in the Cedar and Iowa Rivers. HF 387, Horn, et al.—SF 267, Redmond.
Volga River project, if conservation commission decides against, disbursement of funds appropriated. SR 16—S.J. 2224, 2243.

ROAD MACHINERY—
General
Road machinery, repeal certain sections re red signal lanterns or lights. SF 70, County Government—HF 102, County Government. HF 102 withdrawn. SF 70 approved 3-7-75.

ROAD USE TAX FUND
General
Road use tax fund, appropriation to. SF 57, Norpel ($20,000,000)—SF 168, Norpel, et al. ($39,200,000).
Sales tax revenue, allocate portion to road use tax fund. SF 182, Andersen and Norpel—HF 358, Branstad. SSM.

ROADS AND HIGHWAYS—
General
Fifty-five (55) mph speed limit. HF 46, Drake, et al.—HF 66, Transportation (same)—SF 574, Transportation (similar subject matter). HF 46 and SF 574 withdrawn. HF 66 approved 6-28-75.
Road use tax fund, appropriation to. SF 57, Norpel ($20,000,000)—SF 168, Norpel, et al. ($39,200,000).
Road machinery, repeal certain sections re red signal lanterns or lights. SF 70, County Government—HF 102, County Government. HF 102 withdrawn. SF 70 approved 3-7-75.
State park roads, and other, maintenance and repair of, conservation commission jurisdiction. HF 68, Small, et al.
Include highway 520 in five year plan. SCR 11—S.J. 190-191, 198, 255.
Property or land having no access to a road, 10 year route, or other, may be used. HF 86, Wyckoff.
Highways, temporary closing of. HF 99, County Government—SF 101, County Government. SF 101 withdrawn. HF 99 approved 5-12-75.
Secondary road contracts, increase amount before advertising, letting, and approval. SF 100, County Government. Approved 7-16-75.
Contracts may be let by counties for secondary roads, funds available 7-1-75 thru 12-31-75. SF 130, County Government—HF 173, County Government. SF 130 withdrawn. HF 173 approved 2-28-75. Became law by pub. 3-11-75.
Hard surface present granular surfaced primary highways, appropriation. HF 186, Daggett—SF 140, Briles.
Include highway 520 in five year plan. (Same as SCR 11) HCR 16—H.J. 294-295.

Firearms, prohibit discharging over public waters and highways. HF 268, Patchett—SF 208, Ramsey and Redmond—HF 627, Lipsky and Monroe (all similar subject matter). SF 208 withdrawn.
Duties and responsibilities, DOT and counties, secondary roads. HF 286, Transportation. Approved 4-16-75. Became law by pub. 4-25-75.
Contracts for haying on medians of interstate highways, DOT, conservation commission. HF 303, Scheelhaase.
Guns, carrying of, closed case or as permitted by law. HF 312, Baker, et al.
Motor vehicle registration fees and licenses and excise taxes on motor vehicle fuel be used for highway purposes, repeal. SJR 3, Gluba—HJR 13, Small.
Highway grade crossing safety fund, appropriation. HF 357, Daggett, et al.
Destruction of weeds along roads and highways, limit spraying. HF 443, Avenson.
Roads through rural farm land, consider placement of. HF 580, Bortell.
Freeway-expressway system between Dubuque and Sioux City, appropriation. SF 402, Norpel—HF 718, Gilloon, et al.
Secondary road assessment districts, repeal. HF 619, Hullinger, et al.
School buses, eliminate requirement bus may not leave public highway to receive or discharge pupils. SF 435, Doderer—HF 633, Hennessey, et al. (any road used for daily mail delivery). SSM.
Repair of railway crossings, agreements between a railway company and a highway authority. HF 641, Bortell.
Priority of secondary road assessment district projects, construction program. HF 739, Transportation.
Urge Congress to continue adequate funding of "priority primary" highway programs, highway 520. HCR 38—H.J. 1191, 1250, 1346, 1404 adopted—S.J. 1154-1155, 1163, 1180, 1200.
Closing of highways for cities having local celebrations, department of transportation amend its policy to allow. HCR 43—H.J. 1304-1305.
Highway railroad crossing repairs. HF 831, Agriculture.
Agricultural implements excluded from width requirements re movement. HF 843, Agriculture.
Study of certain roads in the state, department of transportation. HF 851, Gilloon, et al.
Repair and maintenance of private roads regularly used by school buses, counties may. SF 517, County Government.
Great River Road, appropriation to department of transportation for. SF 540, Junkins, et al.
Railroad grade crossings on public highways, increase funds allocated. HF 838, Transportation—HF 904, Appropriations. SSM. HF 838 withdrawn. HF 904 approved 7-14-75.

ROTUNDA—
General
Rotunda covering, appropriation for. HF 42, Brockett.

RUBBISH—
General
Rubbish trucks may exceed axle gross weight. HF 301, Hines.

RULES—
General
Joint Rules of the Senate and House. SCR 6—S.J. 48-54, 59, 123, 210-211, 214-215 adopted—H.J. 177-183, 250, 252, 254-260 adopted, 287-288—S.J. 298, 553-554 refused to concur—H.J. 594 insists, 600 conference committee appointed—S.J. 616 conference committee appointed—H.J. 2017—S.J. 1825 report, second conference committee appointed—H.J. 2272 report, 2273 second conference committee appointed.
Rules of the Senate. SR 3—S.J. 22-39, 57-58, 88-90, 100-114 adopted.
Joint Rules of House and Senate be adopted as temporary joint rules of 1975 session. HCR 4—H.J. 96-97, 105 adopted—S.J. 162-163.
Robert's Rules of Order first published 100 years ago, urge Postmaster General of the U. S. issue a commemorative stamp. HR 22—H.J. 997-998, 1038, 1179 adopted.
Joint rules, committee to study. HCR 78—H.J. 2613.

RULES OF CIVIL PROCEDURE—
General
Rules of civil procedure, amend. SF 583, Judiciary. Approved 7-3-75.

RURAL DEVELOPMENT COMMISSION—
General
Rural development commission, establish, appropriation. HF 84, Poncy—SF 269, Miller of Des Moines, et al.

SAFETY—
General
Vehicle safety standards, department of transportation. SF 58, Norpel.
Safety requirements for bicycles. SF 228, Murray, et al.—HF 346, Lipsky—HF 425, Transportation. SSM.

Safety glazing material (wire glass, rigid plastic, etc.) used in commercial, residential, and public buildings. SF 261, Kelly.
Motor vehicles used by railroad companies, safety standards and equipment. SF 295, Miller of Des Moines, et al.
Tri light safety signal system, authorize study of, appropriation. HF 853, Woods.

SALARIES—
General
Compensation of chaplains, officers and employees. HCR 5—H.J. 97-103, 106-107 adopted—S.J. 163-171 adopted.
Clerk of grand jury, compensation of. HF 61, Higgins—SF 121, Shaw. HF 61 withdrawn. SF 121 approved 5-15-75.
Beer and liquor control council, membership and compensation of. HF 80, Drake and Monroe—HF 781, State Government. Same.
Salaries and expenses of lieutenant governor's office paid from funds appropriated for same. SF 115, Appropriations. Approved 3-7-75.
State salary book, information required, charges for. SF 165, Appropriations. Approved 4-16-75.
Decrease salaries, designated state officials, members of general assembly, etc. SF 191, Schwengels, et al.
Sale of items by banks and savings and loan associations. SF 194, Redmond—HF 830, Commerce. SSM.
Cost of living adjustments for public employees, appropriation. HF 94, Crabb, et al.—SF 216, Willits and Robinson—HF 434, Wells, et al. (similar)—SF 225, Nystrom, et al.—HF 490, Lonergan and Hines (companion)—HF 535, Crabb, et al.—HF 767, State Government (same) (all similar subject matter).
Longevity pay for certain employees of the state. SF 227, Robinson, et al.—HF 418, Newhard, et al. (companion)—HF 827, State Government (same).
Payment of salaries, vacation, and sick leave for state employees. HF 356, O'Halloran, et al.—SF 272, Willits, et al. (companion)—HF 809, State Government (similar).
Area school superintendents, setting salary for. SF 251, Griffin (similar subject matter to) SF 362, Robinson—HF 524, Wells (companion)—HF 806, Education—HF 897, Appropriations (all similar subject matter in part). HF 897 approved 6-29-75.
Public employees, 7 percent salary increase. HF 406, Hennessey, et al.
Probation officers and other officers, percentage basis for setting salaries. SF 277, DeKoster.
Salaries paid to rehired retired state employees. HF 477, Hargrave.
Juvenile court employees, judges may establish salaries. SF 428, DeKoster and Willits.
District court judges set salaries of clerks, their deputies and clerks, and amount of help needed. HF 644, Poncy and Newhard.
Eliminate statutory limitations on salaries of juvenile court employees, district judges set. HF 670, Judiciary and Law Enforcement. Also see SF 428. HF 670 approved 6-16-75.
Salary rates, judicial branch of government, public employment relations board. SF 564, Appropriations. Approved 6-30-75.
Salary schedule for certain state officials and designated employees, governor may set salaries within such ranges, etc. SF 568, Appropriations. Approved 6-30-75.
Salary increase for officers and employees of the House and Senate. SCR 63—S.J. 2222, 2224-2225 adopted—H. J. 2698, 2745-2748 adopted.

Wages
Payment of wages to employees, penalties. HF 165, Lipsky—SF 210, Nystrom, et al. HF 165 withdrawn.
State minimum wage, create. SF 139, Redmond.
Garnishment of wages, employer give employee 15 days notice. HF 290, Middleton.
Payment of wages and expenses by an employer, "Iowa Wage Payment Collection Law". HF 351, Labor and Industrial Relations. Approved 6-3-75.

SALES—
General
Beer, retail sale of, minimum prices for. SF 20, Griffin, et al.
Fair trade practices, repeal law. SF 40, Shaw. Approved 2-28-75.
Credit sales, permit discounts for early payment. SF 95, Tieden, et al.—HF 132, Nielsen of Polk and Welden.
Flammable interior furnishings, prohibit sale, distribution, and importation. SF 111, Taylor.
Price increases of merchandise, retail. HF 247, Patchett, et al.
Price increases of food products, retail. HF 249, Patchett, et al.
Exempt sales to voluntary nonprofit hospitals from sales and use tax. SF 210. Nolin, et al.
Packaging of meat, poultry, eggs, and milk, date first packaged and removal date. HF 308, Patchett, et al.

Unit and total pricing of food for sale to consumers. HF 342, Patchett, et al.
Exclude banks from membership sales licensing requirements. HF 362, Jesse —SF 302, Lamborn, et al.
Finance charges, definition of, consumer credit transactions, cash discounts. SF 308, Commerce. Approved 7-3-75.
Sale of lists of motor vehicle licensees by public safety be approved by confidential records council. HF 665, Higgins.
Permit cash discounts in open and closed-end credit sales. HF 711, Howell and Walter.
Cigarette permits, issuance of. HF 725, Ways and Means. Approved 7-8-75.
Sales delivered within the state for corporation tax purposes. HF 748, Ways and Means. Approved 6-3-75.
Sunday beer and liquor sales. HF 761, Judiciary and Law Enforcement.
Actions in attachment by creditors after default in consumer credit transactions. HF 832, Commerce.

SALES TAX—See Tax, Sub-Ref. Sales

SANITARY DISPOSALS—
General
Sanitary disposal bonds, increase interest rate. SF 33, Murray—HF 47, Crawford and Hines. HF 47 withdrawn. SF 33 approved 2-15-75. Became law by pub. 2-15-75.
Sanitary disposal projects, effective date for operation of. HF 360, Miller of Buchanan, et al.—SF 493, Energy. S.
Sanitary disposal projects, establishment and operation of. HF 747, County Government—SF 516, County Government. S.

SANITARY DISTRICTS—
General
Territory annexed to a municipal corporation included in same sanitary district. SF 108, Bergman and Scott.

SAVINGS—Also see Banking and/or Savings and Loan Associations
General
Savings, programs or procedures established by the general assembly, effects of, report to committee chairmen. HF 9, Crabb.
Savings club plans, regulate interest rate. HF 261, Small.

SAVINGS AND LOAN ASSOCIATIONS—
General
Certificates of deposit, savings and loan associations give 10 days advance notice to holders of. HF 118, Krause. Also see HF 414. HF 118 withdrawn.
Public funds may be deposited in savings and loan associations. SF 146, Rodgers.
Savings and loan associations, and banks pay interest on funds held in trust accounts (for insurance, taxes, etc. on home loans). HF 254, Small.
Savings club plans, regulate interest rate. HF 261, Small.
Sale of items by banks and savings and loan associations. SF 194, Redmond—HF 830, Commerce. SSM.
Certificates of deposit, banks, savings and loan associations, and industrial loan companies give 10 days advance notice to holders of. HF 414, Commerce. Also see HF 118.
Trust accounts by real estate brokers may also be maintained in a savings and loan association. SF 376, Hill of Polk.
Days and hours of operation of banks and savings and loan associations. SF 386, Lamborn, et al.—HF 586, Newhard.
Banks (HF 618 includes credit unions and savings and loan associations) required to furnish record of deposit at time of. HF 379, Egenes, et al.—HF 618, Commerce. SSM.
Savings and loan associations, regulation of, numerous changes. SF 487, Commerce.
Electronic facilities and transfer of funds by banks, credit unions and savings and loan associations. SF 536, Commerce. Approved 6-27-75.
Financial institutions, create a separate state agency to regulate, committee to study. HCR 60—H.J. 2283-2284.

SCHOLARSHIPS—
General
Rural physicians associate program, establish, appropriation. SF 263, Winkelman.

SCHOOLS—
General
School desegregation, policies of public instruction. HF 13, Junker, et al.
Units of credit offered by approved high schools. HF 14, Spear.
Units of credit required, minimum program, 9th through 12th. HF 29, Spear.
Prohibit forced bussing. HF 33, Woods and Bortell.
Admission tickets, schools, exempt from sales and use tax. HF 39, Junker.

Education, any type, prohibit discrimination. SF 34, Kelly—HF 122, Cusack, et al.
Purchase of real estate by cities, towns, counties, schools, etc., may be by contract. SF 56, Norpel.
Prekindergarten pupils not counted in enrollment for purposes of school foundation program. HF 98, Education. Withdrawn.
Speed limit in a school district. HF 117, Kreamer.
School elections, run-off elections, if necessary. HF 120, Kreamer.
Mandatory school attendance until 18 years of age, exceptions. HF 157, Horn.
Diplomas, issuance of high school equivalency, fees. HF 191, Daggett—HF 386, Education. S. HF 191 withdrawn. HF 386 approved 6-29-75.
School principals, employment and duties of. SF 154, Sovern, et al.—HF 257, Horn, et al. (companion)—HF 784, Education (similar). HF 257 and HF 784 withdrawn. SF 154 approved 7-14-75.
Public instruction conduct study to evaluate the average state program costs per student, etc. HCR 15—H.J. 293-294, 327 adopted—S.J. 337-338, 375, 437, 469, 496 adopted—H.J. 453, 454 adopted.
Educational examiners, board of, replaced by professional standards board. HF 269, Patchett.
School buildings, use for community purposes. SF 299, Andersen.
School building construction plans, public instruction building consultant make recommendations within 30 days. HF 467, Education.
School board treasurers, permit compensation of. SF 350, Glenn.
Band and vocal music uniforms purchased with funds from general fund of the school district. HF 492, Horn.
Deaf, school for, requirements for admission to. HF 501, Education. Approved 5-15-75.
Guidelines for the management and use of investments held by educational, religious, or charitable institutions. SF 381, Schwengels.
School records, comply with federal law. HF 541, Patchett, et al.—HF 783, Education. SSM.
Rights of parents and guardians of school children. HF 545, Daggett.
Postsecondary education, commission for, establish; replace higher education facilities, transfer appropriations. SF 389, Schwengels, et al.—HF 659, Welden, et al.
Married persons shall not be denied admittance, attendance, etc. to a public school. HF 604, Education.
Extend appreciation to W. W. Molsberry, Sigourney, Iowa, having the longest public school teaching record in Iowa, retiring July 1, 1975. HR 20—H.J. 911-912, 1084, 1225 adopted.
Religious groups exempted from education standards and laws. HF 671, Dunton.
Special education programs and services, requirement for. HF 801, Education. Approved 7-17-75.

Aid—See State—Federal Aid, this subject

Area—Area Vocational

Area research centers, state historical board, also include area schools. HF 5, Krause.
Area vocational schools and community colleges, prohibit expansion of certain curricula. HF 180, Kreamer.
Trade or vocational schools file with public instruction accreditation, advertising, selling courses, etc. HF 234, Harvey.
Enrollment of senior citizens, certain courses, area schools, reimbursement, appropriation. HF 236, Byerly, et al.
Area school superintendents, setting salary for. SF 251, Griffin (similar subject matter to) SF 362, Robinson—HF 524, Wells (companion)—HF 806, Education—HF 897, Appropriations (all similar subject matter in part). HF 897 approved 6-29-75.
Area schools having received interest grant funds may extend the maturation date of loans. HF 401, Jesse and Mennenga. Withdrawn.
Vocational youth organization fund, create, appropriation. HF 478, Kreamer.
Area schools acquire and operate dormitories, student centers and parking facilities, revenue bonds. SF 438, Coleman—HF 705, Scheelhaase, et al.
Air conditioner chilling unit, purchase and install, Area VII, appropriation. HF 680, Brandt.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.
Rules of the board of directors of an area school, tobacco, liquor or beer, use of. SF 534, Shaw.
Abolish state advisory committee on area schools. SF 544, Education. Approved 7-3-75.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.

Athletics

Congratulate students of Williams Junior High School, Davenport, Iowa, for their excellence in school athletics. HR 8—H.J. 430, 1968, 2132.

Congratulate Lincoln Railsplitters, their coaches, cheerleaders, etc., for their sportsmanship, etc., in winning the Class AAA basketball championship. HR 14—H.J. 725, 755, 825 adopted.
Congratulate the St. Alberts Falcons, their coaches, cheerleaders, etc., in winning the Class AA basketball championship. (Same as HR 19) SR 8—S.J.782-783, 806, 1010.
Congratulate the St. Alberts Falcons, their coaches, cheerleaders, etc., in winning the Class AA basketball championship. (Same as SR 8) HR 19—H.J. 812, 1006, 1135 adopted.
Congratulate St. Mary's Irish, their coaches, cheerleaders, etc., in winning the class A basketball championship. HR 21—H.J. 962, 1006, 1135 adopted.
Congratulate Lake View Hawkettes High School basketball team, coaches, etc., for sportsmanship, etc., in winning the Iowa Girls High School basketball championship. HR 45—H.J. 2505, 2727-2729 adopted.

Boards

Meetings of the boards of school corporations, change date end of year meeting for settlement of business. HF 287, Education. Approved 5-2-75.
Members of school boards allowed compensation. HF 340, Stromer.
Smoking, school boards may regulate, prohibit use of alcohol, and controlled substances. HF 452, Horn.
School board treasurers, permit compensation of. SF 350, Glenn.

Bonds

School bond issues, elections, simple majority vote. SF 37, Griffin.
Public bonds, sale of, lower percentage of votes needed to authorize. HF 469, Gentleman, et al.

Buses—Transportation

School buses, require use of flashing signal lights and stop arms within city limits. HF 142, Bittle—HF 394, Transportation. Same. HF 142 withdrawn.
Seat belts, school buses. HF 233, Lipsky and Drake.
Transportation of nonpublic school pupils outside boundary lines of the school district of residence. HF 465, Education. Approved 6-6-75.
White light may be mounted on top of a school bus. SF 414, Norpel.
School bus transportation, only school buses yellow, common carriers, and other changes. HF 628, Education.
School buses, eliminate requirement bus may not leave public highway to receive or discharge pupils. SF 435, Doderer—HF 633, Hennessey, et al. (any road used for daily mail delivery). SSM.
Repair and maintenance of private roads regularly used by school buses, counties may. SF 517, County Government.

Districts

School district directors, election of. HF 20, Doyle, et al.
Schoolhouse sites, purchase and improvement of, use of tax money for. HF 57, Daggett—SF 74, Briles (companion)—HF 297, Byerly, et al. (similar subject matter).
Public hearings, budget, area education agency. HF 96, Daggett, et al.
School directors, election of, subdistricts equal in population. HF 115, Bittle.
Schoolhouse sites, appraisal before purchase. HF 171, Horn.
School principals, employment and duties of. SF 154, Sovern, et al.—HF 257, Horn, et al. (companion)—HF 784, Education (similar). HF 257 and HF 784 withdrawn. SF 154 approved 7-14-75.
Members of school boards allowed compensation. HF 340, Stromer.
Change budget certification date for school districts. HF 341, Daggett. Withdrawn.
Names of school districts, may change, election. HF 405, Evans and West.
Extend to 10 years, voters may authorize a tax for buildings and sites in merged areas. HF 422, Education—SF 370, Taylor and Hill of Polk—SF 453, Education.
Transportation of nonpublic school pupils outside boundary lines of the school district of residence. HF 465, Education. Approved 6-6-75.
School days, inclement weather, make up days, superintendent of public instruction may excuse. HF 482, Crabb, et al.—HF 720, Education. S.
Band and vocal music uniforms purchased with funds from general fund of the school district. HF 492, Horn.
School districts may change name, election. SF 383, Burroughs—HF 779, Education. HF 779 withdrawn. SF 383 approved 5-12-75.
School foundation bill. HF 558, Education. Approved 6-3-75. Became law by pub. 6-11-75.
Disaster services and county-municipal disaster services and emergency planning administrations, create office of. HF 620, Harvey and Rinas—HF 808, State Government. Same.
Reimbursement to school districts for certain tax free lands, appropriation. SF 446, Tieden.
Employment opportunity board, create, appropriation. HF 913, Appropriations. Approved 7-14-75.
Tuition payments for public school districts, inequities, etc., committee to study. HCR 74—H.J. 2504-2505.

Driver Education

Drivers' education courses, persons under 18 complete. HF 178, Bittle, et al.—HF 735, Education. Same.

Probationary motor vehicle operator's license shall not be suspended or revoked if person re-enters a public or private school. SF 416, Shaw.

Driver education courses, administration of, public instruction, appropriation. SF 559, Appropriations. Approved 6-16-75.

Employees

Public school employees may not draw sick leave and workmen's compensation at the same time. HF 63, Brockett, et al.—SF 72, Miller of Marshall. HF 63 withdrawn.

Cost of living adjustments for public employees, appropriation. HF 94, Crabb, et al.—SF 216, Willits and Robinson—HF 434, Wells, et al. (similar)—SF 225, Nystrom, et al.—HF 490, Lonergan and Hines (companion)—HF 535, Crabb, et al.—HF 767, State Government (same) (all similar subject matter).

First aid courses required by certain school employees. HF 175, Avenson.

Public school employees (teachers), termination of employment, paid accumulated sick leave. HF 525, Mennenga.

Funds—Taxes

Extend to 10 years, voters may authorize a tax for buildings and sites in merged areas. HF 422, Education—SF 370, Taylor and Hill of Polk—SF 453, Education.

IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.

Private—Parochial

Transportation of nonpublic school pupils outside boundary lines of the school district of residence. HF 465, Education. Approved 6-6-75.

Property

School property, only certain persons allowed on. HF 109, Horn.

Public Instruction, Dept. of and Supt. of

State educational boards, method of determining the composition of. HF 11, Crabb.

Diplomas, issuance of high school equivalency, fees. HF 191, Daggett—HF 386, Education. S. HF 191 withdrawn. HF 386 approved 6-29-75.

Public instruction conduct study to evaluate the average state program costs per student, etc. HCR 15—H.J. 293-294, 327 adopted—S.J. 337-338, 375, 437, 469, 496 adopted—H.J. 453, 454 adopted.

School building construction plans, public instruction building consultant make recommendations within 30 days. HF 467, Education.

School days, inclement weather, make up days, superintendent of public instruction may excuse. HF 482, Crabb, et al.—HF 720, Education. S.

Radio and TV

Classes offered on educational radio and TV, degree in liberal arts. HF 494, Poncy.

Requirements—Curriculum—Courses—Subjects

Units of credit offered by approved high schools. HF 14, Spear.

Units of credit required, minimum program, 9th through 12th. HF 29, Spear.

Area vocational schools and community colleges, prohibit expansion of certain curricula. HF 180, Kreamer.

Humankind, schools teaching origin of must also teach creation theory. HF 608, Daggett.

Sports—See Athletics, this subject

State—Federal Aid

Prekindergarten pupils not counted in enrollment for purposes of school foundation program. HF 98, Education. Withdrawn.

Iowa consumer price index, school aid program, computed by legislative fiscal director, appropriation. HF 912, Appropriations.

Students

Smoking, school boards may regulate, prohibit use of alcohol, and controlled substances. HF 452, Horn.

Rights of parents and guardians of school children. HF 545, Daggett.

Superintendent of

School superintendents, exempt from continuing contracts law. HF 194, Avenson.

Teachers

Teachers' contracts, issuance, continuation, and termination of. SF 205, Carr, et al.

Teachers, sabbatical or educational leaves. HF 359, Mennenga—HF 796, Education. SSM.

Public school employees (teachers), termination of employment, paid accumulated sick leave. HF 525, Mennenga.

Trade

Trade or vocational schools file with public instruction accreditation, advertising, selling courses, etc. HF 234, Harvey.

Tuition
Simplify computation of maximum tuition rates for schools. HF 288, Menke—HF 795, Education. Same.

SCIENCE—
General
Historical department, library department, arts council and academy of science, and establish a military library division, appropriation. HF 880, Appropriations. Approved 7-11-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
Grain dust explosions, appropriation to ISU of science and technology for research. SF 582, Appropriations. Approved 7-3-75.

SEARCH WARRANTS—
General
Search warrant and bonding authority of natural resources council, investigations. SF 369, Culver.

SECRETARY OF AGRICULTURE—See Agriculture, Sub-Ref. Secretary of

SECRETARY OF THE SENATE—
General
Revise and print additional copies of The Golden Dome. SF 10—S.J. 1178, 1186 adopted.
Address system of Senate, request Secretary of Senate have necessary repairs made for proper function. SR 11—S.J. 1466, 1487.
Resolutions calling for interim studies not adopted by both houses be delivered to Chief Clerk and Secretary of the Senate for consideration by Legislative Council. HCR 65—H.J. 2497-2498, 2727 adopted—S.J. 2241-2242, 2250 adopted.

SECRETARY OF STATE—
General
Code editor, publication of Code of Iowa and Administrative Code. SF 23, Redmond.
Executive officers of the state, change method of selection. HJR 6—Brandt, et al.
Organizations, institutions, or charities (churches excluded) soliciting and receiving public donations, require accurate statements, increase penalties. HF 138, Doyle.
Presidential preferential primary election. HF 209, Patchett, et al.
Farming by domestic and foreign corporations, cooperative corporations, reports. HF 240, Wyckoff, et al.
Prohibit foreign corporations from farming, certain domestic corporations may, divestment of land, reports. SF 262, Taylor, et al.
Banking, beer and liquor control, insurance, real estate, secretary of state, and campaign finance disclosure commission, appropriation; also amending laws re administration of the campaign finance laws. HF 431, Appropriations. Approved 7-15-75. Item Vetoed.
Administration of HF 215, corporation farm bill, appropriation to secretary of state to finance. HF 917, Appropriations.

SECURITIES—
General
Securities, regulation of. HF 825, Commerce. Approved 7-19-75.
Remove 9 percent maximum interest rate, securities purchased on credit. SF 503, Commerce.

SECURITY—
General
Amend Uniform Commercial Code, place of filing to perfect a security interest, farm equipment, products, etc., collateral. HF 529, Bortell and Daggett.
Prohibit the taking of a security interest, other than purchase money, in personal effects, consumer loan. HF 690, Walter.

SEED—See Agricultural, Sub-Ref. Seed

SENIOR CITIZENS—Also see Elderly and/or Aging
General
Persons 65 or older fish without license. SF 15, Norpel. Withdrawn.
Aging, area agencies, establish, appropriation. SF 36, Andersen. Withdrawn.
Fishing and hunting licenses, lifetime, senior citizens. HF 48, Avenson, et al.—SF 47, Gluba, et al. SF 47 withdrawn. HF 48 approved 4-8-75.
Fishing license for senior citizens, provide lifetime. SF 29, Palmer, et al. Withdrawn.
Property taxes paid and rent, reimbursement for. SF 71, Hansen—HF 226, Cusack, et al. (companion)—SF 186, Shaff, et al.—HF 869, Brandt—

SF 556, Gluba, et al—HF 893, Brandt, et al.—SF 571, Ways and Means (all similar subject matter). SF 556 withdrawn. SF 571 approved 6-30-75.

Claims for reimbursement of property taxes, 65 or older, checks. SF 78, County Government. Approved 2-28-75.

Aging, commission on, appropriation for nutrition programs. HF 130, Cusack.

Enrollment of senior citizens, certain courses, area schools, reimbursement, appropriation. HF 236, Byerly, et al.

Winterize homes of elderly and low-income families, appropriation to planning and programming. HF 271, Cusack, et al.

Fishing licenses for senior citizens, reciprocity. HF 363, Howell.

Reduce from 65 to 62 (HF 532 age 60) age limit, claims for reimbursement for property taxes paid and rent. HF 383, Caffrey and Higgins—HF 532, Caffrey, et al.

Clamis for reimbursement for property taxes paid, include surviving spouse, 55 years of age or older. HF 428, Egenes, et al.

Freeze property taxes, 65 or older. HF 437, Crabb.

Utility services stamp program for senior citizens, establish, social services. HF 449, Cusack, et al.

"Green Thumb", outdoor summer programs, employ elderly, appropriation. SF 326, Natural Resources—HF 685, Avenson. Similar subject matter in part to SF 573.

Retired Iowan employment program, appropriation. HF 566, Cusack.

Aging, establish area or regional agencies, advisory boards. HF 654, Human Resources.

Tax levy to promote, establish and maintain recreational, educational, etc., activities for senior citizens, authorize cities and counties. HF 857, Cusack.

"Green Thumb" (employment) program for elderly, handicapped, and lower income persons, appropriation. SF 573, Appropriations. Approved 7-14-75.

SERVICE STATIONS—
General

Service stations, abandoned, maintenance of. HF 203, Patchett.

Producers, refiners, and distributors of motor fuel register with secretary of agriculture, prohibit operation of service stations, prohibit discrimination re stations, etc. HF 550, Patchett, et al.—SF 408, Redmond.

SERVICES—Also see Tax, Sub-Ref. Service
General

Handicapped persons, counties provide facilities and services for. SF 4, Shaw—HF 16, Higgins. SF 4 withdrawn. HF 16 approved 3-14-75. Became law by pub. 3-20-75.

SESSIONS—See General Assembly

SEWAGE—See Environmental Preservation and/or Pollution and/or Solid Waste Disposal Grounds

SEWER SYSTEMS—Also see Environmental Preservation and/or Pollution and/or Solid Waste Disposal Grounds
General

Sewage works construction fund, appropriation. SF 105, Carr and Norpel—HF 163, Tauke (companion)—HF 184, Cities and Towns—SF 149, Cities (companion)—(SF 105-HF 163 and HF 184-SF 149 are similar subject matter). HF 184 withdrawn. SF 149 approved 2-28-75. Became law by pub. 3-7-75.

Storm sewer grates, construction of new ones, paint on old ones. HF 155, Small—HF 745, Transportation. SSM.

Main sewers and street improvements, special assessments by cities for. SF 532, Gluba, et al.

SEX—
General

Desex rape laws, replace certain terminology. HF 108, Small.

Disallow sex discrimination in retirement programs. HF 337, Patchett, et al.—SF 312, Gluba.

Prosititution, and other offenses, define. HF 417, Wulff.

Criminal sexual psychopath law, repeal. HF 651, Middleton, et al.

Sexual contact defined, and for a fee. SF 454, State Government.

Sex may be changed on birth certificates. HF 798, Human Resources.

Sex or marital discrimination in insurance, eliminate. SF 500, Doderer.

SHELTER BELT—
General

Shelter belt program, appropriation. HF 31, Krause.

SHELTERS—
General

Mobile home tiedowns, shelters, etc. HF 263, Patchett, et al.

SHERIFFS—Also see Officers and/or Police
General
Sheriffs' salaries and office expenses, court expense fund. HF 41, Danker.
County sheriffs provide law enforcement to cities of less than 1,500 population, if requested, to cities over 1,500. HF 258, Doyle, et al.
Code of Iowa provided to each separate office of a sheriff. HF 573, Doyle—HF 782, State Government. Same. HF 573 withdrawn.
Fees collected by sheriffs and certain other police authorities. HF 891, Ways and Means. Approved 6-29-75.
Pension and retirement needs of peace officers and corrections officers, committee to study. HCR 76—H.J. 2570.

SICK LEAVE—
General
Public school employees may not draw sick leave and workmen's compensation at the same time. HF 63, Brockett, et al.—SF 72, Miller of Marshall. HF 63 withdrawn.
Public employees' absences because of pregnancy and recovery may use sick leave. HF 243, Patchett, et al.
Leave of absence, sickness or injury, 60 additional days retained in a bank. SF 200, Nystrom, et al.—HF 483, Lonergan, et al.
Payment of salaries, vacation, and sick leave for state employees. HF 356, O'Halloran, et al.—SF 272, Willits, et al. (companion)—HF 809, State Government (similar).
Public school employees (teachers), termination of employment, paid accumulated sick leave. HF 525, Mennenga.
Retiring state employees may use up accumulated sick leave. HF 527, Miller of Buchanan.
Leave of absence time, or sick leave, state employees may surrender accumulated time for compensation. HF 712, Kreamer and Stromer.

SIGNALS—
General
Turn signals, require use of. SF 69, Rodgers.
Tri light safety signal system, authorize study of, appropriation. HF 853, Woods.

SIGNATURES—
General
Signature of persons with physical disabilities. SF 60, Redmond—HF 76, Wells. SF 60 withdrawn. HF 76 approved 6-3-75.

SIGNS—See Advertising, Sub-Ref. Signs

SLAUGHTER—See Animals, Sub-Ref. General

SMOKING—
General
Smoking, certain public areas, prohibit. HF 32, Wells—SF 106, Scott, et al. (companion)—HF 193, Cusack (similar).
Smoking, school boards may regulate, prohibit use of alcohol, and controlled substances. HF 452, Horn.

SNOWMOBILES—See Motor Vehicles, Sub-Ref. Snowmobiles

SOCIAL SECURITY—
General
Extend social security benefits to members of general assembly, also insurance benefits, and deferred compensation to elected state officials. HF 164, Lipsky, et al.
Exclude social security benefits from income for property tax relief purposes, 65 or older. HF 343, Hines.

SOCIAL SERVICES—
General
Adoptions, parental rights, etc. SF 41, Shaw, et al.—HF 92, Oakley, et al. (companion)—HF 614, Human Resources (similar). HF 92 withdrawn.
ADC recipients, withholding of money, certain costs. SF 42, Andersen. Withdrawn.
Child care centers, appropriation to social services. SF 112, Murray, et al.
Health care facilities, citizens' aide may investigate complaints. SF 126, Gluba, et al.—HF 220, Higgins, et al.
Small claims, payment of, social services. HF 176, Human Resources. Approved 4-22-75.
Jails, social services make annual inspections, may correct violations and charge. HF 255, Higgins, et al.—SF 195, Gluba.
Family social plan, develop, social services. HF 328, Patchett, et al.
Exchange of inmates with federal bureau of prisons. SF 253, DeKoster, et al.
Utility services stamp program for senior citizens, establish, social services. HF 449, Cusack, et al.
Furlough programs for inmates. HF 456, Doyle, et al.

Work release programs for inmates of institutions. HF 458, Lipsky, et al.
Remedial eye care program, social services continue. HF 463, Human Resources. Approved 5-12-75.
Persons serving life terms, parole board review after 5 years. HF 481, Doyle, et al.
Transfer of prisoners from an adult correctional institution to another institution, social services. HF 503, Human Resources.
Wardens shall not receive dwelling nor inmate domestic service. HF 657, Middleton, et al.—SF 451, Kelly and Doderer. S.
Mental health services, administration of, need for consolidation, etc. (Same as SCR 35) HCR 42—H.J. 1228-1229.
Sewage lines, Anamosa, social services grant easement for. HF 776, Judiciary and Law Enforcement. Approved 7-14-75. Became law by pub. 7-23-75.
Child care facilities, licensing and regulation of. SF 491, Human Resources. Approve 7-17-75.
Mental health services, administration of, need for consolidation, etc. (Same as HCR 42) SCR 35—S.J. 1143, 1162, 1334.
ADC, changes. HF 841, Human Resources.
Aging, commission on, transfer to social services. HF 852, Cusack.
Child support recovery unit within department of social services, create. SF 518, Human Resources. Approved 7-17-75.
Social services, committee to study functions, duties, and operation of; also need for reorganization. SCR 40—S.J. 1466-1467, 1487.
Social services, committee to study structure and functioning of. SJR 13, Appropriations. Approved 7-19-75.
Social services, appropriation. HF 895, Appropriations. Approved 7-11-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

Parole, Board of

Parole, eligibility for, and suspended sentences, persons displaying firearms, felony—life sentences. HF 145, Nealson of Muscatine.
Interstate probation and parole compact, place full text into the Code. SF 150, Human Resources. Approved 4-28-75.
Chief probation officer, allowed to supervise parolees and probationers. SF 252, DeKoster, et al.—HF 436, Newhard, et al.
Women, commission on the status of and board of parole, appropriation; also create parolee security fund. SF 282, Appropriations. Approved 7-9-75.
Probation, length of set by court. HF 475, Newhard, et al.—SF 450, Kelly and Doderer.
Rules of board of parole subject to Administrative Procedures Act. SF 404, Kelly.
Conditional release for inmates of correctional institutions. SF 538, Kelly and Doderer.

Social Welfare

Welfare benefits, eligibility, strikes. HF 113, Kreamer.
Productive employment by unemployed, condition of unemployment compensation or welfare benefits, committee to study. SCR 38—S.J. 1177, 1198, 1571.

SOCIAL WELFARE—See Social Services, Sub-Ref. General or Social Welfare

SOCIAL WORKER—
General

Social workers, licensing and regulation of. HF 83, Miller of Cerro Gordo, et al.—SF 185, Miller of Des Moines, et al. (companion)—SF 297, Miller of Des Moines, et al.—HF 484, State Government (similar subject matter). SF 185 withdrawn.

SOIL CONSERVATION—
General

Soil conservation district commissioners, election of. SF 8, Hill of Polk—HF 54, Pellett, et al. SSM. SF 8 withdrawn. HF 54 approved 4-28-75.
Shelter belt program, appropriation. HF 31, Krause.
State land use policy. HF 58, Middleswart, et al.—SF 127, Winkelman, et al. (companion)—HF 505, Natural Resources. S.
Surface-mined land, rehabilitation of, fees, etc. HF 259, Higgins and Bina.
Surface coal mining, regulation of, fees, and rehabilitation of. SF 314, Energy—HF 476, O'Halloran. SF 314 approved 5-15-75.
Impose tax on coal, establish fund for rehabilitation of surface-mined land. SF 327, Van Gilst.
Soil and water conservation revolving fund, create, appropriation. HF 506, Middleswart—HF 773, Natural Resources. Same.
Iowa Legislature strongly objects to USDA calling for greater productivity from Iowa land while cutting funds for soil conservation. HCR 31—H.J. 910-911.
Statewide water plan. HF 760, Appropriations. Approved 5-15-75.

Agriculture, department of, and soil conservation, appropriation. HF 780, Appropriations. Approved 6-3-75.
Soil classifiers examiners, board of, create. HF 882, Pellett.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.

SOLAR ENERGY—
General
Solar energy unit, state, appropriation. HF 65, Brockett, et al.—HF 722, Energy. Same.
Limited property tax exemption for property used to convert solar energy, wind or water to any type energy. (HF 533—property used to conserve fuel). HF 409, Evans—HF 507, Svoboda, et al.—HF 533, Horn—HF 719, Energy (all similar subject matter).
Solar energy systems of heating and cooling residential, commercial or public buildings, exemption from taxation for property used for. HF 468, Cusack.

SOLDIERS HOME, IOWA—
General
Iowa soldiers home, change name, also eligibility requirements. HF 69, West, et al. Approved 5-15-75.
Iowa soldiers home, change name. SF 96, Miller of Marshall—HF 123, West and Brockett. SF 96 withdrawn.

SOLID WASTE DISPOSAL, GROUNDS—
General
Rubbish trucks may exceed axle gross weight. HF 301, Hines.
Motor vehicles reduce speed approaching slow moving vehicles, garbage trucks may display reflective devices. SF 271, Willits.
Resource recovery systems, separation of metals, glass, and other waste products which may be used in production of fuel and/or energy. SF 419, Energy. Approved 6-3-75.
State agencies, appropriation for capital improvements, educational institutions, leasing of data processing equipment, purchase of certain equipment, sewage works projects, hospital schools revolving fund, land acquisition, memorial for medal of honor recipients, and reversion of funds. HF 898, Appropriations. Approved 7-18-75. Item Vetoed.
Rubbish trucks, annual special permit for operation of, excess weight. HF 906, Ways and Means.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as HCR 61) SCR 48—S.J. 1883.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as SCR 48) HCR 61—H.J. 2284-2285.

SOUND RECORDINGS—
General
Prohibit reproduction and duplication of sound recordings without consent. SF 309, Willits—HF 568, Connors, et al. HF 568 withdrawn. SF 309 approved 6-5-75.

SPANISH—
General
Spanish-speaking persons, appropriation to continue study of problems. SF 241, Gluba—HF 382, Caffrey and Cusack (companion)—SF 504, Appropriations (similar subject matter). SF 241 withdrawn. SF 504 approved 7-9-75.

SPANISH-AMERICAN WAR VETERANS—
General
Spanish-American war veterans, and employment of the handicapped, appropriations. SF 283, Appropriations. Approved 4-16-75.

SPEECH—
General
Speech pathologists and audiologists, licensing of, examining board. HF 642, Harper, et al.—HF 695, State Government (same)—SF 476, State Government (similar).

SPEED LIMIT—
General
Fifty-five (55) mph speed limit. HF 46, Drake, et al.—HF 66, Transportation (same)—SF 574, Transportation (similar subject matter). HF 46 and SF 574 withdrawn. HF 66 approved 6-28-75.
Speed limit in a school district. HF 117, Kreamer.

Fifty-five mile per hour speed limit, committee to study disparities and inequities. HCR 56—H.J. 2131-2132.

SPEED RESTRICTIONS—
General
Motor vehicles towing disabled vehicles, speed restrictions. HF 196, Doyle—HF 753, Transportation. SSM.

SPORTS—Also see Athletics and/or Schools, Sub-Ref. Athletics
General
Congratulate Drake University, coach Bob Ortegal and basketball team for being true champions and bringing honor and victory to their school and the state of Iowa. HR 13—H.J. 706, 744, 808 adopted.
Congratulate Lincoln Railsplitters, their coaches, cheerleaders, etc., for their sportsmanship etc., in winning the Class AAA basketball championship. HR 14—H.J. 725, 755, 825 adopted.
Congratulate the St. Alberts Falcons, their coaches, cheerleaders, etc., in winning the Class AA basketball championship. (Same as HR 19) SR 8—S.J. 782-783, 806, 1010.
Congratulate the St. Alberts Falcons, their coaches, cheerleaders, etc., in winning the Class AA basketball championship. (Same as SR 8) HR 19—H.J. 812, 1006, 1135 adopted.
Congratulate St. Mary's Irish, their coaches, cheerleaders, etc., in winning the Class A basketball championship. HR 21—H.J. 962, 1006, 1135 adopted.
Congratulate Lake View Hawkettes High School basketball team, coaches, etc., for sportsmanship, etc., in winning the Iowa Girls High School basketball championship. HR 45—H.J. 2505, 2727-2729 adopted.

STAMPS—
General
Migratory waterfowl stamps, issuance of, penalty. SF 371, Miller of Des Moines and Junkins—HF 598, Monroe and Spear (companion)—HF 778, Natural Resources (same). HF 778 withdrawn. SF 371 approved 5-15-75.
Robert's Rules of Order first published 100 years ago, urge Postmaster General of the U. S. issue a commemorative stamp. HR 22—H.J. 997-998, 1038, 1179 adopted.
Cigarette and little cigar tax stamps, printing and custody of. HF 899, Appropriations. Approved 7-8-75.

STATE AID—Also see Schools, Sub-Ref. State—Federal Aid
General
Municipal financing, individual needs, aid to cities, committee to study. (Same as SCR 65) HCR 71—H.J. 2501-2502, 2579.
Municipal financing, individual needs, aid to cities, committee to study. (Same as HCR 71) SCR 65—S.J. 2223, 2243.

STATE FAIR—See Fairs

STATE GOVERNMENT—
General
Credit unions, establish state department for regulation of. SF 54, Robinson and Rabedeaux.
Solar energy unit, state, appropriation. HF 65, Brockett, et al.—HF 722, Energy. Same.
Maximum limits of tort liability, state. SF 83, Winkelman.
Gifts to officials, employees, etc., increase amount may be accepted. SF 131, Glenn.
State salary book, information required, charges for. SF 165, Appropriations. Approved 4-16-75.
Powers of initiative, referendum, and recall, constitutional amendment to create. HJR 8, Patchett, et al. Also see HJR 11.
Organizations doing business with the state or political subdivisions disclose ownership interest. HF 280, Hargrave.
Reparations to victims of criminally injurious conduct. SF 220, Doderer.
Family social plan, develop, social services. HF 328, Patchett, et al.
Power of initiative, people may propose and enact legislation. HJR 11, Krause. Also see HJR 8.
Leaves of absence, persons elected to a municipal, county, state or federal office. SF 266, Robinson.
Retiring state employees may use up accumulated sick leave. HF 527, Miller of Buchanan.
Part-time employment of persons by state agencies. HJR 16, Cusack, et al.
Powers of referendum, reject or approve laws, constitutional amendment to create. HJR 17, Evans, et al. Also see HJR 8 and HJR 11.
Liability protection for state employees. SF 406, Plymat, et al.—HF 799, State Government. S. HF 799 approved 6-30-75.
Request Congress call a convention amending the U.S. Constitution re usurping powers of the states, ratification. HCR 39—H.J. 1191-1192, 1739-1740 adopted, 1766—S.J. 1398, 1434, 1467-1468, 1572.

Increase court costs, nonindictable misdemeanors, distribution of costs. HF 868, Cities and Towns—HF 879, Cities and Towns. SSM. HF 868 withdrawn.
Certain state agencies report quarterly to standing Senate and House natural resources committees. SF 512, Natural Resources.
Governor, lieutenant governor, office for planning and programming and council of state governments, appropriation. HF 889, Appropriations. Approved 7-9-75.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.
Employment opportunity board, create, appropriation. HF 913, Appropriations. Approved 7-14-75.
Corrections, department of, create; powers and duties, and penalties. SF 578, State Government.
Appropriation to provide funds to certain state agencies for increased employer contributions, IPERS. SF 581, Appropriations. Approved 7-13-75.
Salary schedule for certain state officials and designated employees, governor may set salaries within such ranges, etc. SF 568, Appropriations. Approved 6-30-75.

Departments

Savings, programs or procedures established by the general assembly, effects of, report to committee chairmen. HF 9, Crabb.

Employes

Unemployment compensation coverage, remove certain state employees from. SF 3, Shaw.
Leaves of absence, state officers and employees, candidates. HF 7, Crabb.
Employees, state or political subdivisions, dismissal, appearance, etc. HF 170, Horn.
State employees working on holidays, compensation, options, and holidays. SF 162, Nystrom—HF 291, Griffee (companion)—SF 239, Redmond, et al.—HF 466, Hargrave, et al. (similar) (all similar subject matter).
Extend retirement age for state employees. HF 293, Hargrave, et al.—SF 232, Gluba, et al. (companion)—HF 752, State Government (same).
Cost of living adjustments for public employees, appropriation. HF 94, Crabb, et al.—SF 216, Willits and Robinson—HF 434, Wells, et al. (similar) —SF 225, Nystrom, et al.—HF 490, Lonergan and Hines (companion)— HF 535, Crabb, et al.—HF 767, State Government (same) (all similar subject matter).
Longevity pay for certain employees of the state. SF 227, Robinson, et al.—HF 418, Newhard, et al. (companion)—HF 827, State Government (same).
Boards and commissions, merit system, employees not exempt from. HF 335, Appropriations. Approved 6-3-75.
State employee, employment terminated, paid vacation allowance. SF 246, Doderer.
Payment of salaries, vacation, and sick leave for state employees. HF 356, O'Halloran, et al.—SF 272, Willits, et al. (companion)—HF 809, State Government (similar).
Public employees, 7 percent salary increase. HF 406, Hennessey, et al.
Bonding of governmental employees. SF 341, Palmer, et al.—HF 564, Small, et al.
Salaries paid to rehired retired state employees. HF 477, Hargrave.
Benefits for employees, and their dependents, of adult penal and correctional institutions, appropriation. HF 499, Doyle, et al.—HF 771, Judiciary and Law Enforcement. Same.
Penal institution employees paid overtime after 40 hours. SF 382, Schwengels, et al.
Part-time employment of persons by state agencies. HJR 16, Cusack, et al.
Merit employment commission may reimburse prospective professional employees for interview expenses, and if hired, moving expenses. SF 394, Junkins, et al.
Petition Congress to refrain from approving any measure which would require states and political subdivisions to recognize and bargain with unions representing public employees. HCR 32—H.J. 961-962, 1086.
Open collective bargaining negotiating sessions to the public. HF 681, Kreamer.
Leave of absence time, or sick leave, state employees may surrender accumulated time for compensation. HF 712, Kreamer and Stromer.
Professional people seeking and/or employed by the state may be paid expenses and/or moving costs. SF 521, Appropriations. Approved 6-16-75.
Benefits for public employees and retired public employees, salary adjustments, etc., appropriations. SF 555, State Government. Approved 7-13-75.
Contributions for qualifying charitable organizations may be deducted from state employee's salary. SF 557, Taylor, et al.

Executive Branch

Leaves of absence, state officers and employees, candidates. HF 7, Crabb.
Elected state officials, terms of office. SJR 1, Redmond.
Allow persons eighteen (18) years of age to hold state elective office. HJR 4, Spear, et al.

Executive officers of the state, change method of selection. HJR 6, Brandt, et al.
Extend social security benefits to members of general assembly, also insurance benefits, and deferred compensation to elected state officials. HF 164, Lipsky, et al.
Decrease salaries, designated state officials, members of general assembly, etc. SF 191, Schwengels, et al.

Real Estate—Property

Dwellings, on land by the state, conservation commission develop program for vacating, lease agreement, etc. HF 60, Halvorson, et al.—SF 73, Tieden.

STATE OF IOWA—See State Government, all Sub-Refs.

STATE OFFICES—See State Government, all Sub-Refs.

STATUTE OF LIMITATIONS—

General

Six-year statute of limitations, certain damage actions, architects, contractors, engineers and surveyors. SF 352, Coleman and Lamborn—HF 616, Harper and Gentleman.
Liens for support of medically ill, state and county, not subject to statute of limitations. SF 471, Winkelman.

STEEL—

General

Illegal steel trade practices, repeal section, covered by federal. HF 131, Caffrey. Approved 4-16-75.

STORAGE—

General

Underground storage of gas, prohibit, cities. SF 2, Rodgers.
Watercraft, storage for. HF 1, Monroe.
Warehouse storage, remove service tax. SF 396, Junkins, et al.
Watercraft, storage of, registration of, certificate of origin, etc., exempt beach or water toys, etc. SF 511, Natural Resources. Approved 7-3-75.

STREETS—Also see Cities and Towns, Sub-Ref. Streets

General

Benefited street lighting districts, remove requirement that petitioners must own 25 percent of resident property. SF 397, Willits and Palmer—HF 791, County Government. SSM. HF 791 withdrawn. SF 397 approved 6-5-75.
Main sewers and street improvements, special assessments by cities for. SF 532, Gluba, et al.

STRIKES—Also see Civil Disorders and/or Riots

General

Use of force, violence, etc., preventing a person from working, criminal offense. HF 441, Branstad.

STUDY COMMITTEES—

General

Conduct study of availability, cost and terms of professional liability insurance. SCR 16—S.J. 346, 375, 511.
Conduct study of Uniform Probate Code. SCR 17—S.J. 346-347, 375, 511.
Family court system, committee to study. HCR 17—H.J. 480.
Adult penal and correctional system, state, study committee to further investigate and study. HCR 22—H.J. 531-532.
State juvenile system, appoint interim study committee to further investigate problems. HCR 25—H.J. 696-697.
Legislators sponsoring or cosponsoring resolutions calling for a study committee shall not be appointed to the study committee. HCR 27—H.J. 724.
Red Rock and Coralville Reservoirs, committee to study damages to property, etc. SCR 27—S.J. 796-797, 821, 1010.
Dogs, proper care and regulation of, committee to study. HCR 35—H.J. 1048-1049.
Rail transportation services in Iowa, committee to study. HCR 36—H.J. 1125-1126.
Membership and qualifications of members of boards, councils, and commissions, their purposes and need for retaining, committee to study. SCR 30—S.J. 975-976, 1009, 1334.
Rail problems in Iowa, roadbeds and trackage, committee to study. SCR 32—S.J. 1008.
State catastrophic illness program, expand and complete study of. (Same as SCR 36) HCR 40—H.J. 1227.
State juvenile justice system, continue study. HCR 41—H.J. 1227-1228.
Mental health services, administration of, need for consolidation, etc. (Same as SCR 35) HCR 42—H.J. 1228-1229.

Medical malpractice insurance, interim study committee, appropriation. SJR 12, Commerce. Approved 6-16-75.
Mental health services, administration of, need for consolidation, etc. (Same as HCR 42) SCR 35—S.J. 1143, 1162, 1334.
State catastrophic illness program, expand and complete study of. (Same as HCR 40) SCR 36—S.J. 1144, 1162, 1334.
State juvenile justice system, continue study. (Same as HCR 41) SCR 37—S.J. 1144-1145, 1162, 1334.
Productive employment by unemployed, condition of unemployment compensation or welfare benefits, committee to study. SCR 38—S.J. 1177, 1198, 1571.
Unified trial court, expenses and cost of, committee to study. HCR 44—H.J. 1484.
Crime, causes of, reduction of, committee to study. HCR 45—H.J. 1484-1485.
Substate regional agencies and districts, committee to study. HCR 47—H.J. 1485-1486.
Interim study committees, each member of House appointed to one before second appointments. HR 28—H.J. 1534.
Vehicle registration fee structure, committee to study. HCR 48—H.J. 1615.
Petroleum products, marketing, distribution, and pricing of, committee to study. SCR 39—S.J. 1310.
Property taxes, committee to study. (Similar subject matter as HCR 54 and SCR 44) HCR 49—H.J. 1653-1654.
Hazardous substances, regulation of, committee to study. HCR 50—H.J. 1696-1697.
Social services, committee to study functions, duties, and operation of; also need for reorganization. SCR 40—S.J. 1466-1467, 1487.
Contested elections, committee to study. HCR 51—H.J. 1810-1811.
Civil defense and disaster assistance, committee to study. SCR 41—S.J. 1536, 1571.
Petroleum products, marketing, distribution, and pricing of, committee to study. (Same as SCR 39) HCR 52—H.J. 1914-1915.
Livestock producers selling livestock for slaughter, liens and other safeguards for, committee to study. HR 40—H.J. 1915.
Snowmobile accidents, committee to study. HCR 53—H.J. 2011.
Property taxes, committee to study. (Similar subject matter as HCR 49 and SCR 44) HCR 54—H.J. 2042-2043.
Social services, committee to study structure and functioning of. SJR 13, Appropriations. Approved 7-19-75.
Fifty-five mile per hour speed limit, committee to study disparities and inequities. HCR 56—H.J. 2131-2132.
Legislative sessions, handling of bills, and adjournment procedures, committee to study. (Same as SCR 54) HCR 55—H.J. 2131.
Energy facilities, committee to study. SCR 43—S.J. 1753-1754.
Property tax freeze, and revising method of valuing agricultural property, committee to study. (Similar subject matter as HCR 49 and HCR 54) SCR 44—S.J. 1791.
Insurance, unfair and discriminatory practices based on a person's sex or marital status, committee to study. SCR 45—S.J. 1791-1792.
Grain, grading and moisture testing of, committee to study. (Same as HCR 59) SCR 47—S.J. 1837-1838, 1885.
Drainage and levee districts, updating and needed corrections in law governing, committee to study. (Similar to SCR 50) HCR 57—H.J. 2235.
Grain, grading and moisture testing of, committee to study. (Same as SCR 47) HCR 59—H.J. 2235-2236.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as HCR 61) SCR 48—S.J. 1883.
Financial institutions, create a separate state agency to regulate, committee to study. HCR 60—H.J. 2283-2284.
Energy needs, feasibility of resource recovery systems, waste disposal problems, and solid waste management, committee to study. (Same as SCR 48) HCR 61—H.J. 2284-2285.
Optometry, feasibility of establishing a college, committee to study. SCR 49—S.J. 1883-1884, 1936.
Electronic funds transfer systems, development and use of, regulation of, committee to study. HCR 63—H.J. 2322-2323.
Drainage districts, updating and needed corrections in law governing, committee to study. (Similar as HCR 57) SCR 50—S.J. 1932-1933, 1936.
County home rule and needed county governmental services, committee to study. SCR 52—S.J. 2001.
Legislative council, fiscal committee, interim study committees, and supplies and expenses of the service bureau, appropriation. SF 584, Appropriations—HF 915, Appropriations. HF 915 withdrawn. SF 584 approved 7-9-75.
Public improvements, committee to study feasibility of financing without special assessments. SCR 53—S.J. 2074-2075, 2085.
Legislative sessions, handling of bills, and adjournment procedures, committee to study. (Same as HCR 55) SCR 54—S.J. 2075-2076, 2085.
Iowa family farmers, committee to study, available capital, etc. SCR 55—S.J. 2076, 2085.

Property, improvements to, committee to study feasibility of providing a tax moratorium. SCR 56—S.J. 2077, 2086.
Resolutions calling for interim studies not adopted by both houses be delivered to Chief Clerk and Secretary of the Senate for consideration by Legislative Council. HCR 65—H.J. 2497-2498, 2727 adopted—S.J. 2241-2242, 2250 adopted.
Iowa family farmers, available capital, etc., committee to study. (Same as SCR 55) HCR 66—H.J. 2498-2499.
Optometry, feasibility of establishing a college, committee to study. (Same as SCR 49) HCR 67—H.J. 2499-2500.
County home rule and needed county governmental services, committee to study. (Same as SCR 52) HCR 70—H.J. 2501.
Municipal financing, individual needs, aid to cities, committee to study. (Same as SCR 65) HCR 71—H.J. 2501-2502, 2579.
Architectural services, various state agencies, committee to study need for consolidation, coordination, elimination or placed within one agency. HCR 72—H.J. 2502.
Tuition payments for public school districts, inequities, etc., committee to study. HCR 74—H.J. 2504-2505.
Pari-mutuel betting as it affects the citizens, economy and political subdivisions of the state, committee to study. HCR 64—H.J. 2517.
Legal services for indigent and low-income persons, committee to study. HCR 75—H.J. 2569-2570.
Pension and retirement needs of peace officers and corrections officers, committee to study. HCR 76—H.J. 2570.
Emergency planning and coordination of emergency services, disasters; create an office of civil preparedness, committee to study. HCR 77—H.J. 2571.
Joint rules, committee to study. HCR 78—H.J. 2613.
Campaign disclosure law, public financing of political campaigns, income tax check-off, committee to study. HCR 79—H. J. 2613.
Employment security law, committee to study. HCR 80—H.J. 2614.
Elderly and handicapped, committee to study problems of, etc. SCR 61—S.J. 2184-2186, 2206.
Municipal financing, individual needs, aid to cities, committee to study. (Same as HCR 71) SCR 65—S.J. 2223, 2243.
Inspection laws, buildings and housing, overlapping, subcommittees of Senate committee on cities and House committee on cities and towns, Legislative Council make appointments to for study. SCR 64—S.J. 2222, 2243.
Nursing home costs and reimbursement for care of medical assistance patients, human resources committees appoint joint interim subcommittee to hold hearings and review. SCR 62—S.J. 2204-2205, 2243.
ADC program, human resources committees appoint joint interim subcommittee to determine if program may be restructured, etc. SCR 67—S.J. 2228-2229, 2243.
Department of youth services, juvenile justice system, human resources committees, appoint joint subcommittee to study. SCR 68—S.J. 2229-2230, 2243.
Bovine and swine brucellosis, committee to study. HCR 82—H.J. 2731-2732.
Property taxes, committee to study. HCR 83—H.J. 2732-2733.
Livestock, marketing of, implied warranty provisions, etc., committee to study. HCR 81—H.J. 2731.
Public mass transit, committee to study. HCR 86—H.J. 2753.
Transportation funds, new formula for allocating and increasing, committee to study. HCR 85—H.J. 2752-2753.
Equal opportunity in hiring, advancement and pay, committee to study or review compliance. HCR 84—H.J. 2752.

SUBDIVISIONS—
General
Recording of subdivisions, platting, surveying, etc. HF 388, Bittle.

SUNDAY SALES—See Sales

SUPERVISORS—See County, Sub-Ref. Supervisors, Board of

SUPPORT—Also see Divorce and/or Minors
General
Child support paid out of assets of an estate, trusts. HF 70, Doyle and O'Halloran—SF 172, Doderer.
Support decrees, enforcement of, reciprocity, procedures. HF 678, Connors and Hargrave.
Child support recovery unit within department of social services, create. SF 518, Human Resources. Approved 7-17-75.

SUPREME COURT—See Court, Sub-Ref. Supreme

SURVEYING—
General
Recording of subdivisions, platting, surveying, etc. HF 388, Bittle.

Six-year statute of limitations, certain damage actions, architects, contractors, engineers and surveyors. SF 352, Coleman and Lamborn—HF 616, Harper and Gentleman.

SWINE—See Animals, Sub-Ref. Farm

TAX—

General

Real estate transfers, taxation of. HF 49, Oakley.
Schoolhouse sites, purchase and improvement of, use of tax money for. HF 57, Daggett—SF 74, Briles (companion)—HF 297, Byerly, et al. (similar subject matter).
Tax list, dates for completion and delivery. HF 75, Bittle.
Military service tax credit, veteran file once. SF 79, Norpel, et al.
Cities and counties may impose a local tax. SF 89, Andersen—HF 878, Cities and Towns. SSM.
Every insurance company or association must pay premium taxes. SF 117, DeKoster—HF 391, Miller of Buchanan.
Accident and health insurance companies exempt from paying premium tax. HF 158, Stromer.
Appeal procedures, department of revenue and board of tax review. SF 142, Redmond.
Delinquent tax lists, published, require publication of corrections. HF 237, Patchett, et al.
Sale of alcoholic liquor by packaged liquor retailer (stores), license, fees, and tax. HF 389, Hargrave.
Impose tax on coal, establish fund for rehabilitation of surface-mined land. SF 327, Van Gilst.
Insurance company premium tax, use and distribution of. HF 508, Connors.
Historic preservation, local, tax for. HF 516, Tofte.
County health centers, increase tax levy. HF 596, Middleton, et al.
Sales delivered within the state for corporation tax purposes. HF 748, Ways and Means. Approved 6-3-75.
Military service tax exemption, retroactive. HF 811, Ways and Means. Approved 7-14-75. Became law by pub. 7-25-75.
Transient guest tax (hotels, motels, etc.) by cities and counties, authorize. SF 502, Cities—HF 873, Cities and Towns.
Individual retirement annuity premiums exempt from taxation. SF 543, Ways and Means—HF 881, Ways and Means. SF 543 withdrawn. HF 881 approved 6-6-75.
Multistate Tax Commission, approve Iowa's participation as an associate member, etc. SCR 46—S.J. 1837, 1885.
Beer barrel tax rebate, eliminate; replace with reduction in tax collected. SF 577, Ways and Means.

Cigarettes—Tobacco

Cigarettes and little cigars, increase tax on. HF 253, Monroe—HF 629, Poncy. SSM.
Income tax credit for voting, increase cigarette taxes to fund credit, appropriation. SF 466, Orr.

Excise

Excise tax on motor fuel, cities (and counties) exempt from paying. HF 169, Cusack, et al.—HF 265, Gilloon—HF 300, Hennessey, et al. SSM.
Five percent of funds collected from excise tax on cattle be remitted to Iowa livestock auction market association. SF 141, Briles and Scott.
Exempt sales to voluntary nonprofit hospitals from sales and use tax. SF 210, Nolin, et al.
Motor vehicle registration fees and licenses and excise taxes on motor vehicle fuel be used for highway purposes, repeal. SJR 3, Gluba—HJR 13, Small.

Exemptions

Air or water pollution, repeal limited property tax exemption. SF 87, Gluba, et al.—HF 119, Brandt, et al.
Air and water pollution, reduce length of time for property tax exemption. HF 143, Cusack.
Cemetery associations, property tax exemption for, retroactive. HF 416, Kreamer.
Correcting the amount of the farm equipment tax exemption. SF 313, Ways and Means. Approved 4-22-75.
Increase property tax exemptions for veterans. SF 375, Miller of Des Moines—HF 599, Monroe.
Fruit-tree and forest reservation which may qualify for a tax exemption. HF 907, Ways and Means. Approved 7-8-75.

Federal Internal Revenue—Also see Federal Internal Revenue

State income tax returns, use of optional standard deduction. HF 23, Spear.
Individual and corporate income tax and franchise tax, references to Internal Revenue Code, computation of, Iowa—federal. HF 56, Ways and Means—SF 68, Ways and Means. SF 68 withdrawn. HF 56 approved 2-14-75. Became law by pub. 2-21-75.

Franchise

Individual and corporate income tax and franchise tax, references to Internal Revenue Code, computation of, Iowa—federal. HF 56, Ways and Means—SF 68, Ways and Means. SF 68 withdrawn. HF 56 approved 2-14-75. Became law by pub. 2-21-75.

Fuel

Taxation of motor fuel used in aircraft, separate fund, returned for airport improvement. SF 409, Redmond and Kelly.

Allow motor vehicle fees and fuel taxes to accrue to the general fund. HJR 20, Small.

Administration of the motor fuel tax program, appropriation to department of revenue. SF 565, Appropriations. Approved 7-9-75.

Income

State income tax returns, use of optional standard deduction. HF 23, Spear.

State income tax returns, filing requirements. SF 52, Norpel.

Individual and corporate income tax and franchise tax, references to Internal Revenue Code, computation of, Iowa—federal. HF 56, Ways and Means—SF 68, Ways and Means. SF 68 withdrawn. HF 56 approved 2-14-75. Became law by pub. 2-21-75.

Income tax exemption, civil service retirement and disability annuities. HF 71, Junker, et al.—SF 104, Gluba, et al.

Mobile home tax, deductible on Iowa income tax returns. HF 89, Bortell.

Campaign finance income tax checkoff, changes. HF 224, Patchett, et al.—HF 701, Miller of Buchanan, et al. SSM.

Increase optional standard deduction from net income for state income tax purposes. SF 209, Rodgers and Curtis.

Exclude social security benefits from income for property tax relief purposes, 65 or older. HF 343, Hines.

Income tax returns, filing date. HF 392, Ways and Means.

Increase standard deduction and minimum net income level below which no tax is imposed, individuals. SF 363, DeKoster, et al.

Retirement or disability retirement pay, armed forces, excluded from income tax. HF 531, Wyckoff.

Income tax deduction for voluntary work for a charitable organization. HF 563, Kreamer.

Insulation of buildings, income tax credit. SF 440, Nystrom.

Income tax credit for voting, increase cigarette taxes to fund credit, appropriation. SF 466, Orr.

Retail sales and income taxes, increase interest payments, and interest penalties, etc. HF 749, Ways and Means.

Income tax rates and deductions, individual. HF 764, Ways and Means. Approved 7-16-75.

Bonding of nonresident employers and withholding agents, payment of income taxes withheld. SF 483, Ways and Means.

Corporation income tax, filing of consolidated returns. HF 844, Ways and Means. Approved 7-14-75.

Inheritance

Remove inheritance tax on property passing to a surviving spouse. SF 158, Andersen.

Inheritance tax, temporary full allowance for spouse and minor children. HF 206, Doyle. Approved 6-16-75.

Inheritance and estate tax laws, uniformity of time limits. HF 230, Ways and Means. Approved 4-22-75.

Exempt household goods and personal effects ($2,500) from inheritance tax. SF 212, Winkelman.

Increase inheritance tax exemption for sons, daughters and other descendants. HF 582, Branstad.

Allowable deductions from gross value of an estate for inheritance tax purposes. SF 384, DeKoster.

Payment and final returns of inheritance tax. SF 418, Ways and Means. Approved 4-28-75.

Inheritance tax, final return, payment and refund, appeal procedures. HF 679, Ways and Means. Approved 6-3-75.

Personal Property

Intangible personal property, imposition of a tax. HF 876, Mennenga.

Property

Cemeteries, maintenance and improvement of, permit levy of a tax. SF 38, Lamborn. Approved 7-3-75.

Property taxes paid and rent, reimbursement for. SF 71, Hansen—HF 226, Cusack, et al. (companion)—SF 186, Shaff, et al.—HF 869, Brandt—SF 556, Gluba, et al.—HF 893, Brandt, et al.—SF 571, Ways and Means (all similar subject matter). SF 556 withdrawn. SF 571 approved 6-30-75.

Claims for reimbursement of property taxes, 65 or older, checks. SF 78, County Government. Approved 2-28-75.

Air or water pollution, repeal limited property tax exemption. SF 87, Gluba, et al.—HF 119, Brandt, et al.

Air and water pollution, reduce length of time for property tax exemption. HF 143, Cusack.

Valuation of agricultural property for tax purposes, average mortgage loan rate for previous year. SF 183, Shaff, et al.
Veterans' property tax exemption, change dates of eligibility. HF 277, Koogler—HF 593, Bina. SSM. HF 277 withdrawn.
Exclude social security benefits from income for property tax relief purposes, 65 or older. HF 343, Hines.
Exempt corn cribs used to store corn from property taxes. HF 364, Horn.
Tax levy for purchase of land, county conservation board, one-fourth mill. HF 372, Hinkhouse.
Reduce from 65 to 62 (HF 532 age 60) age limit, claims for reimbursement for property taxes paid and rent. HF 383, Caffrey and Higgins—HF 532, Caffrey, et al.
Limited property tax exemption for property used to convert solar energy, wind or water to any type energy (HF 533—property used to conserve fuel). HF 409, Evans—HF 507, Svoboda, et al.—HF 533, Horn—HF 719, Energy (all similar subject matter).
Market value of agricultural property for tax purposes, determining. SF 279, Priebe, et al.
Cemetery associations, property tax exemption for, retroactive. HF 416, Kreamer.
Claims for reimbursement for property taxes paid, include surviving spouse, 55 years of age or older. HF 428, Egenes, et al.
Freeze property taxes, 65 or older. HF 437, Crabb.
Increase property tax exemptions for veterans. SF 375, Miller of Des Moines—HF 599, Monroe.
Improvement, repair, and maintenance of residential property, provide limited tax incentives. HF 557, Cusack—HF 607, Small—SF 576, Gluba. SSM.
Holders of escrow accounts to pay property taxes, insurance, etc. on real estate, pay interest on funds. HF 569, Miller of Buchanan.
Insulation of buildings, income tax credit. SF 440, Nystrom.
Exempt a house of worship and a residence for each house from property tax. HF 682, Nealson of Muscatine.
Reimburse counties, additional property tax relief, owners of mobile homes, 65 or older or disabled, appropriation. HF 702, Miller of Buchanan.
Valuation of property for tax purposes, consider mortgage. HF 854, Mennenga.
Assessment and equalization of certain industrial property. SF 501, Ways and Means.
Tax levy to promote, establish and maintain recreational, educational, etc., activities for senior citizens, authorize cities and counties. HF 857, Cusack.
Property taxes, committee to study. (Similar subject matter as HCR 54 and SCR 44) HCR 49—H.J. 1653-1654.
Historical societies, local, allow counties to levy a tax for. SF 551, Ways and Means.
Property taxes, committee to study. (Similar subject matter as HCR 49 and SCR 44) HCR 54—H.J. 2042-2043.
Property tax freeze, and revising method of valuing agricultural property, committee to study. (Similar subject matter as HCR 49 and HCR 54) SCR 44—S.J. 1791.
Property taxes, committee to study. HCR 83—H.J. 2732-2733.

Sales

Sales tax collections, allow retailer a credit or discount. HF 4, Stromer (similar subject matter to)—SF 62, Hultman and Tieden—HF 716, Harper, et al. (companion).
Oxygen, prescribed, exempt from sales and use tax. HF 38, Lipsky. Approved 7-15-75.
Admission tickets, schools, exempt from sales and use tax. HF 39, Junker.
Carpentry repairs, exempt from sales and use tax. SF 138, Shaff.
Sales tax revenue, allocate portion to road use tax fund. SF 182, Andersen and Norpel—HF 358, Branstad. SSM.
Exempt sales to voluntary nonprofit hospitals from sales and use tax. SF 210, Nolin, et al.
Solar energy systems of heating and cooling residential, commercial or public buildings, exemption from taxation for property used for. HF 468, Cusack.
Industrial projects, municipalities, industrial equipment used, retail sales and use taxes applicable. HF 592, Harvey.
Retail sales and income taxes, increase interest payments, and interest penalties, etc. HF 749, Ways and Means.

School

Schoolhouse sites, purchase and improvement of, use of tax money for. HF 57, Daggett—SF 74, Briles (companion)—HF 297, Byerly, et al. (similar subject matter).
Extend to 10 years, voters may authorize a tax for buildings and sites in merged areas. HF 422, Education—SF 370, Taylor and Hill of Polk—SF 453, Education.

Service

Coin-operated laundries, repeal service tax on. HF 121, Harper, et al.—SF 257, Heying, et al.
Warehouse storage, remove service tax. SF 396, Junkins, et al.

Use

Oxygen, prescribed, exempt from sales and use tax. HF 38, Lipsky. Approved 7-15-75.
Admission tickets, schools, exempt from sales and use tax. HF 39, Junker.
Carpentry repairs, exempt from sales and use tax. SF 138, Shaff.
Solar energy systems of heating and cooling residential, commercial or public buildings, exemption from taxation for property used for. HF 468, Cusack.
Industrial projects, municipalities, industrial equipment used, retail sales and use taxes applicable. HF 592, Harvey.

TAX REVIEW, BOARD OF—
General

Appeal procedures, department of revenue and board of tax review. SF 142, Redmond.

TEACHERS—See Schools, Sub-Ref. Teachers and/or Retirement

TELEPHONE—See Communications

TELEVISION—See Communications and/or Schools, Sub-Ref. Radio and TV

TENANT—
General

Uniform Residential Landlord and Tenant Act. HF 515, Small, et al.—HF 770, State Government. Same.

TESTS—
General

Persons convicted of driving while intoxicated pay costs of chemical test administered. SF 80, Winkelman.

TIPPING—See Gratuities

TIRES—
General

Snow tires, definition of, DOT. HF 50, Drake, et al. Approved 4-8-75.
Studded snow tires, may use from Dec. 15 through March 15. SF 196, Rodgers.
Prohibit studded tires or ice grips, exceptions. SF 226, Transportation.

TITLES—
General

Allow sale of title insurance. HF 675, Pellett and Hennessey.

TOBACCO—Also see Tax, Sub-Ref. Cigarettes—Tobacco
General

Smoking, certain public areas, prohibit. HF 32, Wells—SF 106, Scott, et al. (companion)—HF 193, Cusack (similar).
Confiscated cigarettes, change disposition of. SF 153, Ways and Means—HF 318, Ways and Means. HF 318 withdrawn. SF 153 approved 3-18-75.
Cigarettes and cigarette stamps, sale and exchange of, taxation of, and definition of. SF 174, Ways and Means—HF 317, Ways and Means. SF 174 withdrawn. HF 317 approved 6-3-75.
Cigarettes and little cigars, increase tax on. HF 253, Monroe—HF 629, Poncy. SSM.
Cigarette permits, issuance of. HF 725, Ways and Means. Approved 7-8-75.
Rules of the board of directors of an area school, tobacco, liquor or beer, use of. SF 534, Shaw.
Cigarette and little cigar tax stamps, printing and custody of. HF 899, Appropriations. Approved 7-8-75.

TOILET—
General

Pay toilets, prohibit charges. HF 24, Crabb—SF 180, Plymat, et al. SSM.

TORT CLAIMS—
General

Maximum limits of tort liability, state. SF 83, Winkelman.
Tort liability, directors, officers, employees, etc., nonprofit corporation. HF 136, Kreamer—HF 816, Judiciary and Law Enforcement. Same. HF 136 withdrawn. HF 816 approved 7-19-75.
Tort claims, limit attorney's fees. HF 473, Crabb.

TOWING—
General

Motor vehicles towing disabled vehicles, speed restrictions. HF 196, Doyle—HF 753, Transportation. SSM.
Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing, appropriation to department of transportation. HF 594, Hutchins, et al.

Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing expenses, appropriation. HF 910, Appropriations. Approved 7-8-75.

TOWNSHIPS—
General
Fire protection, certain townships, increase tax levy for. SF 90, Palmer—HF 139, Nielsen of Polk. HF 139 withdrawn. SF 90 approved 3-25-75. Became law by pub. 4-4-75.
Fire protection, townships, increase tax levy for. SF 91, Palmer—HF 140, Nielsen of Polk.
Fire protection, statewide. HF 195, Hutchins and Husak. Approved 6-3-75.
Detachment of land from a benefited fire district or township fire protection. SF 448, Rabedeaux.

TRADE—
General
Competition between business, commercial, or professional entities. HF 248, Jesse, et al.—HF 584, Judiciary and Law Enforcement. S.

TRADE PRACTICES—
General
Illegal steel trade practices, repeal section, covered by federal. HF 131, Caffrey. Approved 4-16-75.

TRAFFIC—
General
Traffic and/or motor vehicle offenses, uniform citations and charges, etc. SF 535, Judiciary.

TRAILERS—See Motor Vehicles, Sub-Ref. Trailers

TRANSIT SYSTEMS—
General
Mufflers on city motor buses. SF 32, Robinson, et al.
Municipal transportation assistance fund, establish. SF 413, Griffin.
Procedures and requirements for cities under City Code of Iowa, changes. HF 872, Cities and Towns—SF 526, Cities. SSM. SF 526 approved 7-19-75.
Public mass transit, committee to study. HCR 86—H.J. 2753.

TRANSPORTATION—
General
Mufflers on city motor buses. SF 32, Robinson, et al.
Snow tires, definition of, DOT. HF 50, Drake, et al. Approved 4-8-75.
Maximum lengths of vehicles, repeal authority of the department of transportation. SF 66, Hill of Jasper.
Transportation regulation board and legal counsel, duties of. HF 73, Transportation. Approved 4-8-75.
Annexation, cities give notice of to department of transportation. HF 74, Transportation. Approved 4-28-75.
Include highway 520 in five year plan. SCR 11—S.J. 190-191, 198, 255.
Moving expenses, transportation, employees of highway division, DOT. HF 81, Transportation. Approved 3-14-75.
Business signs on informational panels along highways, increase fees and permits. HF 91, Transportation.
Highways, temporary closing of. HF 99, County Government—SF 101, County Government. SF 101 withdrawn. HF 99 approved 5-12-75.
Highway patrolmen, licensing drivers, remove from DOT. HF 106, Transportation. Approved 4-22-75.
Railroad laws, revise and repeal obsolete provisions. HF 127, Transportation. Approved 5-15-75.
Transportation commission, membership on, no public officer of state or political subdivision. SF 128, Redmond and Gluba.
Appropriation included in auditor of state's budget for auditing department of transportation. SF 134, Appropriations. Approved 3-18-75.
Driver's education courses, persons under 18 complete. HF 178, Bittle, et al.—HF 735, Education. Same.
Operator's license classification system, establish, also colored photograph. HF 179, Drake.
Livestock, transportation of, transportation certificate required. HF 185, Husak, et al. Approved 7-11-75.
Hard surface present granular surfaced primary highways, appropriation. HF 186, Daggett—SF 140, Briles.
Mobile homes, etc., movement of. HF 210, Woods, et al.—HF 479, Transportation (similar)—HF 235, Drake (similar subject matter). HF 479 approved 6-6-75.
Railroad passenger service, Clinton to Council Bluffs, Iowa City to Cedar Rapids, Des Moines to Marshalltown. HF 213, Patchett, et al.
Include highway 520 in five year plan. (Same as SCR 11) HCR 16—H.J. 294-295.

Duties and responsibilities, DOT and counties, secondary roads. HF 286, Transportation. Approved 4-16-75. Became law by pub. 4-25-75.
East-west railroad passenger service across the state, appropriation. SF 237, Gallagher—HF 588, O'Halloran.
Highway grade crossing safety fund, appropriation. HF 357, Daggett, et al.
Transportation, department of, appropriation, match federal funds. HF 368, Appropriations. Approved 4-8-75. Became law by pub. 4-18-75.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as SCR 20) HCR 18—H.J. 480-481, 495-496 adopted—S.J. 541-542, 613, 680-681 adopted—H.J. 749, 801, 963-964 adopted—S.J. 997 adopted.
Urge United States Railway Association reconsider its decision and support operating and capital needs of Rock Island Railroad, and that the President and Congress give high priority to the reform of the transportation industry. (Same as HCR 18) SCR 20—S.J. 540-541, 610-611, HCR 18 substituted 680, withdrawn 681.
Railroad passenger service, Davenport to Council Bluffs and Dubuque to Council Bluffs, appropriation. SF 281, Gluba, et al.—HF 578, Higgins.
Railroad assistance fund, improvement of branch line railroad roadbeds, track, etc. SF 286, Energy—HF 433, Energy. S. SF 286 withdrawn. HF 433 approved 4-8-75.
Motor vehicles used by railroad companies, safety standards and equipment. SF 295, Miller of Des Moines, et al.
Destruction of weeds along roads and highways, limit spraying. HF 443, Avenson.
Motor vehicle registration, revise, increase certain fees; braking and hitching requirements for certain travel and semitrailers, width of vehicles, etc. HF 450, Transportation. Approved 7-17-75.
Railroad passenger service, contract with national railroad passenger corporation for, purchase of depots, appropriation. HF 491, Patchett, et al.
Vehicle inspection, inspection orders, authorize employees. HF 502, Transportation. Approved 7-17-75.
Transporting cattle, swine, and grain, law enforcement. SF 366, Agriculture. Withdrawn.
Railroad passenger service from Chicago to the Missouri River, appropriation. HF 565, Higgins.
Roads through rural farm land, consider placement of. HF 580, Bortell.
Transportation commission may have up to 45 days after convening of the general assembly to submit rules re length limits of vehicles. SF 391, Norpel.
Animal-drawn vehicles, flashing amber lights. SF 393, Schwengels—HF 635, Millen and Harper (companion)—HF 743, Transportation (same). SF 393 withdrawn. HF 743 approved 7-8-75.
Abandoned motor vehicles, reimburse nonprofit civic leagues or organizations for towing, appropriation to department of transportation. HF 594, Hutchins, et al.
Interstate carriers must register with department of transportation, penalties. HF 597, Doyle.
Freeway-expressway system between Dubuque and Sioux City, appropriation. SF 402, Norpel—HF 718, Gilloon, et al.
Municipal transportation assistance fund, establish. SF 413, Griffin.
Probationary motor vehicle operator's license shall not be suspended or revoked if person re-enters a public or private school. SF 416, Shaw.
Escort fees for oversized vehicles, DOT establish. SF 417, Tieden.
Trains, ordinances regulating speed of referred to commerce commission for approval. HF 623, Transportation—SF 472, Transportation. SF 472 withdrawn. HF 623 approved 6-29-75.
School bus transportation, only school buses yellow, common carriers, and other changes. HF 628, Education.
Intrastate truck operators and contract carriers, issuance of permits. SF 437, Coleman.
Motorized bicycles, motor vehicle license. HF 658, Hines.
State transportation fund, create, appropriation. HF 663, Small.
Grain purchased by warehouses, assessment on, railroad branch line improvement. HF 677, Evans, et al.—HF 789, Agriculture. S.
Travel and semitrailers, braking and hitching requirements. HF 688, Doyle. Withdrawn.
Environmental quality, department of, include director of transportation as member of executive committee. HF 698, Natural Resources.
Abandoned railroad right-of-way, department of transportation adopt a public use plan for. HF 709, Small—HF 837, Transportation. SSM.
Registration of trailers and semitrailers for a 3 year period, trip permits, and registration apportionment agreements. HF 724, Transportation. Approved 7-14-75.
Motor vehicle inspections, reciprocal agreements, etc. SF 462, Miller of Des Moines.
Hazardous materials, transportation of, reporting accidents. HF 736, Energy.

Rail problems in Iowa, roadbeds and trackage, committee to study. SCR 32—S.J. 1008.
Increase gross weight for hauling livestock, grain, fuel, and agricultural materials, permits issued, DOT. SF 480, Taylor, et al.
Closing of highways for cities having local celebrations, department of transportation amend its policy to allow. HCR 43—H.J. 1304-1305.
Periodic retesting of operators of motor vehicles. HF 817, Transportation.
Urge federal government not delay in construction of the new Alton Lock and Dam. SCR 33—S.J. 1095-1096, 1331-1332 adopted—H.J. 1730-1731.
Railroad grade crossings on public highways, increase funds allocated. HF 838, Transportation—HF 904, Appropriations. SSM. HF 838 withdrawn. HF 904 approved 7-14-75.
Operators of motor vehicles, exceptions in licensing. HF 840, Transportation.
Movement of mobile agricultural equipment, eliminate necessity for a special plate for each vehicle. SF 495, DeKoster.
Study of certain roads in the state, department of transportation. HF 851, Gilloon, et al.
Bikeways and walkways, establish. HF 875, Lipsky.
Great River Road, appropriation to department of transportation for. SF 540, Junkins, et al.
Appropriate from road use tax fund, primary road fund, aeronautics fund, and general fund to department of transportation for administration and other purposes; and share for administration of merit system. HF 892, Appropriations. Approved 6-29-75.
IPERS, increased employer contributions, public instruction, transportation, etc., appropriation. SF 575, Appropriations. Approved 7-13-75.
Transportation policy submitted by the department of transportation be adopted by the general assembly. **HCR 73—H.J. 2503-2504, 2576, 2667-2668 adopted—S.J. 2180-2182, 2207 adopted.**
Transportation funds, new formula for allocating and increasing, committee to study. HCR 85—H.J. 2752-2753.

TRAPPING—Also see Fish and Game
General
Trapping licenses to nonresidents. SF 14, Tieden—HF 19, Halvorson. HF 19 withdrawn. SF 14 approved 3-18-75. Became law by pub. 3-28-75.
Fishing, hunting or trapping license good until end of open season. HF 189, Schroeder, et al.—HF 775, Natural Resources. SSM.

TREASURER OF STATE—Also see Funds
General
Indemnification of county officers and employees. HF 12, Hansen. Approved 7-14-75.
Treasurer of state be appointed. HJR 2—Spear, et al.
Law enforcement officers, college education program. HF 62, Lipsky.
Business signs on informational panels along highways, increase fees and permits. HF 91, Transportation.
Executive officers of the state, change method of selection. HJR 6, Brandt, et al.
Prison industry depreciation fund, establish. SF 254, DeKoster and Kelly.
Consolidation of various state and local retirement systems for investment of funds. SF 354, Coleman—HF 552, Connors, et al.
State fair board, membership, authority and financial affairs of. HF 562, Brandt, et al.
Revenue from real estate transfers, 50 percent to counties, 50 percent to state. HF 600, Monroe, et al.
Freeway-expressway system between Dubuque and Sioux City, appropriation. SF 402, Norpel—HF 718, Gilloon, et al.
State transportation fund, create, appropriation. HF 663, Small.
Interest rate on nonstate public funds invested in bank time certificates of deposit. HF 703, Miller of Buchanan, et al.
Public funds may be deposited in credit unions. SF 474, Gluba.
Auditor of state, treasurer, comptroller, and department of revenue, appropriation; exclude agricultural aerial application sevices and aerial commercial and charter transportation services from service tax. SF 566, Appropriations. Approved 7-11-75.
Special employment security contingency fund, administration of. HF 902, Appropriations.

TREES—
General
Parks, certain trees and rocks removed by conservation commission for safety and timber resource reasons. HF 488, Middleswart. Approved 6-3-75. Became law by pub. 6-10-75.
Fruit-tree and forest reservation which may qualify for a tax exemption. HF 907, Ways and Means. Approved 7-8-75.

TRIALS—Also see Court, all Sub-Refs. and/or Judiciary
General
Jury trials, tort claims. HF 26, Oakley.
Defendant in a criminal case may waive right to jury trial. HF 190, Doyle.

Unified trial court, expenses and cost of, committee to study. HCR 44—H.J. 1484.

TRUCKS—See Motor Vehicles, Sub-Ref. Trucks and/or Long Trucks

TRUSTEES—
General
Trustees, county public hospital, qualifications of. HF 149, State Government.
Benefited fire districts may own and operate ambulances. HF 153, Patchett.
Trustees, county hospitals, increase number of. SF 243, Rabedeaux.

TRUSTS—
General
Child support paid out of assets of an estate, trusts. HF 70, Doyle and O'Halloran—SF 172, Doderer.
Trust accounts by real estate brokers may also be maintained in a savings and loan association. SF 376, Hill of Polk.
Any bank, group of banks or bank holding company may form a trust company. SF 390, Willits, et al.—HF 638, Nielsen of Polk, et al.

TUITION—Also see Schools, Sub-Ref. Tuition and/or Colleges—Universities and/or Higher Education.
General
Tuition fees, prohibit increases, higher education. HF 183, Hines.
Simplify computation of maximum tuition rates for schools. HF 288, Menke—HF 795, Education. Same.
Part-time students included in tuition grant program. HF 331, Byerly, et al. —SF 385, Gluba.
Increase maximum tuition grant, appropriation to higher education facilities commission. HF 349, Avenson, et al.
Certain students at college of osteopathic medicine and surgery, establish a financial assistance and tuition grant program, appropriation. SF 310, Willits, et al.—HF 495, Kreamer, et al.
Educational tuition grants or cash allowance, establish, national guard, appropriation. SF 325, Briles and Coleman—HF 472, Crabb.
Schools of nursing, students included in tuition grant program. HF 579, Horn and Connors—SF 468, Nolting.
National guard members receive 4 year free tuition. HF 632, Bina.
Programs under higher education, appropriation for, also changes within programs. SF 463, Appropriations—HF 864, Appropriations. Similar subject matter in part. SF 463 withdrawn. HF 864 approved 6-3-75. Item Vetoed.
Tuition reciprocity agreements, by board of regents and public instruction. SF 470, Murray, et al.—HF 856, Crawford, et al.
Part-time students and schools of nursing students included in tuition grant program. HF 762, Education. ((HF 331—SF 385 companion) and (HF 79—SF 468 companion) combined are similar to HF 762).
Tuition payments for public school districts, inequities, etc., committee to study. HCR 74—H.J. 2504-2505.

UNEMPLOYMENT COMPENSATION—
General
Unemployment compensation coverage, remove certain state employees from. SF 3, Shaw.
Unemployment compensation, extend. HF 299, Poncy.
Delete one week waiting period for unemployment compensation. HF 453, Byerly.
Unemployment compensation, increase percentage of average weekly wage paid, delete waiting period, extend number of weeks of compensation may be paid. SF 331, Gluba and Carr.
Unemployment compensation, changes. SF 485, Labor and Industrial Relations. Approved 6-30-75.
Productive employment by unemployed, condition of unemployment compensation or welfare benefits, committee to study. SCR 38—S.J. 1177, 1198, 1571.
Increase employer contribution, unemployment compensation. HF 916, Connors, et al. Approved 6-30-75.
Employment security law, committee to study. HCR 80—H.J. 2614.

UNIFIED TRIAL COURT—
General
Unified trial court, expenses and cost of, committee to study. HCR 44—H.J. 1484.

UNIFORM COMMERCIAL CODE—See Commercial Code

UNIFORM GIFTS to MINORS ACT—
General
Change age of majority, Uniform Gifts to Minors Act. SF 340, Griffin.

UNIFORM LAWS, COMMISSION ON—
General
Code editor, legislative research bureau, legislative fiscal bureau, pioneer lawmakers, and commission on uniform state laws, appropriation. SF 523, Appropriations. Approved 6-16-75.

UNIFORM PROBATE CODE—See Probate Code

UNIFORMS—
General
Band and vocal music uniforms purchased with funds from general fund of the school district. HF 492, Horn.

UNIONS—See Labor, Sub-Ref. Unions

UTILITIES—
Public
Rate refunds by public utilities also pay interest. SF 88, Gluba—HF 283, Small. SSM.
Advertising, public utilities, paid from profits. HF 151, Patchett, et al.
Public utilities acquiring easements, terms negotiable. SF 175, Heying and Taylor.
Land acquired thru eminent domain, option to repurchase land not used. SF 176, Heying and Taylor—HF 692, Agriculture. S.
Routing of transmission lines. SF 188, Heying and Taylor—HF 788, Agriculture. SSM.
Public utilities, disclose in advertisements costs borne by consumer, higher rates. HF 260, Small.
Utility service, abandonment of, notify affected community or persons, certain reasons, proof. SF 202, Gallagher.
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The Honorable John P. Kibbie, former member of the Senate and House—903
The Honorable Robert D. Fulton, former Lieutenant Governor and member of the Senate and House—1274
The Honorable John C. Rhodes, former member of the Senate—1598
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Appointments to—2286

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Appointed—94
Appointments to—94
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Amendments filed—469, 609-610, 980-987, 1025-1033, 1389-1390
Amendments offered—496, 696-698, 1042-1050
Amendments withdrawn—1042
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Appointments to—94
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Appointments to—2286

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Senate File 70—Senator Charles P. Miller—399
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Senate File 358—Senator Nolting—2257
Senate File 358—Senator Willits—2257
Senate File 367—Senator Hansen—1389
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Senate File 475—Senator Norpel, Sr.—1468-1469
Senate File 485—Senator Norpel, Sr.—1179
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Senate File 511—Senator Norpel, Sr.—1468-1469
Senate File 511—Senator Nolting—2257
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Senate File 521—Senator Gluba—1468
Senate File 521—Senator Norpel, Sr.—1468-1469
Senate File 522—Senator Gluba—1468
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Senate File 523—Senator Gluba—1468
Senate File 523—Senator Norpel, Sr.—1468-1469
Senate File 523—Senator Hansen—1709
Senate File 525—Senator Nolting—2087
Senate File 525, S—4261—Senator Willits—2257
Senate File 530—Senator Hansen—1709
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Senate File 541—Senator Hansen—1709
Senate File 541—Senator Nolting—2257
Senate File 541, S—4272—Senator Willits—2257
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House File 99—Senator Hansen—282
House File 99—Senator Hansen—569
House File 99—Senator Norpel, Sr.—1179
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House File 105—Senator Griffin, Sr.—608
House File 127—Senator Griffin, Sr.—608
House File 131—Senator Junkins—914
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House File 205—Senators Tieden, Gluba, Culver and Priebe—569
House File 205—Senator Hansen—569

House File 206—Senator Norpel, Sr.—1487-1488
House File 225—Senator Tieden, Gluba, Culver and Priebe—569
House File 225—Senator Hansen—569
House File 251—Senator Hansen—569
House File 275—Senator Junkins—1053-1054
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House File 317—Senator Junkins—1355
House File 334—Senator Culver—933
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House File 390—Senator Gluba—1468
House File 390—Senator Norpel, Sr.—1468-1469
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House File 728—Senator Junkins—1355
House File 741—Senator Junkins—1355
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Confirmation of Betty S. Maxheimer—Senator Junkins—421-422
Confirmation of Robert D. Porter—Senator Junkins—421-422
Confirmation of Harriette J. Baum—Senator Hansen—469
Confirmation of Orren S. Olson—Senator Hansen—469
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Confirmation of Jack H. Bedell—Senator Winkelman—608
Confirmation of Jack H. Bedell—Senator Nolting—623
Confirmation of Irene Wiemers, Carol Schaefer, Clifford Welcher and Edmund Chamberlain, Jr.—Senator Norpel, Sr.—1487-1488
Confirmation of Richard H. Brom, David W. Frevert, James A. Lynch, Margaret Apostle, Donald W. Brown, Harry B. Carlson, Leo E. Burger, Howard G. Ellis, and G. Thomas Reilly—Senator Hansen—1709

GALLAGHER, JAMES V.—Senator Sixteenth District
Bills introduced—24, 25, 47, 63, 64, 65, 79, 82, 87, 104, 106, 119, 120, 156, 159, 160, 170, 171, 177, 179, 187, 202, 215, 218, 221, 225, 236, 237, 248, 257, 259, 279, 281, 294, 341, 343, 389, 394, 423, 447, 556
Amendments filed—217-218, 486, 758, 759, 763, 790, 901, 1055, 1086, 1168-1169, 1270-1271, 1301-1302, 1314, 1356, 1444-1445, 1649-1653, 1712, 1953, 2014, 2017-2018
Amendments offered—226, 532, 771, 818, 973, 1005, 1129, 1192, 1333, 1346-1347, 1347, 1672, 1675, 1675-1676, 1676, 1960-1961, 1965, 1978, 2034, 2056, 2069
Amendments withdrawn—225, 770, 772, 773, 2034
Appointed to statutory commissions, committees, councils and advisory boards—349, 350, 2264, 2286, 2287
Committee appointments—19, 64, 94, 95, 293, 376, 719, 2264
Investigating committee appointments—185, 186, 648, 853, 1054, 1436, 1488, 1538, 1840, 2260, 2262
Petitions presented—599, 671, 835. 1248, 1317, 1446
Reports—195-196, 253, 268, 568, 630, 738, 898-899, 1178, 1198, 1637, 1708, 1806, 2005, 2257
Resignations—3
Resolutions offered—74, 962, 1791-1792
Subcommittee assignments—187, 188, 216, 254, 255, 320-321, 436, 437, 511, 664, 739, 831, 915, 916, 1010, 1199, 1200, 1334, 1807, 1808

GENERAL ASSEMBLY—SENATE—
(See Senate Concurrent Resolutions)
(See Senate Resolutions)
(See House Concurrent Resolutions)

GLENN, GENE W.—Senator Forty-fifth District
Bills introduced—29, 30, 31, 131, 171, 257, 269, 341, 349, 350, 357, 394, 556
Amendments filed—351, 355, 358, 761-762, 1165, 1168, 1520, 1888, 2090-2091, 2091
Amendments offered—150, 151, 338, 340, 341, 342-343, 343, 344, 365, 366, 368, 370-372, 372, 373, 391, 395, 396, 425-426, 497-498, 729-730, 732, 733, 845, 1159, 1254, 1785, 1833-1834, 1855-1856, 1903-1904, 2190-2191
Amendments withdrawn—425-426, 461, 465, 2191
Committee appointments—19, 61, 94, 133, 283, 294, 376, 616, 719, 821, 1900
Investigating committee appointments—186, 853, 1054-1055, 1436, 1489, 1538, 1807, 1839, 2260, 2262
Petitions presented—1012-1013
Presided at sessions of the Senate—170, 171, 203, 522, 601, 796, 1012, 1038, 1110, 1117, 1358, 1567, 1602, 1610, 1643, 1678, 1698, 1768, 1972, 2058, 2102, 2202
Reports—117, 133, 311, 578, 579, 624-625, 648, 720-721, 738, 757, 807, 851, 886, 1165, 1300, 1354, 1364, 1390, 1489, 1490, 1572-1573, 1573, 1637, 1644, 1793, 1806, 1811-1812, 1812, 1825, 1884-1885, 2004, 2009, 2235
Resignations—3
Rulings—1612, 2059, 2107
Subcommittee assignments—187, 216, 217, 254, 255, 320, 436, 437, 510, 511, 594, 595, 663, 664, 665, 738, 739, 830, 831, 915, 916, 1131, 1199, 1334, 1438, 1571, 1572, 2140

GLUBA, WILLIAM E.—Senator Forty-first District
Bills introduced—SJR 3; 22, 27, 47, 53, 65, 76, 81, 87, 88, 104, 119, 126, 128, 135, 144, 170, 171, 177, 178, 179, 181, 190, 195, 205, 218, 221, 222, 223, 232, 241, 242, 249, 250, 258, 268, 281, 294, 311, 312, 315, 316, 318, 320, 324, 331, 347, 356, 373, 385, 434, 436, 441, 469, 470, 474, 478, 492, 532, 556, 570. 576
Amendments filed—89, 294, 358, 359, 360, 379, 402, 422-423, 486, 487, 581-582, 611, 649, 740, 807, 917, 1147-1148, 1152, 1183-1184, 1184, 1226-1227, 1314,

1469, 1490, 1519, 1539, 1623, 1844, 1845, 1886, 1886-1887, 1952, 2015, 2016, 2018, 2140-2141, 2188-2189
Amendments offered—103, 316, 461-462, 493-494, 494, 589, 929, 971, 1005, 1125-1126, 1126, 1159, 1218, 1533, 1562-1563, 1564-1565, 1565, 1567-1568, 1568, 1913, 1916, 1920, 2044, 2065, 2071, 2106-2107
Amendments withdrawn—462, 1914
Committee appointments—19, 55, 61, 93, 94, 95, 220, 293, 376, 536, 719, 1884
Investigating committee appointments—186, 853, 1436, 1437, 1488, 1840, 2261
Petitions presented—1111, 1305, 1761
Presided at sessions of the Senate—1348
Received consent that Philip E. Burks, Senior Research Analyst, Legislative Service Bureau, Linda Cooper, Director, Long Term Care Section, Bureau of Medical Services and Rick Middleton, Associate Director Licensing, State Department of Health be permitted to remain in Senate chamber as consultants on Senate File 525—1562
Reports—115-116, 229, 399, 421, 435, 437, 630-632, 807, 832, 932, 1054, 1085, 1163-1164, 1164, 1200, 1279, 1299, 1646, 1681-1682, 1708, 1935-1936, 2220-2221, 2226
Resolutions offered—74, 267, 592, 606, 2074-2075, 2076, 2077, 2184-2186, 2204-2205, 2228-2229, 2229-2230
Subcommittee appointments—100
Subcommittee assignments—187, 216, 254, 255, 319, 436, 437, 510, 511, 594, 595, 663, 664, 665, 739, 830, 831, 915, 916, 1010, 1130, 1131, 1199, 1334, 1438, 1572, 1645, 1807, 2140

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Committee to escort—64-65, 133, 138
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State of the State Message—65-71
Resolutions relating to Inauguration, SCR 3—47, 61 and SCR 7—54, 61
Inaugural address—134-138
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Bills signed by—292, 349, 535, 593, 662, 703-704, 865-866, 958, 1055, 1130, 1146, 1224, 1299, 1333, 1353-1354, 1418-1419, 1645, 1707, 1793, 1805-1806, 2087, 2186-2187, 2268-2275
Item veto messages—1065-1066, 1136-1137, 1705-1706, 2276-2277, 2278-2279, 2279-2282
Veto messages—674, 1425-1426, 2149-2150, 2275-2276
Closing message—2265-2267

GRIFFIN, SR., JAMES W.—Senator Fiftieth District
Bills introduced—SJR 11; 1, 20, 21, 22, 26, 27, 28, 37, 47, 53, 104, 167, 168, 179, 186, 197, 200, 218, 225, 239, 249, 251, 257, 260, 272, 274, 295, 310, 339, 340, 342, 343, 344, 356, 359, 361, 379, 394, 413, 423, 447, 470, 480
Amendment filed—322-327, 381-385, 580, 612-614, 625-626, 633, 746-747, 901, 933, 1133, 1272, 1490, 1573, 1649-1653, 1686, 1760, 1795-1796, 1951, 2015-2016, 2017-2018
Amendments offered—341, 396, 644, 658, 715, 883, 930, 1257, 1287, 1480, 1665, 1734, 1823, 1852-1853, 1963, 1977, 2234
Amendments withdrawn—715, 1480, 1824
Appointed to statutory commissions, committees, councils and advisory boards—243, 349, 1225, 2263, 2286, 2287
Committee appointments—19, 61, 93, 94, 283, 376, 720

Investigating committee appointments—1436, 1437, 1488, 1489, 1792-1793, 1793, 2260, 2261, 2262
Petitions presented—671, 1248, 1370
Presided at sessions of the Senate—1913
Reports—117, 229, 1225, 1278, 1595, 1754-1755, 1792-1793, 1793
Resignations—3
Resolutions offered—782-783, 962, 975-976, 1791-1792, 2075-2076, 2184-2185, 2223
Subcommittee assignments—187, 216, 255, 320, 511, 739, 915, 1010, 1131, 1334, 1808
Addressed joint convention, Lincoln's Birthday—287-289

HANSEN, WILLARD R.—Senator Eighteenth District, Assistant Minority Floor Leader
Bills introduced—SJR 6; 41, 53, 71, 118, 154, 164, 170, 185, 186, 191, 200, 205, 217, 218, 225, 249, 257, 297, 320, 343, 356, 389, 398, 423, 447, 470, 492, 498, 528, 532, 557
Amendments filed—58, 486, 704-705, 758, 766, 1147-1148, 1201-1203, 1302, 1471, 1539, 2089
Amendments offered—496, 643, 768, 1042-1050, 1482-1483, 1747, 1864-1865
Amendments withdrawn—1042, 1083, 1084
Appointed to statutory commissions, committees, councils and advisory boards—2263, 2284
Committee apointments—17, 93, 283, 293, 376, 2264
Investigating committee appointments—853, 1436, 1437, 1538, 1839, 2260, 2262
Petitions presented—694, 1249
Presided at sessions of the Senate—460
Reports—253, 568, 851, 1279, 1637, 2003, 2086
Received consent that T. J. Braunschweig, Legal Counsel, Legislative Service Bureau and James C. Rose, Budget Supervisor-Education, Comptroller's office be permitted to remain in Senate chamber as consultants, House File 558—1070
Resolutions offered—962, 975-976, 1467-1468, 1791-1792, 2075-2076, 2184-2186
Subcommittee appointments—100
Subcommittee assignments—188, 436, 437, 595, 738, 916

HEYING, H. L.—Senator Eighth District
Bills introduced—24, 47, 65, 76, 79, 106, 118, 132, 157, 168, 170, 175, 176, 179, 188, 218, 249, 256, 257, 279, 287, 294, 348, 389, 394, 398, 423, 480, 556, 557
Amendments filed—173, 513, 552, 634, 725, 761-762, 789-790, 790, 833-834, 1058, 1058-1059, 1062, 1104-1105, 1147-1148, 1201-1203, 1367, 1469-1470, 1473, 1491, 1522, 1546, 1547, 1548, 1549, 1549-1550, 1550, 1551, 1576, 1577, 1577-1578, 1578, 1579, 1579-1580, 1580, 1596, 1688, 1886, 2189
Amendments offered—193, 194, 576, 584, 589, 752, 802, 1115, 1157-1158, 1588-1589, 1606-1607, 1609, 1905, 1906, 2051
Amendments withdrawn—642, 1118, 1158, 1606
Committee appointments—19, 20, 21, 93, 94, 283-284, 719, 891, 1186, 1884
Investigating committee appointments—186, 1436, 1437, 1438, 1489, 1807, 1839, 2261, 2262
Petitions presented—671, 954-955, 1249
Presided at sessions of the Senate—545
Reports—200, 229, 253, 311, 399, 512, 549, 549-550, 579, 704, 832, 833-834, 834, 978-979, 1021-1022, 1086, 1200, 1265-1266, 1266, 1266-1267, 1537, 1638, 1645, 1679-1680, 1885, 1937-1950, 2004
Resolutions offered—74, 606, 962, 975-976, 1177, 1467-1468, 1703-1704, 1704, 1791-1792, 2075-2076, 2184-2186, 2224
Subcommittee appointments—100
Subcommittee assignments—187, 217, 255, 436, 437, 738, 830, 914, 915, 916, 1010, 1131

HIGHER EDUCATION FACILITIES COMMISSION—
Appointments to—2286

HILL, EUGENE M.—Senator Thirty-fifth District
Bills introduced—SJR 7; 66, 76, 79, 103, 106, 221, 249, 341, 394
Amendments filed—88, 89, 313, 332-333, 352, 357, 360, 455-456, 472, 692, 758, 768-769, 868-869, 869-870, 1035, 1057, 1061, 1147-1148, 1182, 1184, 1649-1653, 1843
Amendments offered—170, 214, 225, 279, 339, 340, 370, 372, 444, 481, 516-517, 520, 700-701, 769-770, 968, 1005, 1072-1073, 1075, 1216, 1253, 1257, 1346, 1601, 1628, 1859
Amendments withdrawn—105, 225, 339, 340, 370, 1081
Appointed to statutory commissions, committees, councils and advisory boards—2263, 2284
Committee appointments—7, 19, 93, 94, 95, 176, 293, 719, 758, 1825, 1900, 2118, 2264
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Petitions presented—615, 671, 835, 921, 938, 962, 1111, 1170, 1248, 1317, 1338, 1358, 1524
Received consent that Ed Longnecker, Director, Iowa Public Employees Retirement System be permitted to remain in Senate chamber as consultant, Senate File 555—1858
Reports—375, 399, 579, 632, 822, 851, 854, 899, 1100, 1147, 1225, 1310, 1312, 1439-1444, 1516-1518, 1595, 1637, 1754-1755, 1935-1936, 1950, 2003, 2009, 2243-2247, 2257
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Amendments withdrawn—584, 642, 994, 1142, 1412, 1630, 1784
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Committee appointments—19, 93, 94, 133, 283, 287, 293, 376, 719, 891, 1787
Investigating committee appointments—648, 853, 1436, 1437, 1438, 1488, 1571, 1792-1793, 1839, 2259, 2261, 2262
Petitions presented—873, 1153
Presided at sessions of the Senate—794
Reports—133, 568, 851, 1099, 1198, 1310, 1311, 1354, 1792-1793, 1806, 2002, 2086
Resolutions offered—74, 975-976, 1467-1468, 1791-1792, 1837-1838, 2075, 2076, 2184-2185
Subcommittee assignments—187, 254, 255, 436, 437, 511, 594, 595, 738, 739, 830, 831, 916, 1010, 1131, 1199, 1571, 1645, 1808

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Committee appointed—61
Reports—116, 125

MILLER, CHARLES P.—Senator Forty-second District
Bills introduced—SJR 4; 47, 65, 79, 104, 106, 110, 151, 168, 171, 177, 179, 184, 185, 200, 217, 218, 225, 235, 249, 269, 294, 295, 297, 361, 371, 372, 375, 379, 388, 389, 394, 398, 423, 436, 458, 459, 460, 462, 480, 533, 540, 552, 556, 557
Amendments filed—486-487, 740-746, 759, 791, 917, 1227, 1640, 1759, 1951, 2017-2018, 2189
Amendments offered—444, 685, 771, 999, 1427, 1563-1564, 1856
Amendments withdrawn—771, 1968
Committee appointments—19, 61, 93, 94, 293, 376, 719, 720, 964, 1825
Investigating committee appointments—186, 947, 1437, 1488, 1538, 1839, 2260, 2261, 2262
Petitions presented—824, 1305
Reports—161, 229, 294, 548, 548-549, 568, 578, 932, 978-979, 1022, 1163, 1225, 1264-1265, 1278, 1354, 1516, 1637-1638, 1792, 1935, 2003
Resolution offered—74, 216, 235-236, 606, 796-797, 975, 975-976, 1467-1468, 1791-1792, 2076, 2184-2186, 2222
Subcommittee assignments—187, 188, 217, 254, 320, 321, 436, 510, 594, 595, 664, 665, 739, 830, 915, 916, 1131, 1439, 1572, 1808
Congratulated President pro tempore Senator Minnette Doderer on her birthday—1427

MILLER, ELIZABETH R.—Senator Twentieth District
Bills introduced—63, 72, 76, 79, 82, 96, 106, 132, 168, 170, 186, 249, 257, 260, 262, 265, 275, 294, 389, 394, 480, 557
Amendments filed—322-327, 381-385, 486, 537, 634, 649, 761-762, 870, 1649-1653, 1713, 2017-2018
Amendments offered—841, 2173
Committee appointments—18, 61, 94, 95, 293, 720
Investigating committee appointments—186, 853, 1436, 1488, 1807, 2260
Petitions presented—694, 836, 962, 991, 1065, 1209, 1249
Presided at sessions of the Senate—404
Reports—311, 468, 568, 1311, 1637, 1885, 2086
Resolutions offered—216, 592, 962, 1467-1468, 1791-1792, 2075-2076
Subcommittee assignments—187, 217, 254, 255, 320, 436, 437, 510, 594, 595, 663, 664, 738, 830, 831, 1010, 1130, 1199

MINORITY FLOOR LEADER, Clifton C. Lamborn, Senator Twelfth District
(See Lamborn, Clifton C.—Senator Twelfth District Minority Floor Leader)

MOTIONS TO RECONSIDER—
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Senate File 50—622
Senate File 63—577
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Senate File 114—254
Senate File 184—843
Senate File 205, S—3326—718
Senate File 205—818
Senate File 266—794
Senate File 273—1850
Senate File 296, S—3508G—957-958
Senate File 296—1435
Senate File 367—1194
Senate File 367—1353
Senate File 378—1225
Senate File 418—847
Senate File 427—861
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Senate File 491—1223
Senate File 504—1212
Senate File 525—1587
Senate File 525—2053
Senate File 530—1666
Senate File 536—1677
Senate File 536—1678
Senate File 545—1922
Senate File 551—1627
Senate File 564, S—4033A—1734
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House File 206—1460
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House File 399—885
House File 723—1091
House File 723—1137
House File 864—1486
House File 864—1495
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Senate File 50—767
Senate File 63—659-660
Senate File 184—896
Senate File 367—1351-1352
Senate File 418—876
Senate File 488—1554
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House File 127—1128
House File 390—1555-1556
House File 864—1527

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Senate File 114—516
Senate File 205—840
Senate File 266—849
Senate File 273—1918
Senate File 296—1495
Senate File 367—1353
Senate File 378—1404
Senate File 427—905
Senate File 476—1198
Senate File 491—1555
Senate File 504—1249
Senate File 525—1664
Senate File 530—1817
Senate File 536—1788
Senate File 545—1993
Senate File 551—2050
House File 127—622
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House File 206—1703
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Senate File 526—1991
House File 864—1535

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Senate File 2, S—3299—862
Senate File 50—905
Senate File 53, S—3116—1126
Senate File 85, S—3217C—502
Senate File 266, S—3411—773
Senate File 266, S—3406—774
Senate File 266, S—3416—775
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Senate File 496, S—3736—1285
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House File 185, S—3681—1318

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House File 558, S—3575U—1084
House File 700, S—3830A—1506
House File 700, S—3827—1534
House File 700, S—3859A—1534
House File 723, S—3617—1250
House File 870, S—4260—2207
House File 897, S—4180—1986
House File 916, S—4267—2173

Prevailed:
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Senate File 2, S—3299—863
Senate File 50—905
Senate File 53, S—3116—1126
Senate File 85, S—3217C—503
Senate File 266, S—3411—773
Senate File 266, S—3406—774
Senate File 296, S—3508G—1413
Senate File 496, S—3730—1285
Senate File 496, S—3736—1286
Senate File 496—1382
Senate File 496, S—3691—1382
Senate File 496, S—3750—1383
Senate File 504, S—3976—1907
Senate File 525, S—4145—2193
Senate File 526, S—4157—1966
Senate File 551, S—3964—2049
Senate File 564, S—4033A—2032
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House File 185, S—3684—1318
House File 185, S—3624—1318
House File 185, S—3681—1318
House File 558, S—3575L—1083
House File 558, S—3575U—1084
House File 700, S—3830A—1506
House File 700, S—3859A—1535
House File 723, S—3617—1250
House File 870, S—4260—2207
House File 897, S—4180—1986
House File 916, S—4267—2173-2174

Lost:
Senate File 266, S—3416—775
Senate Resolution 3, S—3037—156-157
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Motion to reconsider vote be laid on table—
Senate File 205—817
Senate File 338—884
House File 368—645
House File 764—1752

Prevailed:
Senate File 338—885
House File 368—646
House File 764—1752

Lost:
Senate File 205—817

Motion to lay on table—
Senate File 296, S—3832—1432-1433

Lost:
Senate File 296, S—3832—1433

MURRAY, JOHN S.—Senator Twenty-first District
Bills introduced—SJR 2, 6; 33, 47, 65, 84, 99, 104, 106, 112, 143, 180, 186, 198, 200, 205, 217, 218, 223, 224, 225, 228, 249, 274, 275, 284, 294, 322, 324, 337, 353, 372, 389, 400, 406, 423, 429, 434, 461, 470, 492
Amendments filed—351, 378, 380, 486, 612, 917-919, 1100-1102, 1391, 1392, 1392-1393, 1713, 1844, 1951-1952, 2017-2018
Amendments offered—447, 465, 654, 655, 860, 1307, 1309, 1341, 1343, 1478-1479, 1479, 1483-1484, 2063, 2070-2071, 2247
Amendments withdrawn—1308, 1343, 1750, 1880, 2034-2035, 2064, 2068
Appointed to statutory commissions, committees, councils and advisory boards—243
Committee appointments—4, 18, 93, 94, 95, 283, 294, 536, 719, 964, 1884, 2118
Investigating committee appointments—1436, 1437, 1807, 1839, 2260, 2261, 2262
Presided at sessions of the Senate—1499
Reports—4-5, 421, 629-630, 807, 978-979, 1264-1265, 1595, 1638, 1885, 2131-2139, 2139
Resignations—3
Resolutions offered—606, 647, 796-797, 1007, 2184-2186
Subcommittee appointments—100, 2284
Subcommittee assignments—187, 255, 320, 437, 511, 594, 663, 664, 665, 739, 830, 831, 1010, 1130, 1199, 1334, 1438, 1808

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Amendments filed—200, 512, 549-550, 833-834, 1057, 1266, 1272-1273, 1938-1950
Amendments offered—222, 576, 589, 999, 1115, 1406
Reports—200, 399, 512, 549, 579, 704, 832, 833-834, 834, 1086, 1200, 1265-1266, 1266, 1266-1267, 1937-1950
Subcommittee assignments—187, 217, 254, 255, 320, 436, 595, 663, 664, 739, 830, 1130, 1131, 1199, 1200

NEU, ARTHUR A., President of the Senate
(See Lieutenant Governor Neu, Arthur A., President of the Senate)

NOLIN, KARL—Senator Twenty-eighth District
Bills introduced—24, 25, 119, 170, 210, 257, 274, 279, 394, 398, 423, 424, 480, 556
Amendments filed—230, 613, 706-708, 760-761, 761-762, 808, 1103, 1147-1148, 1208, 1314, 1336, 1367, 1422, 1596, 1621, 1622, 1623, 1649-1653, 1688, 1754, 2014, 2015
Amendments offered—234, 563, 681, 1211, 1611, 1611-1612, 1664, 1987-1988, 2214-2215, 2216
Amendments withdrawn—890, 1215
Appointed to statutory commissions, committees, councils and advisory boards—2263, 2285
Committee appointments—17, 20, 64, 93, 94, 95, 293-294, 719
Investigating committee appointments—186, 852, 1054-1055, 1436, 1437, 1489, 1571, 1807, 2261, 2262
Petitions presented—694, 1275
Presided at sessions of the Senate—524
Reports—253, 269, 284, 375, 399, 435, 485, 624, 629-630, 822-823, 1085, 1419-1420, 1420, 1508-1516, 1644, 1680, 1792-1793, 1793, 1806, 1885, 2087, 2257
Resolutions offered—73, 606, 962, 975-976, 1467-1468, 1837-1838, 2075, 2076
Subcommittee appointments—100

Subcommittee assignments—187, 217, 254, 255, 319, 320, 321, 436, 437, 510, 594, 595, 664, 738, 830, 831, 1010, 1130, 1131, 1199, 1334, 1438, 1439, 1807, 1808

NOLTING, FRED W.—Senator Seventeenth District
Bills introduced—25, 47, 63, 65, 126, 168, 170, 171, 177, 218, 257, 294, 394, 398, 423, 468, 528, 556, 557
Amendments filed—322-327, 381-385, 486, 1147-1148, 1201-1203, 1302
Appointed to statutory commissions, committees, councils and advisory boards—852, 2264, 2287
Committee appointments—4, 18, 93, 94, 95, 176, 293, 376, 536, 720, 750, 891, 1831, 1884, 2264
Investigating committee appointments—186, 852, 1436, 1437, 1438, 1489, 1807, 1839, 2260, 2261
Petitions presented—598, 627, 671, 672, 1248
Presided at sessions of the Senate—443
Reports—4-5, 283, 421, 623, 807, 1099, 1637, 1755, 1881, 1935, 2004, 2226, 2257
Resolutions offered—74, 962, 975-976, 1883-1884
Subcommittee appointments—100
Subcommittee assignments—187, 216, 254, 255, 319, 320, 436, 437, 511, 594, 595, 738, 739, 830, 831, 915, 916, 1010, 1131, 1199, 1334, 1438, 1645

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NORPEL, SR., RICHARD J.—Senator Eleventh District
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Amendments filed—295-296, 296, 322-327, 381-385, 400, 486, 537, 613-614, 626, 759, 761-762, 1057-1058, 1058-1059, 1100-1102, 1133, 1147-1148, 1203-1204, 1267-1268, 1270, 1313-1314, 1473, 1490, 1713, 1757, 1759, 1843, 1844, 1952-1953, 2014, 2015, 2017-2018
Amendments offered—1341, 1341-1342, 1342, 1343, 1817, 1823, 1913, 1977-1978, 1982-1983, 1992, 2049, 2055, 2060-2061, 2067, 2069-2070, 2217
Amendments withdrawn—576, 1005, 1341, 1767, 1899, 1914, 1983
Committee appointments—7, 17, 93, 94, 95, 293, 376, 719, 2186
Investigating committee appointments—186, 853, 1437, 1488, 1538, 1792-1793, 1807, 1839, 2260, 2262
Petitions presented—599, 1275
Presided at sessions of the Senate—1920
Reports—312, 435, 568, 593-594, 623, 1178, 1311, 1637, 1708-1709, 1792-1793, 1884-1885, 2003, 2139, 2218-2220
Resolutions offered—74, 606, 1613, 2075, 2076
Subcommittee appointments—100
Subcommittee assignments—187, 217, 254, 255, 319, 320, 321, 436, 595, 663, 664, 739, 830, 831, 916, 1010, 1130, 1131, 1199, 1200, 1439, 1807, 1808

NYSTROM, JOHN N.—Senator Twenty-second District
Bills introduced—47, 76, 79, 104, 148, 162, 164, 170, 179, 185, 186, 191, 200, 201, 213, 223, 225, 249, 257, 262, 297, 305, 332, 333, 334, 336, 361, 363, 365, 379, 394, 398, 423, 440, 470, 478, 480, 492, 557
Amendments filed—761-762, 870, 917-919, 1422, 1470, 1492, 1492-1493, 1493, 1713, 1842, 1842-1843, 2017-2018, 2093-2094, 2094-2095, 2189
Amendments offered—926, 1497, 1497-1498, 1503, 1504, 1505, 1873-1874, 1875-1876, 1914

Amendments withdrawn—1504, 1533, 1876, 2211
Appointed to statutory commissions, committees, councils and advisory boards—349, 2263, 2285
Committee appointments—7, 18, 93, 94, 293, 719, 852
Investigating committee appointments—186, 648, 852, 1437, 1538, 1807, 1839, 2260, 2261
Petitions presented—856
Presided at sessions of the Senate—931, 1395, 1527
Reports—375, 421, 568, 1178, 1198, 1679, 1792, 1935, 2003, 2257
Resignations—3
Resolutions offered—74, 190, 606, 796-797, 962, 1536, 1791-1792, 2076, 2184-2186
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House Concurrent Resolution 5—163-171
House Concurrent Resolution 68—2242-2243

ORR, JOAN—Senator Thirty-sixth District
Bills introduced—SJR 6; 47, 64, 65, 67, 106, 119, 132, 154, 171, 179, 185, 232, 275, 294, 295, 297, 320, 394, 398, 466, 556
Amendments filed—486, 704-705, 706, 1033, 1226, 1520, 2017, 2017-2018, 2089-2090, 2092-2093
Amendments offered—340, 813, 1050, 1529, 1530, 1534, 1593, 1923, 1985, 2116-2117, 2123
Amendments withdrawn—482, 1593-1594, 1923

Appointed to statutory commissions, committees, councils and advisory boards—2263, 2286
Committee appointments—18, 20, 93, 94, 95, 287, 310-311, 719, 720
Investigating committee appointments—186, 853, 1437, 1438, 1488, 1807, 1839, 2259, 2260, 2262
Petitions presented—672, 792, 938, 1249
Presided at sessions of the Senate—711
Reports—237, 254, 311, 350, 436, 469, 577, 609-610, 689, 853-854, 979-987, 1023, 1088, 1178, 1225, 1278, 1311, 1366, 1389-1390, 1516, 1637-1638, 1638, 1679-1680, 1754-1755, 1755, 1935, 2008, 2086
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Resignations—3
Resolutions offered—74, 592, 606, 975-976, 1791-1792, 1837, 1883-1884, 2076, 2184-2186
Subcommittee appointments—100
Subcommittee assignments—187, 188, 216, 217, 255, 320, 321, 436, 437, 594, 663, 664, 738, 739, 830, 831, 916, 1130, 1131, 1200, 1334, 1808

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Committee appointments—7, 18, 93, 94, 283, 376, 616, 719
Investigating committee appointments—186, 853, 1436, 1437, 1488, 1571, 1839-1840, 2260, 2261, 2262
Petitions presented—855
Presided at sessions of the Senate—464, 1784
Reports—127, 160, 162, 253, 294, 312, 595, 596, 623, 630, 831, 832, 897-898, 898, 958-959, 1179, 1180, 1311, 1366, 1572, 1595, 1638, 1708-1709, 1709-1710, 1754, 1808-1811, 1825, 1841, 1936, 1937, 2003, 2004, 2005-2006, 2006-2008, 2008, 2087-2088, 2088, 2187-2188
Resignations—3
Resolutions offered—7, 74, 606, 975-976, 1837, 2184-2186
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Bills introduced—47, 76, 81, 106, 132, 170, 179, 180, 186, 204, 232, 249, 257, 275, 281, 320, 321, 363, 389, 394, 406, 557
Amendments filed—359, 360, 378, 402, 486, 704, 1539-1545, 2013-2014, 2014, 2017-2018
Amendments offered—1288, 2103
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Investigating committee appointments—187, 648, 1436, 1438, 1488, 1571, 1807, 2260, 2261
Petitions presented—749, 750, 765, 873, 955, 1210, 1248, 1761, 1983
Reports—435, 436, 593-594, 1198, 1225, 1278, 1537, 1595, 1679, 1708, 1806, 1880-1881, 1935, 2086
Resignations—3
Resolutions offered—606, 1883-1884, 2075-2076, 2184-2186
Rulings—1985
Subcommittee appointments—100
Subcommittee assignments—320, 436, 437, 511, 595, 663, 739, 830, 831, 915, 1010, 1131, 1200, 1334, 1571

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RAMSEY, RICHARD R.—Senator Forty-seventh District
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Resignations—3
Resolutions offered—74, 592, 796-797, 962, 975, 1467-1468, 1791-1792
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REDMOND, JAMES M.—Senator Thirteenth District
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Amendments offered—104, 250, 344, 428-429, 430, 431, 445, 446, 465, 501-502, 532, 604, 730, 843, 876, 882, 992-993, 1155-1156, 1159, 1216-1217, 1291-1292, 1292, 1385, 1386, 1455, 1504-1505, 1505-1506, 1528-1529, 1531-1532, 1532, 1587, 1785, 1988, 2123, 2123-2124, 2125, 2128
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Amendments offered—752, 768, 928, 941, 1014
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SCHWENGELS, FORREST V.—Senator Forty-fourth District
Bills introduced—24, 53, 76, 82, 118, 179, 186, 191, 200, 217, 225, 249, 253, 255, 257, 273, 279, 353, 358, 361, 363, 379, 381, 382, 389, 393, 394, 398, 423, 457, 470, 480, 492, 514, 533, 540, 552, 557

Amendments filed—455-456, 486, 649, 761-762, 901, 902, 1057-1058, 1268-1269, 1623, 1649-1653, 1683-1684, 1688-1689, 1712, 1713, 1759, 2013-2014, 2017-2018
Amendments offered—716, 1082, 1603, 1745, 1959-1960
Amendments withdrawn—1503-1504, 1751
Appointed to statutory commissions, committees, councils and advisory boards—349, 2287
Committee appointments—19, 93, 94, 95, 376, 719, 1850, 1900
Investigating committee appointments—186, 1438, 1489, 1840, 2260
Petitions presented—515, 538, 671, 793, 836, 938, 1248
Presided at sessions of the Senate—1635
Received consent that Jo Ann G. Brown, legal counsel for Legislative Service Bureau be permitted to remain in Senate chamber as consultant on Senate File 526—1958
Reports—131, 311, 623, 1354, 1680, 1755, 1880-1881, 2005
Resignations—3
Resolutions offered—796-797, 962, 975-976, 1007, 1467-1468, 1791-1792, 2075, 2076, 2184-2185
Subcommittee assignments—187, 255, 320, 436, 510, 511, 594, 664, 738, 739, 830, 831, 915, 916, 1010, 1130, 1131, 1199, 1334, 1438, 1645
Teller—10, 72

SCOTT, KENNETH D.—Senator Sixth District
Bills introduced—24, 25, 47, 76, 79, 106, 108, 132, 141, 148, 168, 170, 171, 173, 183, 185, 200, 210, 225, 249, 257, 272, 274, 279, 294, 297, 310, 389, 394, 398, 423, 480, 486, 556, 557
Amendments filed—285, 472, 486, 761-762, 933, 1100-1102, 1147-1148, 1201-1203, 1302-1303, 1335, 1336, 1367-1368, 1621, 1759, 2017-2018, 2189
Amendments offered—147, 157, 307, 309, 1360
Committee appointments—4, 19, 55, 93, 94, 293, 376, 719, 1787
Investigating committee appointments—186, 853, 1436, 1437, 1438, 1488, 1571, 1839, 2260, 2261
Petitions presented—297, 727, 836, 873, 1249, 1317
Presided at sessions of the Senate—1403
Reports—4-5, 311, 623, 914, 1054, 1099, 1279, 1595, 1679, 2002, 2004, 2086
Resolutions offered—73, 962, 975-976, 1467-1468, 1837-1838, 2075-2076, 2184-2186
Subcommittee assignments—187, 216, 254, 255, 436, 437, 510, 511, 594, 595, 663, 664, 830, 831, 915, 916, 1131, 1199, 1808

SEATS—
Assignment to members—5-6
Assignment of desks in Press Gallery—20-21

SECRETARY OF THE SENATE, Ralph R. Brown
(Also see Secretary of the Senate, Clark R. Rasmussen)
Communications received—55
Received gifts and thanks on behalf of Senators and staff—112
Remarks—112
Resolutions relating to:
Senate Concurrent Resolution 1—7-8
Senate Resolution 1—7
Senate Resolution 4—8

SECRETARY OF THE SENATE, Clark R. Rasmussen
(Also see Secretary of the Senate, Ralph R. Brown)
Elected temporary Secretary of the Senate—2
Took oath of office—3
Announcements—756
Communications received and on file—55-56, 74-87, 117-122, 143, 152, 198-199, 229, 243, 319, 421, 509-510, 536, 577, 687, 688-689, 689, 738, 829, 830,

851, 886, 914, 979, 1009, 1022, 1146, 1147, 1311, 1364-1365, 1389, 1508, 1595-1596, 1620, 1755, 1794, 1840, 2139, 2187, 2258, 2259, 2282-2283
Acknowledgment of communications—118, 122
Legislative meetings, approval for attendance of—756
Proofs of publication—806-807
Reports (Bills Sent to Governor)—282, 468, 567-568, 663, 703, 829, 932-933, 1009, 1099, 1199, 1311, 1388-1389, 1419, 1645, 1680, 2005, 2087, 2258-2259
Resolution adopted by Pages' Mock Unicameral, on file—1315

SECRETARY OF STATE, Melvin D. Synhorst
Certificates of election—4-5
Communications from—421, 536, 687, 738, 830, 851, 1022, 1146, 1508, 1595-1596, 1840, 2187, 2258, 2282-2283

SENATE INSISTS—
Senate File 44—847
House File 99—847
House File 215—1642-1643
House File 764—1850
House File 898—2109-2110

SENATE RECEDES
House File 421—1787

SHAFF, ROGER J.—Senator Thirty-ninth District, Assistant Minority Floor Leader
Bills introduced—35, 76, 81, 118, 138, 163, 183, 186, 201, 249, 260, 262, 357, 394, 396, 557
Amendments filed—89, 144-145, 237, 332, 358, 633, 649, 691, 704-705, 705, 761-762, 808, 887, 990, 1023, 1023-1024, 1059, 1061, 1133, 1147-1148, 1302, 1302-1303, 1367, 1367-1368, 1539-1545, 1574-7575, 1576, 1620-1621, 1621, 1686-1687, 1688-1689, 1714, 1757, 2017-2018, 2088
Amendments offered—104, 111, 148, 150, 246, 335, 602, 636, 804, 813, 1070-1071, 1359, 1372-1374, 1375-1376, 1385, 1385-1386, 1387, 1484, 1742, 1746, 1765, 1978
Amendments withdrawn—777-778, 1070, 1076, 1385, 1748-1749, 1764, 1832
Announcements—142
Committee appointments—18, 55, 93, 95, 310-311, 719, 750, 1787, 1884
Investigating committee appointments—186, 947, 1438, 1488, 1538, 2260
Petitions presented—1249
Presented Legislative Improvement Award plaque to President of the Senate—142
Presided at sessions of the Senate—225, 973, 1526, 1818
Reports—253, 577, 1354, 1637, 1680, 1708, 2002, 2131-2139
Resolutions offered—497, 962, 975-976, 1467-1468, 2075-2076
Subcommittee assignments—187, 188, 216, 217, 254, 255, 320, 321, 436, 437, 510, 511, 594, 595, 739, 830, 831, 1131, 1334, 1572, 1807, 1808

SHAW, ELIZABETH—Senator Fortieth District
Bills introduced—SJR 5; 3, 4, 40, 41, 67, 106, 121, 132, 155, 161, 186, 201, 211, 238, 249, 257, 278, 319, 320, 330, 356, 394, 412, 416, 433, 434, 470, 478, 492, 534
Amendments filed—173-174, 389, 401, 472-473, 486, 487, 512-513, 513-514, 690-691, 725, 761-762, 763, 789, 900, 917-919, 934-935, 953, 1055-1057, 1104, 1147-1148, 1165-1166, 1183, 1183-1184, 1267, 1300-1301, 1303, 1315, 1392, 1422, 1539, 1539-1545, 1638-1639, 1649-1653, 1794-1795, 1796, 2088, 2089, 2091-2092
Amendments offered—147, 156, 318, 461, 685, 716, 776, 800, 801, 805, 928, 929, 939-940, 1091, 1218, 1360, 1384, 1431-1432, 1478, 1532, 1800, 1832, 1869-1870, 1870, 1923, 1923-1924, 1964, 2051, 2099, 2100, 2107-2108, 2119, 2191

Amendments withdrawn—812, 1217, 1361, 1478, 1503, 1876, 2099, 2100
Appointed to statutory commissions, committees, councils and advisory boards—349, 2286
Committee appointments—19, 93, 94, 176, 220, 293, 536, 720, 750, 821, 2118
Investigating committee appointments—187, 853, 1437, 1839, 2261, 2262
Petitions presented—636, 694, 1087, 1249, 1275, 1495
Presented resolution from Davenport City Council—1135
Presided at sessions of the Senate—558, 565
Reports—435, 807, 1163, 1179, 1311, 1364, 1679, 2003, 2004
Resignations—3
Resolutions offered—592, 2222
Rulings—559, 564
Subcommittee appointments—100, 2284
Subcommittee assignments—188, 254, 255, 320, 437, 510, 511, 595, 663, 664, 738, 739, 830, 831, 915, 916, 1010, 1131, 1199, 1334, 1439, 1571, 1808

SIXTY-SIXTH GENERAL ASSEMBLY—
(See General Assembly—Senate)

SOVERN, STEVE—Senator Fifteenth District
Bills introduced—SJR 9; 25, 32, 47, 79, 104, 106, 154, 170, 171, 217, 294, 320, 356, 394, 430, 478, 556
Amendments filed—378, 486, 692, 704-705, 706, 725, 789, 808, 933-934, 1147-1148, 2017-2018
Amendments offered—526, 699, 700, 801-802, 804, 1094, 1141, 1218-1220
Amendments withdrawn—699, 702
Appointed to statutory commissions, committees, councils and advisory boards—851, 2263, 2284, 2287
Committee appointments—18, 19, 93, 94, 294, 376, 720, 1884, 2186
Investigating committee appointments—187, 1054-1055, 1436, 1438, 1489, 1571, 1807, 1839, 2260, 2261
Petitions presented—60, 652, 835, 1111, 1248, 1275, 1305
Presided at sessions of the Senate—316, 2032
Reports—131, 421, 629-630, 738, 914, 1537, 1644, 1679, 1709, 1806, 1885, 1935, 2003-2004, 2131-2139, 2218-2220
Resolutions offered—74, 606, 1791-1792, 2184-2186
Subcommittee appointments—100
Subcommittee assignments—187, 216, 217, 255, 320, 436, 437, 511, 595, 663, 664, 665, 738, 830, 915, 916, 1130, 1131, 1200, 1334, 1571, 1808
Teller—10, 72

SPECIAL COMMITTEES—
(See Committees, Special)

SPECIAL ORDER—
On Senate File 85—242, 338, 364-374, 390-391, 393-397, 410-419, 425-433, 443-453, 459-467, 477-483, 491-495, 497-506
On Senate File 205—636, 695-702, 714-716, 798-805
On Senate File 485—1139, 1155-1162
On Senate File 496—1172, 1253-1262, 1280-1297
On House File 215—1524, 1588
On House File 351—875, 926-932, 939-943
On House File 558—978, 1041-1053, 1069-1084
On House File 700—1449, 1496

STANDING COMMITTEES—
Standing Committees appointed—93-95
Chairman listed—93-95
List of appointments to 93-95
Senators and respective committees—95-99

STATE APPEAD BOARD—Maurice E. Baringer, Chairman
Communications from, stating claims filed—74, 688-689, 1364-1865
Claims—75-87, 688-689, 1364-1365, 2079-2085
Resolution relating to, SCR 60—2079-2085, 2096

STATE GOVERNMENT, COMMITTEE ON—
Appointed—94
Appointments to—94
Bills introduced—296, 351, 454, 473, 476, 477, 488, 490, 507, 546, 555, 578
Amendments filed—632, 854, 899, 989, 1147, 1208, 1312, 1439-1444, 1516-1518, 1623-1624
Amendments offered—841, 968, 1005, 1346, 1496, 1611, 1628
Reports—579, 632, 757, 822, 854, 899, 987, 1100, 1147, 1225, 1312, 1439-1444, 1516-1518, 1950, 2009
Subcommittee assignments—187, 216, 217, 254, 320, 436, 437, 510, 594, 595, 663, 664, 738, 739, 830, 831, 915, 1010, 1130, 1131, 1199, 1334, 1438, 1439, 1571, 2140

STATE OF THE STATE MESSAGE—
Resolution relating to, HCR 1—9
Delivered by Governor Robert D. Ray—65-71

STEERING COMMITTEE—
Motion to appoint, prevailed—750
Appointed—750
Reports—751, 857, 894, 1090, 1155, 1299, 1460, 1644, 1838, 2054

STUDY COMMITTEES—
(See also Legislative Council)
Resolutions relating to:
Senate Concurrent Resolution 16—346, 375, 511
Senate Concurrent Resolution 17—346-347, 375, 511
Senate Concurrent Resolution 27—796-797, 821, 1010
Senate Concurrent Resolution 30—975-976, 1009, 1334
Senate Concurrent Resolution 32—1008
Senate Concurrent Resolution 34—1096-1097
Senate Concurrent Resolution 35 (same as HCR 42)—1143, 1162, 1334
Senate Concurrent Resolution 36 (same as HCR 40)—1144, 1162, 1334
Senate Concurrent Resolution 37 (same as HCR 41)—1144-1145, 1162, 1334
Senate Concurrent Resolution 38—1177, 1198, 1571
Senate Concurrent Resolution 39—1310
Senate Concurrent Resolution 40—1467-1468, 1487
Senate Concurrent Resolution 41—1536, 1571
Senate Concurrent Resolution 42—1613, 1637
Senate Concurrent Resolution 43—1753-1754
Senate Concurrent Resolution 44 (similar subject matter as HCR 49 and HCR 54)—1791
Senate Concurrent Resolution 45—1791-1792
Senate Concurrent Resolution 47 (same as HCR 59)—1837-1838, 1885
Senate Concurrent Resolution 48 (same as HCR 61)—1883
Senate Concurrent Resolution 49—1883-1884, 1936
Senate Concurrent Resolution 50 (similar as HCR 57)—1932-1933, 1936
Senate Concurrent Resolution 51 (same as HCR 62)—1933-1934, 1936
Senate Concurrent Resolution 52—2001
Senate Concurrent Resolution 53—2074-2075, 2085
Senate Concurrent Resolution 54 (same as HCR 55)—2075-2076, 2085
Senate Concurrent Resolution 55—2076, 2085
Senate Concurrent Resolution 56—2077, 2086
Senate Concurrent Resolution 57—2077-2078
Senate Concurrent Resolution 61—2184-2186, 2206

Senate Concurrent Resolution 62—2204-2205, 2243
Senate Concurrent Resolution 64—2222, 2243
Senate Concurrent Resolution 65 (same as HCR 71)—2223, 2243
Senate Concurrent Resolution 67—2228-2229, 2243
Senate Concurrent Resolution 68—2229-2230, 2243
House Concurrent Resolution 15—337-338, 375, 437, 469, 496
House Concurrent Resolution 65—2241-2242, 2250

SUBCOMMITTEE APPOINTMENTS—
Appropriations subcommittees, listed and members of—100, 2284
Appointments to—100, 2284

SUBCOMMITTEE ASSIGNMENTS—
Assignments—187, 216-217, 254-255, 319-321, 436-437, 510-511, 594-595, 663-665, 738-739, 830-831, 914-916, 1010, 1130-1131, 1199-1200, 1334, 1438-1439, 1571-1572, 1645, 1807-1808, 2140

SUPERINTENDENT OF PRINTING—
(See Printing Division of General Services)

SUPREME COURT OF IOWA—
(See Chief Justice of Supreme Court, The Honorable C. Edwin Moore)

TAYLOR, RAY—Senator Fifth District
Bills introduced—SJR 9; 76, 79, 93, 95, 106, 111, 170, 175, 176, 183, 186, 188, 191, 249, 262, 275, 370, 389, 394, 423, 480, 557
Amendments filed—89, 322-327, 357, 380, 381, 381-385, 438, 455, 537, 570, 610-611, 611-612, 613, 633-634, 691, 704, 759, 761-762, 823, 887-888, 900, 989, 1011, 1033-1034, 1062, 1100, 1147-1148, 1201-1203, 1335, 1367, 1490-1491, 1685-1686, 1886-1887, 2017, 2017-2018, 2188
Amendments offered—264, 317, 372-373, 463, 480, 699, 716, 970, 972, 1073-1074, 1456, 1765, 1827, 1828, 1902, 1963
Amendments withdrawn—426, 464, 480, 699, 1748, 2058
Appointed to statutory commissions, committees, councils and advisory boards—851, 2286
Committee appointments—18, 19, 93, 94, 95, 283, 287, 376, 719, 891, 1831
Investigating committee appointments—852, 1438, 1489, 1571, 1839-1840, 2262
Petitions presented—710, 835, 890, 938, 1065, 1275, 1305, 1472
Presided at sessions of the Senate—306, 1486, 2195
Reports—399, 738, 851, 1099, 1645, 1679-1680, 1708, 1838, 1881, 2004, 2086
Resolutions offered—74, 962, 978-979, 1007, 1467-1468, 1858, 1932-1933, 2075, 2076, 2184-2186
Subcommittee assignments—187, 217, 254, 320, 436, 437, 510, 511, 594, 595, 664, 830, 831, 916, 1010, 1199, 1572

TELLERS—
Appointment of—10, 72
Reports—131

TEMPORARY OFFICERS—
Elected—2
Took oath of office—3

TIEDEN, DALE L.—Senator Ninth District
Bills introduced—SJR 9; 9, 10, 14, 20, 21, 22, 24, 25, 27, 28, 44, 62, 73, 79, 82, 95, 104, 118, 119, 132, 148, 168, 170, 171, 177, 179, 183, 186, 191, 210, 218, 249, 257, 260, 262, 361, 363, 379, 398, 417, 423, 429, 436, 446, 470, 480, 557
Amendments filed—206, 322-327, 350, 381-385, 470-471, 490, 580-581, 613-614, 626, 649, 959, 1033-1034, 1057-1058, 1058, 1058-1059, 1059, 1100-1102, 1596, 1621, 1688, 1758-1759, 1759, 2017-2018

Amendments offered—222, 587-588, 682, 1120, 1127, 1294, 1428, 1500-1502, 1782-1783, 1783, 1915-1916, 1981, 2068-2069, 2170-2171
Amendments withdrawn—1127, 1260, 1294
Committee appointments—18, 61, 93, 376, 719
Investigating committee appointments—853, 1054, 1436, 1489, 1538, 1807, 2259, 2262
Petitions presented—257, 599, 670, 792, 793, 1248, 1358, 1446
Presided at sessions of the Senate—1893
Reports—115-116, 399, 593-594, 1645, 1708, 1754, 1792, 1884-1885, 2257
Resolutions offered—73, 962, 975-976, 1467-1468, 2075, 2076, 2184-2186
Subcommittee appointments—100
Subcommittee assignments—187, 217, 254, 436, 511, 594, 664, 915, 916, 1010, 1199, 1808

TRANSPORTATION, COMMITTEE ON—
Appointed—95
Appointments to—95
Bills introduced—226, 472, 489, 574
Amendments filed—570, 899, 900, 987, 988, 1420
Amendments offered—586, 970, 1122-1123, 2214-2215
Reports—217, 321, 422, 569, 570, 632, 822-823, 899, 900, 987, 988, 1100, 1180, 1312, 1313, 1420, 1421, 1538-1539, 1756, 1812, 2009, 2207
Resolutions offered—540-541, 1095-1096
Subcommittee assignments—187, 216, 217, 255, 320, 321, 436, 437, 594, 663, 664, 739, 830, 831, 916, 1010, 1130, 1131, 1199, 1200, 1334, 1438, 1807, 1808

VAN GILST, BASS—Senator Forty-sixth District, Assistant Majority Floor Leader
Bills introduced—13, 55, 76, 104, 106, 127, 183, 327, 394, 423, 556, 557
Amendments filed—487-488, 488, 709, 1059, 1103, 1314, 1320, 1547, 1575-1576, 1576
Amendments offered—494-495, 495, 1190, 1191, 1191-1192, 1588, 2062, 2161
Amendments withdrawn—495
Appointed to statutory commissions, committees, councils and advisory boards—2263, 2284
Committee appointments—18, 93, 94, 95, 129, 293, 310-311, 536, 719, 891, 964, 1850, 1884, 2264
Escorted President pro tempore, Senator Doderer to rostrum—126
Investigating committee appointments—186, 1436, 1438, 1489, 1805, 1839, 2260, 2261, 2262
Petitions presented—938, 962, 1013, 1186, 1275
Presided at sessions of the Senate—1000, 1398
Reports—129-130, 311, 468, 568, 577, 623, 1264-1265, 1595, 1637, 1754, 1793, 1880-1881, 1885, 2131-2139, 2139, 2264
Resolutions offered—7, 46, 74, 606, 975-976, 1536, 1883-1884, 2184-2186
Subcommittee appointments—100, 1010
Subcommittee assignments—187, 216, 217, 254, 255, 320, 436, 437, 510, 511, 595, 663, 664, 830, 831, 915, 1130, 1199, 1334, 1571, 1572

WAYS AND MEANS, COMMITTEE ON—
Appointed—95
Appointments to—95
Bills introduced—68, 75, 109, 153, 174, 313, 418, 483, 501, 539, 543, 545, 551, 571, 577
Amendments filed—201-202, 579, 1165, 1518, 1647-1648, 2010-2012
Amendments offered—213, 636, 1739-1740, 2045
Reports—201-202, 455, 579, 689-690, 757, 854, 1147, 1165, 1226, 1390, 1518, 1794, 2009, 2010, 2010-2012, 2012
Resolutions offered—1791

Subcommittee assignments—187, 216, 254, 319, 320, 436, 437, 510, 511, 595, 664, 665, 830, 831, 915, 1010, 1130, 1131, 1199, 1300, 1334, 1438, 1572, 1645, 1646-1648, 1807

WILLITS, EARL M.—Senator Thirty-first District
Bills introduced—SJR 9; 76, 81, 87, 104, 106, 119, 126, 171, 179, 204, 205, 216, 217, 228, 270, 271, 272, 275, 294, 309, 310, 320, 330, 341, 356, 389, 390, 394, 397, 428, 465, 492, 556
Amendments filed—88, 89, 90, 153, 359, 378, 389, 486, 486-487, 625, 665-669, 690, 692, 704, 761-762, 808, 870-871, 900, 1148, 1244-1245, 1245, 1246, 1270, 1355, 1355-1356, 1356, 1392, 1422, 1491-1492, 1539, 1710-1712, 1757, 2013, 2089
Amendments offered—100, 104, 105, 155, 214, 374, 492, 519, 676, 696-698, 701, 715, 731, 1002, 1015, 1281-1282, 1282, 1284, 1286, 1456, 1498, 1586, 1763, 1766-1767, 1801, 1866, 1959, 2064-2065, 2098-2099, 2102-2103, 2163, 2202
Amendments withdrawn—100, 102, 1284, 1286, 1591, 1902
Appointed to statutory commissions, committees, councils and advisory boards—2263, 2285
Committee appointments—4, 18, 19, 93, 94, 293, 536, 719, 2118
Investigating committee appointments—187, 853, 1436, 1488, 1571, 1807, 1839-1840, 2259, 2260, 2262
Petitions presented—962, 1275
Presided at sessions of the Senate—1773
Received consent that Larry W. Burch, Legal Council, Legislative Service Bureau be permitted to remain in the Senate chamber as a consultant on Senate File 496—1253
Reports—4-5, 173, 312, 399, 568, 623, 898, 978-979, 979, 1010, 1538, 1679, 1793, 1884-1885, 2004, 2086, 2243-2247, 2257
Resolutions offered—74, 592, 606, 975-976, 1791-1792, 2222, 2223
Subcommittee appointments—100
Subcommittee assignments—187, 188, 254, 255, 320, 436, 437, 595, 663, 664, 738, 739, 830, 831, 915, 916, 1010, 1131, 1199, 1334, 1808
Presented ladies from Ankeny dressed in 100 year old costumes, and escorted Mary Lou Hermann to rostrum where she presented Senators Kinley and Willits with centennial medallions and invited the Senate to attend Ankeny Area Centennial—1400

WINKELMAN, WILLIAM P.—Senator Twenty-fourth District
Bills introduced—80, 83, 127, 132, 156, 170, 183, 186, 189, 191, 201, 210, 212, 257, 262, 263, 353, 363, 401, 423, 424, 471
Amendments filed—356, 380, 385-389, 400, 455, 487, 493, 611-612, 761-762, 1011, 1024-1025, 1033-1034, 1035, 1057-1058, 1058-1059, 1059, 1060, 1060-1061, 1147-1148, 1268-1269, 1270, 1367, 1422-1423, 1623, 2017-2018, 2088, 2091-2092
Amendments offered—432, 466, 479, 884, 1072, 1076, 1077, 1078-1079, 1080, 1081, 1282, 1406, 1406-1407, 1481-1482, 1630-1631, 1740-1742, 2069, 2107, 2253-2254, 2254
Amendments withdrawn—1042, 1072, 1080
Appointed to statutory commissions, committees, councils and advisory boards—350, 2264, 2287
Committee appointments—18, 93, 94, 283-284, 293, 719
Investigating committee appointments—852, 1438, 1489, 1807, 1840, 2261
Petitions presented—475, 793, 1305
Presided at sessions of the Senate—1175, 1855
Reports—283, 623, 1537, 1793, 1885, 1935-1936, 2257
Resolutions offered—47, 73, 291, 962, 1467-1468, 2075, 2076, 2184-2186
Subcommittee appointments—100, 2284
Subcommittee assignments—187, 216, 254, 255, 319, 320, 510, 594, 595, 664, 830, 831, 1130, 1131, 1199, 1200, 1334, 1439, 2140

Presented Lake View-Auburn girls basketball team, 1975 State Champions, and their coach Bud McCrae, also Senate invited to attend Legislative Jamboree—2019