

State of Iowa

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JOURNAL OF THE SENATE

1977

EXTRAORDINARY SESSION SIXTY-SEVENTH GENERAL ASSEMBLY

Convened June 21, 1977

Adjourned June 25, 1977

**ARTHUR A. NEU, President of the Senate
DALE M. COCHRAN, Speaker of the House**

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JOURNAL OF THE SENATE

FIRST CALENDAR DAY—FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, June 21, 1977

Pursuant to the proclamation of the Governor, the Honorable Robert D. Ray, the Sixty-seventh General Assembly of Iowa convened in Extraordinary Session at 10:00 a.m., and the Senate was called to order by Lieutenant Governor Arthur A. Neu.

Prayer was offered by the Reverend Thomas J. Carpender, pastor of the Sacred Heart Catholic Church, Mayer, Iowa.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

June 13, 1977

Mr. Steven C. Cross
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

Dear Mr. Cross:

Enclosed is my proclamation issued June 13, 1977, calling into Extraordinary Session the Sixty-seventh General Assembly, to convene at 10:00 a.m. on the 21st day of June, 1977.

Sincerely,
ROBERT D. RAY
Governor

STATE OF IOWA
Executive Department

THE GOVERNOR OF THE STATE OF IOWA PROCLAMATION

Whereas, pursuant to legislation enacted by the Sixty-fifth General Assembly in 1974, the State of Iowa formally entered into collective bargaining negotiations with its employees for the first time in 1977; and

Whereas, negotiations, although entered into timely, were not completed

so as to be considered by the first session of the Sixty-seventh General Assembly in its regular session; and

Whereas, also, the first session of the Sixty-seventh General Assembly, therefore, finished its regular session without acting upon salary increases for other state employees; and

Whereas, final settlements have now been reached with all unions except one which is not expected to be settled until sometime after the beginning of the fiscal year; and

Whereas, the incompletion of action on salary increases and related benefits for state employees is ample reason to convene this General Assembly in special session in accordance with Article IV, Section XI of the Constitution of the State of Iowa,

Now, Therefore, I, Robert D. Ray, Governor of the State of Iowa in accordance with Article IV, Section XI of the Constitution of the State of Iowa, do hereby proclaim that the Sixty-seventh General Assembly shall convene in Extraordinary Session at the State Capitol in the City of Des Moines, Iowa, at 10:00 A.M. on the 21st day of June, 1977, and to that end I do call upon and direct the members of the House of Representatives and of the Senate of the Sixty-seventh General Assembly to convene in their respective chambers in the State Capitol at 10:00 A.M. on June 21, 1977, for the purpose of receiving from the Chief Executive of the State of Iowa his message pertaining to the purpose for which the assembly is convened, namely the matter of employee benefits, and to take legislative action in keeping therewith.

In Testimony Whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 13th day of June in the year of our Lord one thousand nine hundred and seventy-seven.

(SEAL)

ROBERT D. RAY, Governor

Attest:

MELVIN D. SYNHORST
Secretary of State

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Robinson for the day on request of Senator Kinley.

ORGANIZATION OF THE SENATE

Senator Kinley moved that the selection of seats, determination of mileage of Senators, assignment of press seats, and all other organizational or administrative matters not specifically provided

for in Senate Rule 4 be the same for this Extraordinary Session as for the 1977 Regular Session of the Sixty-seventh General Assembly.

The motion prevailed.

SECRETARY TO NOTIFY THE GOVERNOR
AND THE HOUSE

Senator Kinley moved that the Secretary of the Senate be directed to send a written message to the Governor and the House of Representatives informing them that the Senate was organized and ready to transact business and receive any messages that they may transmit.

The motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT AND THE HONORABLE MEMBERS OF THE
SENATE:

I am directed to inform you that the House of Representatives is duly organized for the Extraordinary Session of the Sixty-seventh General Assembly and is ready to receive communications from the Senate.

Also: That the House has announced the appointment of the second conference committee to consider the differences on Senate File 333, a bill for an Act to make certain clarifying and corrective revisions in and additions to Chapter 229 of the Code, and certain related statutes, relating to hospitalization of the mentally ill, and that the members on the part of the House are: The Representative from Appanoose, Mr. Brunow, Chair; the Representative from Pottawattamie, Mr. Walter, the Representative from Woodbury, Mr. Doyle, the Representative from O'Brien, Mr. Hansen and the Representative from Story, Mr. Crawford.

DAVID L. WRAY, Chief Clerk

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 21, 1977, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 56, a resolution relating to a joint convention of the two houses on Tuesday, June 21, 1977, at 10:30 a.m. for a message from the Governor.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 56

By: Fitzgerald

- 1 *Be It Resolved by the House of Representatives,*
- 2 *the Senate Concurring,* That a joint convention of the
- 3 two houses of the 1977 Extraordinary Session of the
- 4 Sixty-seventh General Assembly be held on Tuesday,
- 5 June 21, 1977, at 10:30 a.m.
- 6 *Be It Further Resolved,* That Governor Robert D.
- 7 Ray be invited to deliver a message at this joint
- 8 convention of the two houses, and that the Speaker
- 9 of the House and the President of the Senate be desig-
- 10 nated to deliver the invitation to him.

Read first time and PASSED ON FILE.

ADOPTION OF RESOLUTION

Senator Kinley asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 56.

House Concurrent Resolution 56

On motion of Senator Kinley, House Concurrent Resolution 56, a resolution providing for a joint convention of the Senate and House of Representatives so that the Governor may, pursuant to Article IV, Section 11 of the Iowa Constitution, state his reasons for calling this Extraordinary Session, was taken up for immediate consideration.

Senator Kinley moved the adoption of House Concurrent Resolution 56.

The motion prevailed and House Concurrent Resolution 56 was adopted.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 56, 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 56, 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 a committee of six, three members from the Senate and three members from the House of Representatives, be appointed to notify Governor Ray that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Orr, Curtis and Tieden on the part of the Senate and Representatives Avenson, Small and Gentleman 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 message:

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

1977 has been an eventful year at the negotiating table in Iowa—first, collective bargaining, and second the Iowa-Iowa State football game . . . I have called you back to the State Capitol to act on one of those two headline issues . . . the easier one!

This is the first time the Iowa General Assembly has met in a special session for 13 years. Only eight of you lawmakers have ever served in a special legislative session. To begin it this morning, I can tell you now that my message will be brief. I hope it will set a good example.

To those of you wondering why I selected June 21 to convene this special session, I remind you this is the first day of summer. It is also the longest day of the year . . . you will have a lot of time to see the light . . .

Prior to adjournment last month, you members of the Senate and House agreed to limit the business of a special session to two subjects . . . including, if required, the corporate income tax question.

As you know, the Iowa Supreme Court recently ruled in favor of the present single-factor formula. There is now no need for legislative action on this particular issue. Of course, there is still the possibility of further court action. So in this regard, I wish to commend the Legislature for acting affirmatively on my recommendation to protect our budget. Accelerating our corporate income tax collections from an annual to a quarterly basis has given us a \$25 million reserve. This is not the time to spend it.

This is the sort of cooperation and forward planning which the people expect from their elected officials, and I think, it's fair to say they appreciate it.

The other purpose for this special session, now the only purpose, is to approve one last appropriation bill—to provide salary adjustments for state employees.

This year, for the first time, the rules are different. Legislation approved in 1974 established the procedures for public employees to bargain collectively. Approximately one-quarter of our state employees now belong to certified bargaining units. Three-quarters do not, and pay and benefits for all these employees must be settled in this special session.

Negotiations between the State and employee organizations began promptly. However, bargaining table discussions could not be concluded before the end of the regular session.

With one exception, decisions have been reached. Now, only your action is required to complete this long and complex process. We will be giving you my detailed recommendations supported by budget schedules immediately following my remarks.

These proposals reflect two key principles—let me share them with you.

First—Fairness. We must be fair with our employees—all of our employees. Consistent with our collective bargaining law, it is not the prerogative of state government to encourage or discourage union membership. We are recognizing those with whom we have bargained. We must also give as much consideration to those who have not participated in the negotiation process.

There is obviously great diversity in functions performed by state employees in the various bargaining units. Still, through all of the deliberations, offers and counteroffers, fact-finding, mediation and arbitration, there is much consistency. There is even greater diversity in the jobs and skills of those 75 percent who are not represented at the bargaining table. While we want to do the same for them, equity to the point of absolute precision for everyone, organized or unorganized, is impossible.

Second—the other principle is Responsibility. For collective bargaining to work in Iowa, we will have to make it work. This first-year's action established confidence in the success of the system. Negotiating teams for the state and the unions bargained in good faith . . . we recognize that. Had the decisions been out of line, it would have been your duty as elected representatives of the people to act accordingly. No arbitrator's ruling can ever be allowed to bind the legislature or executive branch to an irresponsible settlement. No arbitrator has to live with the downstream consequences of his decision . . . we must. Fortunately, this first year, the parties acted responsibly, underscoring the integrity of the collective bargaining process.

With those principles in mind, I submit these recommendations to you:

—I ask that you ratify the agreements reached between the state and the public safety and security units, and the arbitrator's decisions for the blue-collar and social services units.

—I also ask that you approve a salary and fringe benefit package for our remaining state employees. Let me highlight the major improvements for these people.

SALARIES: For all central payroll and Regents merit personnel employees, in each of the two years, there will be a 6 percent increase for those earning up to \$13,200 and a 5 percent increase for those above that salary. In addition, both categories will be eligible to receive their regular merit step increases. Regents faculty and their professional and scientific colleagues will receive an aggregate salary and merit increase of 6.4 percent . . . the financial equivalent of the other adjustment.

HEALTH INSURANCE: A key item and a major benefit to employees will be an increase in the state's contribution to meet totally the cost of individual coverage. In addition, next year for the first time, the state will partially pay for dependency coverage.

LIFE INSURANCE: We will increase basic life insurance benefits from \$5,500 to \$10,000 coverage.

This package also includes one additional STATE HOLIDAY to be more consistent with the private sector, a PAY DIFFERENTIAL for those working second and third shifts, and OVERTIME PAY beginning after 40 hours per week rather than the present 80 hours over a two-week period.

Today I am also recommending a change in SICK LEAVE COMPENSATION to encourage state employees to stay on the job. I am proposing that employees be allowed credit for sick leave accrued, but not used. The dollar value of the accumulated sick leave will be set aside for the costs of health and life insurance upon retirement and of special significance, to provide protection in the event of extended illness. This "savings account" will be coupled with a reduction in sick leave from 30 to 18 days per year, an

arrangement agreed to in one of the negotiated settlements. This is a responsible way for employees and government to share the benefits of low absenteeism.

These proposals follow the many strides made for state employees in recent years. During this administration, we have never failed to fund scheduled merit increases. We have provided cost-of-living increases, made significant contributions for health insurance, initiated life insurance and disability coverage, and boosted IPERS among other benefits.

Why have we done this?

The statesman Bernard Baruch once said that "Government is not a substitute for people." He was correct. He also might have said that "government is people."

Here in Iowa, our employees from all walks of life serve the state and its people with loyalty and dedication. Their work helps to preserve Iowa's "quality of life" of which we are so very proud. It is imperative that we keep good people in government and deliver good service from government.

How will this package of benefits be funded?

We cannot print money. We refuse to raise taxes. Therefore, we must continue to budget cautiously and spend effectively. Keep in mind that if you were to increase my recommendations for state employee salaries by as little as one percent it would cost \$3.5 million more each year in tax dollars.

The recommendations I have outlined will impact the budget for the fiscal year beginning in ten days—so this is a good time to update you on our financial picture. As the saying goes, there is some good news and some bad news.

The good news is that actual revenue collections are slightly ahead of earlier estimates. An additional \$18 million will give us a treasury balance on June 30 of this year of about \$125 million. This solid base lets us begin the new biennium with some assurance that our policy of sound money management is paying off.

The bad news is the pessimistic prediction concerning this summer's rainfall. Working with the Governor's Drought Task Force, weather experts advise us that moisture will continue to be below normal.

Those of you who are farmers can readily understand the consequences of a prolonged drought. So must state government. Reduced yields mean reduced economic activity, reduced income and reduced revenue.

Looking ahead requires continued cautious planning.

The collective bargaining decisions contained on the schedules you will receive are not simple. I ask you to study them carefully and to approve the recommendations that I make today. If you do, and if you come close to our appropriations targets for the biennium, the treasury balance as of June 30, 1979, is projected to be approximately \$43 million, plus the \$25 million in corporate income tax reserve.

Finally, I would like to share two observations:

First: You can take action to save time next year. You can appropriate salary increases for two years instead of one year at a time. This is consistent with our collective bargaining negotiations and will free up your time for other deliberation and shortening the session.

Second: You can take action so you will not have to be here twice next year. You can adopt a budget certification date so that special sessions will not become regular events.

And, you can act this June and throughout next year's regular session, to confirm the tenets set forth in my budget message when this General Assembly began five months ago. They were: ". . . no increase in sales and income taxes, living within our resources and balancing our budget, and getting maximum value for each dollar spent."

These are reasonable and rational objectives which we can share with enthusiasm—now and in 1978.

I trust you will act promptly this week, doing work that is yours to do. I wish you a good session, speedy session and a good summer.

Thank you.

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

On motion of Representative Fitzgerald, the joint convention was dissolved.

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.

REPORT OF COMMITTEE MEETING

BUDGET

Convened: June 20, 1977, 11:00 a.m.

Members Present: Palmer, Chairperson; E. Hill, Vice Chairperson; Shaw, Ranking Member; Hultman; Junkins; Kelly; Nolting; Priebe; Ramsey; Van Gilst and Willits.

Members Absent: DeKoster and Carr.

Other Business: Marvin R. Selden, Comptroller; Gene Vernon, Director of Employment Relations and Mr. Williams, representative from the American

Federation of State, County and Municipal Employees (AFSCME) discussed negotiation contracts for state employees.

Adjourned: 2:45 p.m.

COMMUNICATION

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

DEPARTMENT OF TRANSPORTATION

A copy of the final report concerning transportation projects made possible by Chapter 110, Laws of the Sixty-sixth General Assembly, 1975 Session and is submitted pursuant to Chapter 1232, Acts of the Sixty-sixth General Assembly, 1976 Session.

On motion of Senator Kinley, the Senate adjourned at 1:45 p.m., until 10:00 a.m., Wednesday, June 22, 1977.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY—SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, June 22, 1977

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Jerry Doherty, Vicar of the St. Andrew's Episcopal Church, Clear Lake, Iowa.

The Journal of Tuesday, June 21, 1977, was approved.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

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

AFTERNOON SESSION

The Senate reconvened, President pro tempore Coleman presiding.

QUORUM CALL

Senator Junkins 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 Coleman presiding.

REPORT OF COMMITTEE MEETING

BUDGET

Convened: June 21, 1977, 2:00 p.m.

Members Present: Palmer, Chairperson; E. Hill, Vice Chairperson; Shaw, Ranking Member; Carr; DeKoster; Hultman; Junkins; Kelly; Nolting; Priebe; Ramsey; Van Gilst and Willits.

Members Absent: none.

Other Business: Subcommittees appointed to study noneconomic issues in the four negotiated contracts and sick leave and benefits for nonunion state employees.

Adjourned: 3:00 p.m.

COMMUNICATIONS

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

STATE OF NEVADA

A copy of Senate Joint Resolution No. 3, adopted by the Fifty-ninth Session of the Nevada Legislature requesting the Congress of the United States to submit to the state legislatures an amendment to the United States Constitution which would limit federal appropriations for any fiscal year to federal revenues estimated for that year, except during national emergencies.

STATE OF ARIZONA

A copy of House Concurrent Memorial 2003 urging an amendment to the Constitution of the United States to require that federal appropriations not exceed estimated federal revenues except in an emergency.

On motion of Senator Priebe, the Senate adjourned at 5:45 p.m., until 10:00 a.m., Thursday, June 23, 1977.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY—THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, June 23, 1977

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend Robert Chamberlain, Registrar, Dowling High School, West Des Moines, Iowa.

The Journal of Wednesday, June 22, 1977, was approved.

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.

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

The Senate resumed session, President Neu presiding.

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

The Senate resumed session, President Neu presiding.

SENATE CONCURRENT RESOLUTION 31
By: Committee on Rules and Administration

- 1 *Be It Resolved By the Senate, The House of Represen-*
- 2 *tatives Concurring, That in addition to the subject*
- 3 *matter described in Senate Concurrent Resolution 26,*
- 4 *Sixty-seventh General Assembly, 1977 Session, enumer-*

5 ating the subject matters that may be debated during
6 any extraordinary session occurring before the conven-
7 ing of the 1978 Session of the Sixty-seventh General
8 Assembly, pursuant to Joint Rule 3, the business before
9 the General Assembly at an extraordinary session shall
10 also consist of laws concerning the maximum school levy
11 and the guaranteed state aid provisions of Chapter four
12 hundred forty-two (442) of the Code.

13 EXPLANATION

14 This Resolution adds to the subject matter that may
15 be discussed during the 1977 extraordinary session
16 business relating to the maximum school levy and the
17 guaranteed state aid provisions of Chapter 442 of the
18 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.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

ADOPTION OF RESOLUTION

Senate Concurrent Resolution 31

Senator Kinley asked unanimous consent to suspend Senate Rule 8 and to take up for immediate consideration Senate Concurrent Resolution 31.

Objection was raised.

Senator Kinley moved that Senate Rule 8 be suspended.

Senator Hill of Polk raised the point of order that Senate Concurrent Resolution 31 was out of order since it was not a subject matter allowed to be considered during the Extraordinary Session as provided in Senate Concurrent Resolution 26 adopted during the 1977 Regular Session.

The Chair ruled the point not well taken because Senate Concurrent Resolution 26 was implementing amended Joint Rule 3 which restricts only matters concerning legislation.

Senate Concurrent Resolution 31 relates only to internal administration and is not in itself legislation.

Senator Kinley renewed his motion to suspend Senate Rule 8.

A record roll call was requested.

On the question "Shall Senate Rule 8 be suspended?" (S.C.R. 31) the vote was:

Ayes, 26:

Calhoon	Carr	Coleman	Culver
Doderer	Gallagher	Glenn	Hill, E.M.
Hutchins	Junkins	Kinley	Merritt
Miller, A.V.	Miller, C.P.	Nolting	Orr
Palmer	Priebe	Redmond	Robinson
Rodgers	Rush	Scott	Slater
Van Gilst	Willits		

Nays, 24:

Ashcraft	Bergman	Bisenius	Briles
Burroughs	Craft	Curtis	DeKoster
Drake	Hansen	Hill, P.B.	Hulse
Hultman	Kelly	Miller, E.R.	Murray
Nystrom	Ramsey	Readinger	Schwengels
Shaff	Shaw	Taylor	Tieden

The motion prevailed.

On motion of Senator Kinley, Senate Concurrent Resolution 31, a resolution to make an addition to the subject matter that may be discussed during the 1977 Extraordinary Session, was taken up for immediate consideration.

Senator Kinley moved the adoption of Senate Concurrent Resolution 31.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.C.R. 31) the vote was:

Ayes, 26:

Calhoon	Carr	Coleman	Culver
Doderer	Gallagher	Glenn	Hill, E.M.
Hutchins	Junkins	Kinley	Merritt
Miller, A.V.	Miller, C.P.	Nolting	Orr
Palmer	Priebe	Redmond	Robinson
Rodgers	Rush	Scott	Slater
Van Gilst	Willits		

Nays, 24:

Ashcraft	Bergman	Bisenius	Briles
Burroughs	Craft	Curtis	DeKoster
Drake	Hansen	Hill, P.B.	Hulse
Hultman	Kelly	Miller, E.R.	Murray
Nystrom	Ramsey	Readinger	Schwengels
Shaff	Shaw	Taylor	Tieden

The resolution having received a constitutional majority was declared to have been adopted.

Senator Kinley asked and received unanimous consent that SENATE CONCURRENT RESOLUTION 31 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.

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 23, 1977, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 31, providing for an addition to the subject matter to be debated during the Extraordinary Session concerning the maximum school levy and guaranteed state aid provisions of Chapter four hundred forty-two (442) of the Code.

DAVID L. WRAY, Chief Clerk

INTRODUCTION OF BILL

SENATE FILE 415, by Committee on Ways and Means, a bill for an act relating to school funding providing for a repeal of the maximum school district property tax and elimination of the guaranteed state aid provisions and an appropriation to provide school district loans and repayment.

Read first time and REFERRED to the committee on BUDGET under Senate Rule 36.

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.

REPORT OF COMMITTEE

Senator Palmer submitted the following report:

MR. PRESIDENT: Your committee on Budget to which was referred Senate File 415, a bill for an Act relating to school funding providing for a repeal of the maximum school district property tax and elimination of the guaranteed state aid provisions and an appropriation to provide school district loans and repayment, begs leave to report it has had the same under consideration and recommends the same DO PASS.

The committee determined that a fiscal note was not required under Joint Rule 16.

WILLIAM D. PALMER, Chairperson

CONSIDERATION OF BILL

Senator Kinley asked and received unanimous consent to take up for immediate consideration Senate File 415.

Senate File 415

On motion of Senator Redmond, Senate File 415, a bill for an Act relating to school funding providing for a repeal of the maximum school district property tax and elimination of the guaranteed state aid provisions and an appropriation to provide school district loans and repayment, with report of committee on Budget recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Priebe offered amendment S-3732 to page 1 of the bill.

Senator Redmond raised the point of order that amendment S-3732 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3732 out of order.

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. 415) the vote was:

Ayes, 35:

Bergman	Bisenius	Briles	Burroughs
Calhoon	Carr	Coleman	Culver
Doderer	Gallagher	Glenn	Hill, E.M.
Hultman	Hutchins	Junkins	Kinley
Merritt	Miller, A.V.	Miller, C.P.	Murray
Nolting	Nystrom	Orr	Palmer
Readinger	Redmond	Robinson	Rodgers

Rush
Slater

Schwengels
Taylor

Scott
Willits

Shaw

Nays, 11:

Craft
Hill, P.B.
Ramsey

Curtis
Hulse
Shaff

DeKoster
Kelly
Tieden

Hansen
Priebe

Absent or not voting, 4:

Ashcraft

Drake

Miller, E.R.

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 that SENATE FILE 415 be IMMEDIATELY MESSAGED to the House, which request was complied with.

STUDY BILL RECEIVED

S.S.B. 297 Rules and Administration

Adds to the subject matter that may be discussed during the 1977 extraordinary session business relating to the maximum school levy and the guaranteed state aid provisions of Chapter 442 of the Code.

REPORT OF COMMITTEE MEETING

BUDGET

Convened: June 22, 1977, 3:00 p.m.

Members Present: Palmer, Chairperson; E. Hill, Vice Chairperson; Shaw, Ranking Member; Hultman; Nolting; Priebe; Ramsey; Van Gilst; Kelly; DeKoster and Carr.

Members Absent: Junkins and Willits.

Other Business: Representatives from Iowa State University, State University of Iowa and the University of Northern Iowa discussed proposed contracts dealing with the Governor's salary increases as related to the nonunion employees of the Board of Regents.

Adjourned: 4:20 p.m.

PRESENTATION OF VISITORS

President Neu welcomed Paula Kotila and Kustaa Poutiainen, Helsinki, Finland, who were present in the Senate chamber as the guests of Senator Culver.

On motion of Senator Kinley, the Senate adjourned at 7:30 p.m., until 9:00 a.m., Friday, June 24, 1977.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY—FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, June 24, 1977.

The Senate met in regular session, President Neu presiding.

Prayer was offered by the Reverend H. Lavern Kinzel, pastor of the Capitol Hill Christian Church, Des Moines, Iowa.

The Journal of Thursday, June 23, 1977, was approved.

INTRODUCTION OF BILL

SENATE FILE 416, by Committee on Budget, a bill for an act relating to compensation and benefits for state employees and regional librarians and their staffs, providing exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh General Assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly.

Read first time and PLACED ON CALENDAR.

On motion of Senator Kinley, the Senate recessed until 11:00 a.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.

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.

REPORTS OF COMMITTEE MEETINGS

BUDGET

Convened: June 23, 1977, 10:30 a.m.

Members Present: Palmer, Chairperson; E. Hill, Vice Chairperson; Shaw, Ranking Member; Hultman; Junkins; Nolting; Priebe; Ramsey; Van Gilst; Kelly; Willits; DeKoster and Carr.

Members Absent: none.

Final Action: DO PASS.

Senate File 415, a bill for an Act relating to school funding providing for a repeal of the maximum school district property tax and elimination of the guaranteed state aid provisions and an appropriation to provide school district loans and repayment.

The vote was: AYES, 13; Palmer, E. Hill, Shaw, Hultman, Junkins, Nolting, Priebe, Ramsey, Van Gilst, Kelly, Willits, DeKoster and Carr. NAYS, none.

Also:

Final Action: APPROVED.

Senate File 416, a bill for an Act relating to compensation and benefits for state employees and regional librarians and their staffs.

The vote was: AYES, 8; Palmer, E. Hill, Carr, DeKoster, Junkins, Kelly, Nolting and Willits. NAYS, 1: Hultman. VOTING PRESENT, 1; Shaw.

ABSENT OR NOT VOTING, 3; Ramsey, Van Gilst and Priebe.

Adjourned: 10:00 p.m.

RULES AND ADMINISTRATION

Convened: June 23, 1977, 4:10 p.m.

Members Present: Kinley, Chairperson; Junkins, Vice Chairperson; Ramsey, Ranking Member; Hultman; Coleman and Willits.

Members Absent: none.

Final Action: APPROVED.

S.S.B. 297, a resolution to make an addition to the subject matter that may be discussed during the 1977 extraordinary session.

The vote was: AYES, 4; Kinley, Junkins, Coleman and Willits. NAYS, 2; Ramsey and Hultman.

Adjourned: 4:15 p.m.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Thursday afternoon, June 23, 1977.

Had I been present, I would have voted "nay" on Senate File 415.

FORREST F. ASHCRAFT

COMMUNICATION

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

COMMONWEALTH OF MASSACHUSETTS

A resolution requesting the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States protecting the right to life of all human beings during every state of biological development, adopted by the House of Representatives of Massachusetts, May 18, 1977, and the Senate of Massachusetts, June 8, 1977.

On motion of Senator Kinley, the Senate adjourned at 5:15 p.m., until 8:00 a.m., Saturday, June 25, 1977.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY—FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Saturday, June 25, 1977

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 Friday, June 24, 1977, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Curtis for the day on request of Senator Hultman; Senator Miller of Des Moines for the day on request of Senator Kinley.

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 24, 1977, passed the following bill in which the concurrence of the Senate is asked:

House File 634, a bill for an Act relating to compensation and benefits for state employees and regional librarians and their staffs, providing exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh General Assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly.

DAVID L. WRAY, Chief Clerk

HOUSE MESSAGE CONSIDERED

HOUSE FILE 634, an Act relating to compensation and

benefits for state employees and regional librarians and their staffs, providing exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh General Assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly.

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.

QUORUM CALL

Senator Kinley requested a roll call to determine that a quorum was present.

Roll call revealed a quorum present.

BILL ASSIGNED TO COMMITTEE

The majority leadership announced the assignment of the following bill to committee:

H.F. 634

Budget

REPORT OF COMMITTEE

Senator Palmer submitted the following report:

MR. PRESIDENT: Your committee on Budget to which was referred House File 634, a bill for an Act relating to compensation and benefits for state employees and regional librarians and their staffs, providing exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh General Assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly, begs leave to report it has had the same under consideration and recommends the same BE AMENDED as provided in Amendment S-3735 and when so amended the bill DO PASS.

The committee determined that a fiscal note was not required under Joint Rule 16.

WILLIAM D. PALMER, Chairperson

CONSIDERATION OF BILL

Senator Kinley asked and received unanimous consent to take up for immediate consideration House File 634.

Senator Glenn raised the point of order that House File 634 was out of order under the provisions of Joint Rule 3 and specifically, Senate Concurrent Resolution 26 adopted during the 1977 Regular Session, since the subject matter contained in Senate Concurrent Resolution 26 related only to the consideration of compensation and benefits for state employees and section 17 of House File 634 contained provisions for the compensation and benefits for elected state officials.

The Chair ruled the point not well taken and House File 634 in order.

House File 634

On motion of Senator Palmer, House File 634, a bill for an Act

relating to compensation and benefits for state employees and regional librarians and their staffs, providing exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh General Assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Palmer offered amendment S-3735 by the committee on Budget to pages 8, 11 and 14 through 16 of the bill and moved its adoption.

Amendment S-3735 was adopted.

Senator Taylor offered amendment S-3733 to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3733 be adopted?" (H.F. 634) the vote was:

Ayes, 18:

Ashcraft	Bergman	Bisenius	Briles
Burroughs	Craft	Drake	Hansen
Hulse	Kelly	Miller, E.R.	Priebe
Ramsey	Robinson	Schwengels	Scott
Taylor	Tieden		

Nays, 29:

Calhoon	Carr	Coleman	Culver
DeKoster	Doderer	Gallagher	Glenn
Hill, E.M.	Hill, P.B.	Hutchins	Junkins
Kinley	Merritt	Miller, A.V.	Murray
Nolting	Nystrom	Orr	Palmer
Readinger	Redmond	Rodgers	Rush

Shaff
Willits

Shaw

Slater

Van Gilst

Absent or not voting, 3:

Curtis

Hultman

Miller, C.P.

Amendment S—3733 lost.

Senator Glenn offered amendment S—3734 to page 9 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3734 be adopted?” (H.F. 634) the vote was:

Ayes, 17:

Bergman

Bisenius

Coleman

Culver

Glenn

Merritt

Nystrom

Priebe

Ramsey

Robinson

Rodgers

Rush

Schwengels

Scott

Shaw

Taylor

Tieden

Nays, 30:

Ashcraft

Briles

Burroughs

Calhoon

Carr

Craft

DeKoster

Doderer

Drake

Gallagher

Hansen

Hill, E.M.

Hill, P.B.

Hulse

Hutchins

Junkins

Kelly

Kinley

Miller, A.V.

Miller, E.R.

Murray

Nolting

Orr

Palmer

Readinger

Redmond

Shaff

Slater

Van Gilst

Willits

Absent or not voting, 3:

Curtis

Hultman

Miller, C.P.

Amendment S—3734 lost.

Senator Doderer offered amendment S—3736 to pages 12, 13 and 14 of the bill and moved its adoption.

Amendment S—3736 was adopted.

Senator Priebe offered amendment S—3737 to page 16 of the

bill.

Senator Priebe offered amendment S-3738 to amendment S-3737 and moved its adoption.

Amendment S-3738 to amendment S-3737 was adopted.

Senator Willits raised the point of order that amendment S-3737 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S-3737 as amended in order.

Senator Priebe moved the adoption of amendment S-3737 as amended.

A non record roll call was requested.

The ayes were 20, nays 28.

Amendment S-3737 as amended lost.

President pro tempore Coleman took the chair at 12:10 p.m.

President Neu took the chair at 12:15 p.m.

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. 634) the vote was:

Ayes, 41:

Ashcraft	Briles	Calhoon	Carr
Coleman	Craft	Culver	DeKoster
Doderer	Drake	Gallagher	Glenn
Hansen	Hill, E.M.	Hill, P.B.	Hultman
Hutchins	Junkins	Kelly	Kinley
Miller, A.V.	Murray	Nolting	Nystrom
Orr	Palmer	Priebe	Ramsey
Readinger	Redmond	Robinson	Rodgers
Rush	Schwengels	Scott	Shaw
Slater	Taylor	Tieden	Van Gilst
Willits			

Nays, 7:

Bergman
Merritt

Bisenius
Miller, E.R.

Burroughs
Shaff

Hulse

Absent or not voting, 2:

Curtis

Miller, C.P.

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 634 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.

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 25, 1977, passed the following bill in which the concurrence of the House was asked:

Senate File 415, a bill for an Act relating to school funding providing for a repeal of the maximum school district property tax and elimination of the guaranteed state aid provisions and an appropriation to provide school district loans and repayment.

DAVID L. WRAY, Chief Clerk

SPECIAL PRESENTATION

Senator Hultman rose on a point of personal privilege to present a resolution by the members of the Senate expressing the best of luck and good wishes to Senator Shaw who will be leaving the Senate to accept the position of Scott County Attorney.

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 25, 1977, 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 634, a bill for an Act relating to compensation and benefits for state employees.

DAVID L. WRAY, Chief Clerk

SENATE CONCURRENT RESOLUTION 32
By: Committee on Rules and Administration

- 1 *Whereas*, the 1977 Extraordinary Session of the
2 Sixty-seventh General Assembly will on or about
3 June 25, 1977 complete its business; *Now Therefore*,
4 *Be It Resolved by the Senate, the House of*
5 *Representatives Concurring, That:*
6 1. The adjournment of the Senate and House of
7 Representatives pursuant to this resolution on or
8 about June 25, 1977, shall constitute the sine die
9 adjournment of the 1977 Extraordinary Session of
10 the Sixty-seventh General Assembly. The 1978
11 Session of the Sixty-seventh General Assembly shall
12 convene, as provided by the Iowa Constitution, on
13 January 9, 1978.
14 2. Nothing in this resolution shall be construed
15 as modifying Division II of Senate Concurrent
16 Resolution 27 of the 1977 Regular Session of the
17 Sixty-seventh General Assembly.

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.

HOUSE AMENDMENT CONSIDERED

House File 634

Senator Palmer called up for consideration House File 634, a bill for an Act relating to compensation and benefits for state employees and regional librarians and their staffs, providing

exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh General Assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly, amended by the Senate, further amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 634

S-3739

1 Amend the Senate amendment, H-4390 to House
2 File 634, as amended, passed and reprinted by the
3 House as follows:
4 1. Page 2, by inserting after line 10 the
5 following:
6 " ____ . Page 16, by inserting after line 18,
7 the following:
8 'Sec. ____ . The attorney general shall prepare
9 and maintain a position classification plan and a
10 pay plan for each position and type of employment
11 in the department, based upon duties performed
12 and responsibilities assumed, so that the same
13 qualifications may reasonably be required for and
14 the same schedule of pay may be equitably applied
15 to all positions in the same class. After such
16 classification has been approved by the executive
17 council, the attorney general shall allocate the
18 position of every employee to one of the classes
19 in the plan. Each employee shall be paid at one
20 of the rates set forth in the pay plan for the
21 class of position in which employed and, unless
22 otherwise designated, shall begin employment at the
23 first step of the established range for the
24 employee's class. The pay plan and position
25 classification plan shall be presented to the
26 budget committee of the house and senate on or
27 before September 1, 1977. The appropriations
28 contained in this Act, to the office of the

29 attorney general, are specifically contingent upon
 30 the preparation and submission of a position
 31 classification plan of the attorney general's
 32 office to the budget committees of the house and
 33 senate prior to September 1, 1977.' "

A record roll call was requested.

On the question "Shall the Senate concur in the House amendment to the Senate amendment?" (H.F. 634) the vote was:

Ayes, 29:

Bergman	Calhoon	Carr	Culver
Doderer	Gallagher	Glenn	Hansen
Hill, E.M.	Hultman	Hutchins	Junkins
Kelly	Kinley	Miller, A.V.	Miller, E.R.
Nolting	Orr	Palmer	Readinger
Redmond	Rodgers	Rush	Schwengels
Scott	Slater	Taylor	Van Gilst
Willits			

Nays, 17:

Ashcraft	Bisenius	Briles	Burroughs
Coleman	Craft	DeKoster	Drake
Hill, P.B.	Hulse	Merritt	Murray
Nystrom	Ramsey	Robinson	Shaff
Shaw			

Absent or not voting, 4:

Curtis	Miller, C.P.	Priebe	Tieden
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The motion prevailed and the Senate concurred in the House amendment to the Senate amendment.

Senator Palmer 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. 634) the vote was:

Ayes, 41:

Ashcraft	Bergman	Briles	Calhoon
Carr	Coleman	Craft	Culver
DeKoster	Doderer	Drake	Gallagher
Glenn	Hansen	Hill, E.M.	Hill, P.B.
Hultman	Hutchins	Junkins	Kelly
Kinley	Miller, A. V.	Miller, E.R.	Murray
Nolting	Nystrom	Orr	Palmer
Ramsey	Readinger	Redmond	Robinson
Rodgers	Rush	Schwengels	Scott
Shaw	Slater	Taylor	Van Gilst
Willits			

Nays, 5:

Bisenius	Burroughs	Hulse	Merritt
Shaff			

Absent or not voting, 4:

Curtis	Miller, C.P.	Priebe	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley asked and received unanimous consent that HOUSE FILE 634 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.

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 25, 1977, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 60, a resolution relating to final adjournment of the extraordinary session of the Sixty-seventh general assembly.

DAVID L. WRAY, Chief Clerk

HOUSE CONCURRENT RESOLUTION 60

By: Fitzgerald

- 1 *Be It Resolved by the House of Representatives,*
- 2 *the Senate Concurring: That the Sixty-seventh*
- 3 *General Assembly in Extraordinary Session adjourn*
- 4 *sine die on Saturday, June 25, 1977.*

Read first time and PASSED ON FILE.

ADOPTION OF RESOLUTION

Senator Kinley asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 60.

House Concurrent Resolution 60

On motion of Senator Kinley, House Concurrent Resolution 60, a resolution relating to adjournment sine die of the extraordinary session of the sixty-seventh general assembly, was taken up for immediate consideration.

Senator Kinley moved the adoption of House Concurrent Resolution 60.

The motion prevailed and House Concurrent Resolution 60 was adopted.

SECRETARY TO NOTIFY THE GOVERNOR
AND THE HOUSE

Senator Kinley moved that the Secretary of the Senate be directed to send a written message to the Governor and to the House to inform them that the Senate was prepared to adjourn sine die pursuant to House Concurrent Resolution 60.

The motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT, MEMBERS OF THE SENATE:

The House has directed me to inform you that the House is prepared to adjourn sine die pursuant to House Concurrent Resolution 60.

DAVID L. WRAY, Chief Clerk

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

June 25, 1977

The Honorable Arthur A. Neu
President of the Senate
Sixty-seventh General Assembly
State Capitol
Des Moines, Iowa 50319

Honorable Members of the General Assembly:

I am pleased that you have been able to resolve the last remaining item on the 1977 legislative agenda—that of approving appropriations measures for state employees.

Last Tuesday, I detailed my recommendations for funding salaries and other benefits for employees, coupled with a request that you approve the agreements reached as a result of collective bargaining. During this busy week, you have worked hard to deal with the many complicated issues related to this process.

I want to thank you for fulfilling the purpose for which you met, and I particularly commend the leadership and the Joint Budget Committee for their cooperation and the manner in which they worked with my office and me. I appreciate the dedication, discipline, and attention to the task at hand which resulted in the legislation now passed.

This legislation meets the tests of the two principles which I laid down in my address to you—fairness and responsibility. It also meets the guideline which I set forth in my message last January and again this week—no new taxes and no tax increases to fund state government.

The passage of legislation reducing the amount of sick leave accrual per year, while in return giving employees longer protection for serious injury or illness and setting up provisions for credits for unused sick leave on retirement will be of particular benefit towards increasing the efficiency and service of state government.

The lengthy and complex collective bargaining process as it relates to state government has been a first-time experience for all of us. We have learned a

great deal, and we can look forward to future decision-making knowing that the reasonable and rational action you have taken this year is indeed a good precedent.

I want to again note that I welcome the opportunity to work with you at anytime and to repeat my best wishes for an enjoyable summer for all of you.

Sincerely,
ROBERT D. RAY
Governor

BILLS RETURNED TO COMMITTEE

Pursuant to Senate Rule 4, the following bills which remain on the calendar upon the adjournment of the 1977 Extraordinary Session of the Sixty-seventh General Assembly will be returned to committee:

S.F. 416	Budget
S.C.R. 32	Rules and Administration

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 bill has been 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 June, 1977:

Senate File 415.

STEVEN C. CROSS, Secretary of the Senate

EXPLANATION OF VOTE

MR. PRESIDENT: As it was necessary for me to be out of the state on June 25, 1977, I missed the following votes; and had I been present, I would have voted "nay" on the following amendments: S-3733 and S-3734 to House File 634. I would have voted "aye" on passage on House File 634, and "aye" on S-3739, the House Amendment to the Senate Amendment, and on the final passage of the bill, House File 634.

CHARLES P. MILLER

FINAL ADJOURNMENT

Senator Kinley moved that the 1977 Extraordinary Session of the Sixty-seventh General Assembly adjourn sine die in accordance with House Concurrent Resolution 60, duly adopted.

The motion prevailed.

By virtue of House Concurrent Resolution 60, duly adopted, the day of June 25, 1977, having arrived, President Neu declared the 1977 Extraordinary Session of the Sixty-seventh General Assembly adjourned sine die.

SUPPLEMENT
TO THE
SENATE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
1977 EXTRAORDINARY SESSION

AMENDMENTS FILED

The following amendments were filed during the Sixty-seventh General Assembly, 1977 Extraordinary Session:

S-3732

1 Amend Senate File 415 as follows:

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

4 "Sec. ____ . Section two hundred eighty point
5 fifteen (280.15), Code 1977, is amended to read as follows:
6 280.15 JOINT EMPLOYMENT AND SHARING. Any two or
7 more public school districts may jointly employ and share
8 the services of any school personnel, or acquire and
9 share the use of classrooms, laboratories, equipment
10 and facilities. *Classes and any of grades kindergarten
11 through eight made available to students in the manner
12 provided in this section shall be considered as complying
13 with the requirements of section two hundred seventy-
14 five point one (275.1) of the Code relating to the
15 maintenance of twelve grades by a school district."*

BERL E. PRIEBE

S-3733

1 Amend House File 634 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, line 35, by inserting after the word
4 "for" the words and number "not more than fifty
5 thousand (50,000)".

6 2. Page 11, by inserting after line 23 the
7 following:

8 "Sec. ____ . Section eight point forty-three (8.43),
9 Code 1977, is amended to read as follows:

10 '8.43 SALARY ADJUSTMENT FUND. There is created
11 a "salary adjustment fund" to be used to segregate
12 funds appropriated by the general assembly to be distributed
13 to various state departments to fund certain salary
14 increases for *not more than fifty thousand (50,000)*
15 designated state employees. Funds distributed from the
16 salary adjustment fund shall be subject to the approval
17 of the governor and state comptroller.' "

RAY TAYLOR

S-3734

- 1 Amend House File 634 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. Page 9, by striking line 32 through page 10,
- 4 line 9.

GENE W. GLENN

S-3735

- 1 Amend House File 634 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 8, line 14, by striking the word "base".
- 4 2. Page 8, line 15, by striking the word "base".
- 5 3. Page 11, by inserting after line 23 the
- 6 following:
- 7 "Sec. ____ . Section nineteen A point twenty-two
- 8 (19A.22), Code 1977, is amended by striking the sec-
- 9 tion and inserting in lieu thereof the following:
- 10 19A.22 COLLECTIVE BARGAINING AGREEMENTS—OTHER
- 11 INCONSISTENT LAWS. A collective bargaining agreement
- 12 entered into between the state and a state employee
- 13 organization under chapter twenty (20) of the Code
- 14 made final after July 1, 1977 shall not adopt by
- 15 reference any merit pay adjustment or step increase
- 16 provided in a merit pay plan adopted under section
- 17 nineteen A point nine (19A.9), subsection two (2)
- 18 of the Code, longevity pay as provided in section
- 19 three hundred thirteen point four (313.4), subsection
- 20 three (3) of the Code, or any other pay plan or system
- 21 in effect before July 1, 1977."
- 22 4. Page 11, by inserting before line 24 the
- 23 following:
- 24 "Sec. ____ . Section twenty point nine (20.9), un-
- 25 numbered paragraph three (3), Code 1977, is amended
- 26 to read as follows:
- 27 [The public employee] All retirement systems [pro-
- 28 vided under chapters 97A, 97B, 410, and 411] shall
- 29 be excluded from the scope of negotiations."
- 30 5. Page 14, by inserting after line 10 the
- 31 following:
- 32 "Sec. ____ . Section eighty point eight (80.8),
- 33 Code 1977, is amended by adding the following new
- 34 unnumbered paragraph:
- 35 NEW UNNUMBERED PARAGRAPH. A collective bargaining
- 36 agreement entered into between the state and a state
- 37 employee organization under chapter twenty (20) of
- 38 the Code made final after July 1, 1977 shall not

39 include any pay adjustment or increase authorized
40 under this section."

41 6. Page 14, line 11, by inserting after the word
42 "council" the words "in cooperation with the state
43 comptroller".

44 7. Page 14, line 24, by inserting after the word
45 "designee" the words "in cooperation with the state
46 comptroller".

47 8. Page 15, line 25, by inserting after the word
48 "agreement" the words "*except agreements agreed to*
49 *or tentatively agreed to prior to July 1, 1977,*".

50 9. Page 16, line 15, by striking the word

Page 2

1 "allocated" and inserting in lieu thereof the word

2 "appropriated".

3 10. By renumbering sections in accordance with

4 this amendment.

COMMITTEE ON BUDGET
WILLIAM D. PALMER, Chairperson

S-3736

1 Amend House File 634, as amended, passed, and re-
2 printed by the House, as follows:

3 1. Page 12, line 24, by inserting after the word
4 "departments," the word "boards,".

5 2. Page 13, line 14, by inserting after the word
6 "department," the word "board,".

7 3. Page 14, line 30, by inserting after the word
8 "permanent" the words "and permanent probationary".

9 4. Page 14, line 31, by inserting after the word
10 "department," the word "board,".

MINNETTE F. DODERER

S-3737

1 Amend House File 634 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 16, by inserting after line 18 the following:

4 "Sec. 39. If any position in the table of organization
5 as it exists on January 1, 1977 of a state department or
6 agency is vacated because of death, resignation, retire-
7 ment or discharge for cause, the position shall not be
8 filled by a new employee unless the approval for replace-
9 ment is first approved by the executive council. If the

- 10 table of organization of a state department or agency is
 11 reduced by five percent or more the approval of the
 12 executive to replace the vacated position shall not be
 13 required.”
 14 2. Renumber the remaining section.

BERL E. PRIEBE

S—3738

- 1 Amend the Priebe amendment, S—3737 to House
 2 File 634 as amended, passed and reprinted by the House
 3 as follows:
 4 1. Page 1, line 12, by striking the word
 5 “executive” and inserting in lieu thereof the word
 6 “director”.

BERL E. PRIEBE

HOUSE AMENDMENT TO SENATE AMENDMENT TO
 HOUSE FILE 634

S—3739

- 1 Amend the Senate amendment, H—4390 to House
 2 File 634, as amended, passed and reprinted by the
 3 House as follows:
 4 1. Page 2, by inserting after line 10 the
 5 following:
 6 “___ . Page 16, by inserting after line 18,
 7 the following:
 8 “Sec. ___. The attorney general shall prepare
 9 and maintain a position classification plan and a
 10 pay plan for each position and type of employment
 11 in the department, based upon duties performed
 12 and responsibilities assumed, so that the same
 13 qualifications may reasonably be required for and
 14 the same schedule of pay may be equitably applied
 15 to all positions in the same class. After such
 16 classification has been approved by the executive
 17 council, the attorney general shall allocate the
 18 position of every employee to one of the classes
 19 in the plan. Each employee shall be paid at one
 20 of the rates set forth in the pay plan for the
 21 class of position in which employed and, unless
 22 otherwise designated, shall begin employment at the
 23 first step of the established range for the
 24 employee’s class. The pay plan and position

25 classification plan shall be presented to the
26 budget committee of the house and senate on or
27 before September 1, 1977. The appropriations
28 contained in this Act, to the office of the
29 attorney general, are specifically contingent upon
30 the preparation and submission of a position
31 classification plan of the attorney general's
32 office to the budget committees of the house and
33 senate prior to September 1, 1977.

BILLS APPROVED SUBSEQUENT TO ADJOURNMENT

Bills approved by the Governor and transmitted to the Secretary of State after the close of the 1977 Extraordinary Session:

- S.F. 415—Relating to school funding providing for a repeal of the maximum school district property tax and elimination of the guaranteed state aid provisions and an appropriation to provide school district loans and repayment. Approved July 11, 1977.
- H.F. 634—Relating to compensation and benefits for state employees and regional librarians and their staffs, providing exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh general assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly. Approved June 30, 1977.

COMMUNICATIONS FROM THE SECRETARY OF STATE

July 20, 1977

Mr. Steven C. Cross
Secretary of the Senate
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 634 was published in the The Des Moines Register, Des Moines, Iowa, on July 9, 1977, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, on July 8, 1977.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

July 22, 1977

Mr. Steven C. Cross
Secretary of the Senate
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 415 was published in The Des Moines Register, Des Moines, Iowa, on July 18, 1977, and in the Iowa City Press-Citizen, Iowa City, Iowa, on July 16, 1977.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

APPOINTMENT AND RESIGNATION ANNOUNCED
AFTER CLOSE OF SESSION

The following appointment and resignation has been announced subsequent to adjournment of the 1977 Extraordinary Session:

June 25, 1977

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

Dear Governor Neu:

At some time following the end of the Extraordinary Session of the General Assembly, I will be submitting my resignation from the Senate in order to accept appointment as Scott County Attorney on October 1, 1977.

= In view of that fact, I feel that at this time I ought to resign my position as Ranking Member of the Budget Committee in order that a replacement may be named who can participate in the deliberations of that committee during the entire interim period.

As the position is a derivative of the Assistant Minority leadership position, I presume this may be considered as a resignation from that position as well.

Sincerely,
ELIZABETH SHAW
State Senator

June 27, 1977

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

Dear Governor Neu:

The recent resignation of Senator Elizabeth Shaw from her position as Ranking Minority Member of the Senate Budget Committee has left that post vacant.

Pursuant to Senate Rule 31, as Minority Floor Leader of the Senate I am appointing the Senator from Sioux County, Lucas J. DeKoster, to fulfill the unexpired portion of Senator Shaw's term as the Ranking Member of this committee.

Very truly yours,
CALVIN O. HULTMAN
Senate Minority Floor Leader

LEGISLATIVE COUNCIL

President Neu pursuant to Section 2.41, Code 1977, announced the following appointments to the Legislative Council:

- Lieutenant Governor Arthur A. Neu, ex officio
- Senator C. Joseph Coleman, President Pro Tempore
- Senator George R. Kinley, Senate Majority Floor Leader
- Senator Calvin O. Hultman, Senate Minority Floor Leader
- Senator William D. Palmer,
Chairperson of the Senate Budget Committee
- Senator Lucas J. DeKoster,
Minority Ranking Member of the Senate Budget Committee
- Senator Gene W. Glenn
- Senator Eugene M. Hill
- Senator Philip B. Hill
- Senator Fred W. Nolting
- Senator Richard R. Ramsey

LEGISLATIVE FISCAL COMMITTEE

President Neu pursuant to Section 2.45, subsection 2, Code 1977, announced the following appointments to the Legislative Fiscal Committee:

- Senator William D. Palmer,
Chairperson of the Senate Budget Committee
- Senator Lucas J. DeKoster,
Minority Ranking Member of the Senate Budget Committee
- Senator E. Kevin Kelly
- Senator Bass Van Gilst
- Senator Fred W. Nolting,
(Appointive member from the Legislative Council)

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Rule 4 and Senate Concurrent Resolution 4, the committee on Rules and Administration respectfully reports that all officers and employees from the 1977 Regular Session of the Sixty-seventh General Assembly were employed for the 1977 Extraordinary Session with the exception of the following persons who were unable to return or who have recently submitted resignations:

- Legal Counsel David B. Frost
- Research Analyst Nancy Smith
- Research Analyst Michael Tramontina
- Research Analyst Patricia Miller
- Assistant Bill Clerk Sue Sickles
- Assistant Journal Editor Beth I. Stanton
- Law Library Clerk Judy Neff

Doorkeeper	.....	Harry D. Alvord
Doorkeeper	.....	Richard W. Dunker
Doorkeeper	.....	Charles M. McCoun
Page	.....	Michelle Elowsky
Page	.....	David Fastenau
Page	.....	Cassandra Foens
Page	.....	Mary Hobson
Secretary	.....	Dorothy Bahls
Secretary	.....	Vera Bergman
Secretary	.....	Kathlyn K. Hillman
Secretary	.....	Jean Ann Luthe
Secretary	.....	Marcella L. Nelson
Secretary	.....	Gina Tramontina

None of the vacancies were filled.

GEORGE R. KINLEY, Chairperson

AMENDMENTS FILED DURING SIXTY-SEVENTH/ GENERAL ASSEMBLY, 1977 EXTRAORDINARY SESSION—

Amendments filed—40-44

APPOINTMENTS, SENATE—

Appointments:

Legislative Council, Lt. Governor Neu, Senators Coleman, Kinley, Hultman, Palmer, DeKoster, Glenn, Hill of Jasper, Hill of Polk, Nolting, and Ramsey—47

Legislative Fiscal Committee—Senators Palmer, DeKoster, Kelly, Van Gilst, and Nolting—47

ASSIGNMENT OF BILLS—

Bills assigned to committees—25

BECAME LAW BY PUBLICATION—

Senate File 415—45

House File 634—45

BILLS—

Approved after session—45

Returned to committee, Senate Rule 4—36

BILLS SENT TO GOVERNOR—

Reports of Senate (sent to Governor)—37

BUDGET, COMMITTEE ON—

Bills introduced—416

Amendments filed—26

Amendments offered—27

Reports—17-18, 26

COLEMAN, C. JOSEPH—Senator Twenty-third District, President pro tempore

Appointed to statutory commissions, committees, councils and advisory boards—47

Presided at sessions of the Senate—11, 29

COMMITTEE MEETING REPORTS—

Budget—9-10, 12, 19-20, 22-23

Rules and Administration—23

COMMITTEES, SPECIAL—

From House—5

Notify and escort Governor—5, 9

COMMUNICATIONS FROM—

Governor Robert D. Ray—1-2, 35-36

Reports:

Transportation, Department of:
 Transportation projects, final report—10

Other:

Arizona, State of, HCM 2003, federal appropriations not exceed
 estimated federal revenues—12
 Massachusetts Legislature, right to life—23
 Nevada Legislature, SJR 3, limit federal appropriations—12

CURTIS, WARREN E.—Senator Third District
 Committee appointments—5

DE KOSTER, LUCAS J.—Senator First District
 Appointed to statutory commissions, committees, councils and advisory
 boards—47
 Standing committee appointed to—46

DODERER, MINNETTE FRERICHS—Senator Thirty-seventh District
 Amendments filed—28
 Amendments offered—28

EMPLOYEES—
 (See Officers and Employees)

EXPLANATIONS OF VOTES—
 Senate File 415—Senator Ashcraft—23

GLENN, GENE W.—Senator Forty-fifth District
 Amendments filed—28
 Amendments offered—28
 Appointed to statutory commissions, committees, councils and advisory
 boards—47

GOVERNOR RAY, ROBERT D.—
 Addressed joint convention—6-9
 Communications sent—1-2
 Proclamation re Extraordinary Session—1-2, 35-36

HILL, EUGENE M.—Senator Thirty-fifth District
 Appointed to statutory commissions, committees, councils and advisory
 boards—47

HILL, PHILIP B.—Senator Thirty-third District
 Appointed to statutory commissions, committees, councils and advisory
 boards—47

HULTMAN, CALVIN O.—Senator Forty-ninth District
 Appointed to statutory commissions, committees, councils and advisory
 boards—47

Appointment to Budget Committee, letter of—46

Presented resolution by members of Senate expressing best of luck and good wishes to Senator Shaw leaving Senate to accept position of Scott County Attorney—30

JOINT CONVENTIONS—

Resolutions relating to:

House Concurrent Resolution 56—4-5

Special session, appropriation for salaries, address by Governor Robert D. Ray—6-9

KELLY, E. KEVIN—Senator Twenty-fifth District

Appointed to statutory commissions, committees, councils and advisory boards—47

KINLEY, GEORGE R.—Senator Thirty-fourth District

Appointed to statutory commissions, committees, councils and advisory boards—47

Moved that organization and procedures be same for 1977 Extraordinary Session as 1977 Regular Session of the Sixty-seventh General Assembly—2-3

Moved that Secretary of the Senate send written message to the Governor and House of Representatives informing them that Senate was organized—3

Moved that the 1977 Extraordinary Session of the Sixty-seventh General Assembly adjourn sine die, HCR 60—37

Reports—47-48

LEGISLATIVE COUNCIL—

Appointments to—47

LEGISLATIVE FISCAL COMMITTEE—

Appointments to—47

LIEUTENANT GOVERNOR, ARTHUR A., President of the Senate

Called to order 1977 Extraordinary Session of the Sixty-seventh General Assembly—1

Announcements—46, 47

Appointments and resignations announced—46, 47

Communications received—35-36, 46

Presented Governor Robert D. Ray in joint convention—5

Presided at joint conventions—5

Presided at sessions of the Senate—1, 3, 9, 11, 13, 16, 17, 21, 22, 24, 25, 29, 30, 34

Rulings—15, 18, 26, 29

Welcomed:

Paula Kotila and Kustaa Poutiainen, Helsinki, Finland, guests of Senator Culver—20

Final adjournment, 1977 Extraordinary Session of the Sixty-seventh General Assembly, HCR 60-37

MESSAGES—

(See also Communications, Joint Conventions and/or Secretary of the Senate)

From House—3, 4, 16-17, 24, 31, 34, 35

NOLTING, FRED W.—Senator Seventeenth District

Appointed to statutory commissions, committees, councils and advisory boards—47

OFFICERS AND EMPLOYEES OF THE SENATE—

Resignations and/or nonreturnees—47-48

ORGANIZATION OF THE SENATE—

Organizational or administrative procedures—2-3

ORR, JOAN—Senator Thirty-sixth District

Committee appointments—5

PALMER, WILLIAM D.—Senator Thirty-second District

Amendments offered—27

Appointed to statutory commissions, committees, councils and advisory boards—47

Reports—17-18, 26

POINTS OF ORDER RAISED—

Senate File 415, S-3732—Senator Redmond—18

Senate Concurrent Resolution 31, out of order—Senator Hill of Polk—15

House File 634, out of order—Senator Glenn—26

House File 634, S-3737—Senator Willits—29

PRIEBE, BERL E.—Senator Fourth District

Amendments filed—18, 28, 29

Amendments offered—18, 28, 29

RAMSEY, RICHARD R.—Senator Forty-seventh District

Appointed to statutory commissions, committees, councils and advisory boards—47

RESIGNATIONS—

(Also see Officers and Employees)

Senator Shaw, District 40—46

RULES—

Rule 4:

Bills and resolutions returned to committees—36

Rules Invoked—

Rule 36 (reassignment and referral of bills):

Senate File 415—17

Motions to Suspend—

Rule 8 (eligibility):

Senate Concurrent Resolution 31—14, 15

Prevailed:

Senate Concurrent Resolution 31—15

Ruled Out of Order—

Senate File 415, S—3732—18

Senate Concurrent Resolution 31—15

RULES AND ADMINISTRATION, COMMITTEE ON—

Reports—47-48

Resolutions offered:

Senate Concurrent Resolution 31, maximum school levy—13-14, 15, 16

Senate Concurrent Resolution 32, adjournment of 1977 Extraordinary Session—31, 36

SECRETARY OF THE SENATE, Steven C. Cross—

Communications received and on file—1-2, 10, 12, 23

Notify Governor—3, 35

Notify House—3, 35

Reports (bills sent to Governor)—37

SHAW, ELIZABETH—Senator Fortieth District

Resignation, letter of—46

SPECIAL COMMITTEES—

(See Committees, special)

SPECIAL PRESENTATION—

Senator Hultman presented resolution by members of Senate expressing best of luck and good wishes to Senator Shaw leaving Senate to accept position of Scott County Attorney—30

STATUTORY APPOINTMENTS TO COMMISSIONS, COMMITTEES, COUNCILS AND ADVISORY BOARDS—

(See Appointments, Senate)

STUDY BILLS IN COMMITTEE—

Rules and Administration—19

TAYLOR, RAY—Senator Fifth District

Amendments filed—27

Amendments offered—27

TIEDEN, DALE L.—Senator Ninth District

Committee appointments—5

VAN GILST, BASS—Senator Forty-sixth District

Appointed to statutory commissions, committees, councils and advisory boards—47

WAYS AND MEANS, COMMITTEE ON—

Bills introduced—415